

**COMMONWEALTH OF PENNSYLVANIA
PROFESSIONAL STANDARDS AND PRACTICES COMMISSION**

**DEPARTMENT OF EDUCATION,
Petitioner,**

v.

**STEVEN J. GEYER,
Respondent.**

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DOCKET NO. DI-12-46

MEMORANDUM AND ORDER

On March 29, 2012, the Department of Education ("Department") filed a Notice of Charges against the Respondent, seeking an immediate suspension of his professional educator certification pursuant to section 2070.9b(1) of the Professional Educator Discipline Act. Under section 2070.9b(1), the Commission may direct the Department to suspend immediately the certificate of an educator indicted for a crime set forth in section 111(e)(1) through (3) of the Public School Code of 1949 if the Commission determines that the educator poses a threat to the health, safety or welfare of a student or other individual in a school. Suspension may occur only after the Respondent has received notice of the charges and request for immediate discipline and has an opportunity to be heard at a hearing if so requested. 24 P.S. §2070.9b(1); 24 P.S. §1-111(e)(1) – (3).

In the instant case, the Department served the Notice of Charges on Respondent by certified and first class mail. Notwithstanding the language in the Notice of Charges cautioning Respondent that failure to respond could result in the factual assertions being deemed admitted and the imposition of immediate discipline without a hearing,

Respondent declined to file an answer or otherwise respond to the Notice of Charges. In accordance with the Commission's bylaws, a professional educator who fails to respond to the Notice of Charges is in default as provided for in section 35.37 of the General Rules of Administrative Practice and Procedure. 22 Pa. Code §233.115(c)(1); 1 Pa. Code §35.37. Thus, all relevant facts stated in the Notice of Charges will be deemed admitted.

Accordingly, the Commission finds that on or about December 21, 2011, Respondent was criminally charged in Lancaster County with Indecent Assault, Unlawful Contact with a Child, and Corruption of Minors. The criminal charges stemmed from allegations that Respondent engaged in sexual contact with at least three male foreign exchange students between the ages of twelve and sixteen while the students resided in Respondent's home. At all times relevant hereto, the Respondent served as an assistant principal at the Lancaster Mennonite School and he used his position of authority to threaten the victims with removal from the School and return to their country of origin if they did not comply with the sexual contact.

Based on the facts deemed admitted, the Commission finds that the Department has presented sufficient evidence to support its claim that the Respondent was indicted for crimes¹ set forth in section 111(e) of the Public School Code. In considering whether the Respondent poses a threat to the health, safety or welfare of a student or other individual in a school, the Commission reviews the allegations underlying the Respondent's indictment. Specifically, the Respondent is accused of engaging in

¹ The crimes of Corruption of Minors, Unlawful Contact with a Minor and Indecent Assault are all enumerated crimes in 24 P.S. §1-111(e)(1).

coercive and forcible sexual contact with students to whom he owed a fiduciary duty. Such conduct clearly poses the requisite threat to students and other individuals in the schools. In the instant case, the Respondent has proffered no evidence to rebut this conclusion and has forfeited the rebuttal opportunity by failing to respond to the charges or to appear at the Commission's meeting.

Accordingly, the Commission finds that Respondent's professional educator certification² should be suspended immediately pursuant to 24 P.S. §2070.9b(1).

² The Respondent holds an Instructional I teaching certificate in the area of English 7-12, an Administrative certificate (Principal K-12), and a Supervisory certificate in the area of curriculum and instruction.

ORDER

AND NOW, this 31st day of May, 2012, upon consideration of the Notice of Charges requesting immediate suspension filed by the Department of Education, it is hereby ORDERED that the professional educator certification issued to Respondent STEVEN J. GEYER shall be SUSPENDED IMMEDIATELY pursuant to 24 P.S. §2070.9b(1).

PROFESSIONAL STANDARDS AND
PRACTICES COMMISSION

BY:

Gilbert R. Griffiths
Chairperson

ATTEST:

Carolyn Angelo
Executive Director

Date Mailed: May 31, 2012