COMMONWEALTH OF PENNSYLVANIA
PROFESSIONAL STANDARDS AND PRACTICES COMMISSION

DEPARTMENT OF EDUCATION,	:	
Petitioner,	:	
	:	
	:	
v.	:	**DOCKET NO. DI-08-46**
	:	
	:	
AUTUMN LEATHERS,	:	
Respondent.	:	
	:	

MEMORANDUM AND ORDER

On November 13, 2008, the Department of Education ("Department") filed a Notice of Charges against the Respondent, seeking an immediate suspension of her professional teaching certification[1] pursuant to section 2070.9.2(1) of the Professional Educator Discipline Act. Under section 2070.9.2(1), the Commission may direct the Department to suspend immediately the certificate of a professional educator indicted for a crime set forth in section 111(e)(1) through (3) of the Public School Code of 1949 if the Commission, or a committee thereof, determines that the professional educator poses a threat to the health, safety or welfare of a student or other individual in a school. 24 P.S. §2070.9.2(1). 24 P.S. §1-111(e)(1)- (3).

In the instant case, the Department alleged that the Respondent was employed by the Allegany County School District in Cumberland, Maryland when she knowingly engaged in an inappropriate sexual relationship with a student who was 15 at the inception of the relationship. On September 17, 2008, the Respondent was indicted in

1 The Respondent holds an Instructional I certificate in the area of English 7-12.

Maryland on charges of Sexual Offense in the Third Degree, Child Abuse, Sexual Abuse of a Minor, Unnatural or Perverted Sexual Practice, Assault in the Second Degree and Sexual Offense in the Fourth Degree. The Department contends that some if not all these crimes are similar in nature to offenses listed in section 111(e)(1) of the Public School Code of 1949 and thus trigger implementation of the immediate suspension procedure under 24 P.S. §2070.9.2(1). 24 P.S. §1-111(e)(1) - (3). The Department contends that given the nature of the alleged conduct and the charges lodged against her, the Respondent poses a threat to the health, safety or welfare of a student or other individual in a school, thereby necessitating suspension of her certification.

Subsequent to the filing of the Notice of Charges, the Respondent agreed to the suspension of her certificate pending the outcome of the criminal matter. The parties understand that should the Respondent be acquitted of the charges, her certification will immediately be restored. An acquittal, however, will not foreclose the Department from proceeding with new charges based on the underlying conduct if such charges are determined to be warranted.

Accordingly, the Commission enters the following:

ORDER

AND NOW, this ___16th___ day of January, 2009, upon consideration of the Notice of Charges requesting Immediate Suspension filed by the Department of Education and the agreement of the Respondent to the suspension of her professional certification, it is hereby ORDERED that the professional certification issued to Respondent Autumn Leathers shall be SUSPENDED IMMEDIATELY.

PROFESSIONAL STANDARDS AND
PRACTICES COMMISSION

BY: _____
Gilbert R. Griffiths
Chairperson

ATTEST: _____
Carolyn Angelo
Executive Director

Date Mailed: