

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

DEPARTMENT OF EDUCATION,	:	
Petitioner,	:	
	:	
v.	:	PSPC DOCKET NO. DI-17-100
	:	
KIM A. WAGNER,	:	
Respondent.	:	

MEMORANDUM AND ORDER

Before the Professional Standards and Practices Commission ("Commission") is the Department of Education's ("Department") Motion for Entry of Order filed in the above-captioned matter on June 20, 2017.

Respondent was issued an Educational Specialist II Pennsylvania certificate in the area of Secondary School Counselor 7-12. On or about May 9, 2016, an educator misconduct complaint was filed with the Department alleging that on March 31, 2016, Respondent tendered her resignation for the purposes of retirement, effective April 1, 2016, because she was intending to plead guilty to Medicaid Fraud, a first degree misdemeanor. On July 14, 2016, Respondent was convicted of Provider Prohibited Acts – False/Fraud Medical Assistance Claim (Medicaid Fraud) and Theft by Deception in Lancaster County, Pennsylvania and subsequently agreed to surrender her educator certification and her employment eligibility. Attached to the Department's Motion for Entry of Order is an Affidavit signed by Respondent evidencing her voluntary surrender. Pursuant to the Educator Discipline Act, surrender of a certificate and/or employment eligibility constitutes discipline. 24 P.S. § 2070.1b. The Department has filed the instant Motion requesting that the Commission enter an order accepting Respondent's Affidavit of Surrender in resolution of the disciplinary matter.

Accordingly, we enter the following:

ORDER

AND NOW, this 10th day of August, 2017, upon consideration of the Motion for Entry of Order filed by the Department of Education, it is hereby ORDERED that the Motion for Entry of Order is GRANTED and the educator certification and employment eligibility to serve as a charter or cyber charter school staff member or a contracted educational provider staff member of KIM A. WAGNER is SURRENDERED in accordance with the foregoing Memorandum and Respondent's Affidavit of Surrender. This Order is effective IMMEDIATELY.

PROFESSIONAL STANDARDS AND
PRACTICES COMMISSION

By: _____
Myron Yoder
Chairperson Pro Tempore

Attest: _____
Shane F. Crosby
Executive Director

Date Mailed: August 10, 2017