

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

**DEPARTMENT OF EDUCATION,
Petitioner,**

v.

**JAMES W. MENTZER III,
Respondent.**

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PSPC DOCKET NO. DI-22-010

ORDER ACCEPTING SURRENDER

This matter is before the Professional Standards and Practices Commission (“Commission”) on the Department of Education’s (“Department”) Motion for Entry of Order. The Motion requests that the Commission accept the surrender of the certificate and employment eligibility of James W. Mentzer III (“Respondent”) in resolution of a Notice of Charges and Motion for Summary Judgment filed against him. The Motion was presented to the Commission at its regularly scheduled meeting on March 21, 2022. After careful consideration, the Commission enters this Order accepting Respondent’s surrender.

BACKGROUND

Respondent currently holds an Instructional II certificate in the area of Elementary K-6. At all relevant times, Respondent was employed by the Lower Dauphin School District as a teacher at East Hanover Elementary School. On February 2, 2022, the Department filed a Notice of Charges alleging that Respondent was criminally convicted of Attempt-Indecent Assault and Corruption of Minors after he had inappropriate interactions with multiple students between the ages of 8 and 11 years old. Simultaneous with the filing of the Notice of Charges, the Department filed a Motion for Summary Judgment requesting that the Commission enter summary

judgment in its favor and revoke Respondent's certificate and employment eligibility based upon his convictions.

On March 10, 2022, Respondent signed an Affidavit agreeing to surrender his certificate and employment eligibility. (Motion for Entry of Order, Ex. 1). On March 16, 2022, the Department filed a Motion for Entry of Order requesting that the Commission accept Respondent's surrender in lieu of further disciplinary proceedings.

SURRENDER

Pursuant to the Educator Discipline Act ("Act"), surrender shall mean the termination by consent of a certificate or employment eligibility. 24 P.S. § 2070.1b. Surrender of a certificate or employment eligibility constitutes discipline. Id. The Act authorizes the Commission to accept the surrender of Respondent's certificate and employment eligibility.

ORDER

AND NOW, this 1st day of April 2022, upon consideration of the Motion for Entry of Order filed by the Department of Education, it is hereby Ordered:

1. The Motion is granted, and the Commission accepts the surrender of Respondent's certificate and his eligibility to be employed as a charter or cyber charter school staff member or contracted educational provider staff member.
2. Respondent's certificate and his eligibility to be employed as a charter or cyber charter school staff member or contracted educational provider staff member are, therefore, terminated effective on the date of this Order.
3. The acceptance by the Commission of the surrender of Respondent's certificate

and employment eligibility shall constitute the imposition of discipline against Respondent.

4. Respondent is not eligible to be employed in a school entity in a position requiring certification or as a charter or cyber charter school staff member or contracted educational provider staff member, or eligible for any certificate.
5. Pursuant to section 16(b)(2) of the Act, the Commission shall not reinstate Respondent's certificate and employment eligibility. 24 P.S. § 2070.16(b)(2).
6. The Notice of Charges and Motion for Summary Judgment filed against Respondent are resolved.

PROFESSIONAL STANDARDS AND
PRACTICES COMMISSION

By: 

Myron Yoder
Chairperson Pro Tempore



Attest: _____
Shane F. Crosby
Executive Director

Date Mailed: April 1, 2022