

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

**DEPARTMENT OF EDUCATION,
Petitioner,**

v.

**ROBERT C. BONNER,
Respondent.**

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DOCKET NO. DI-13-29

MEMORANDUM AND ORDER

On April 10, 2013, 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 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 determines that the professional 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 the Respondent. While the Respondent filed an answer to the Notice of Charges as

contemplated by the General Rules of Administrative Practice and Procedure, he subsequently advised the Department on May 13, 2013, that he acquiesced to the immediate suspension of his professional educator certification. The Respondent, however, did not admit that he is guilty of any wrongdoing or that he poses a threat to the health, safety or welfare of any student or individual.

The Commission finds that Respondent, at all times relevant to the instant matter, was employed by the Bermudian Springs School District. On or about January 17, 2013, he was criminally charged with Endangering the Welfare of Children and Corruption of Minors. Both of these crimes are enumerated in section 111(e)(1) of the Public School Code of 1949. 24 P.S. §1-111(e)(1). The criminal charges stemmed from allegations that the Respondent had solicited a 17 year-old student to engage in sexual activity including a “threesome” with him and his wife.

Based on these facts, the Commission finds that the Department has presented sufficient evidence to support its claim that the Respondent’s alleged misconduct constitutes a most egregious breach of his fiduciary duty to the victim and poses a threat to the health, safety or welfare of a student or other individual in a school. The burden then shifts to the Respondent to rebut the evidence presented by the Department that he was indicted for the particular crimes and/or that he poses the requisite threat. In this case, the Respondent forfeited the rebuttal opportunity.

Accordingly, the Commission finds that Respondent’s professional educator certification¹ should be suspended immediately pursuant to 24 P.S. §2070.9b(1). Should the Respondent be acquitted of the criminal charges or the charges otherwise be

dismissed, the Commission shall reinstate his certification upon submission of a certified copy of the appropriate documentation.

¹ The Respondent holds an Instructional II teaching certificate in the area of Chemistry.

ORDER

AND NOW, this __17th__ day of May, 2013, 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 and eligibility to be employed in a charter or cyber charter school of Respondent ROBERT C. BONNER 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 17, 2013