

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

DEPARTMENT OF EDUCATION,	:	
Petitioner,	:	
	:	
v.	:	PSPC DOCKET NO. DI-25-073
	:	
KELLY A. SCHUTTE,	:	
Respondent.	:	

**ORDER APPROVING SETTLEMENT AGREEMENT
AND 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 approve the parties’ Settlement Agreement and accept the surrender of the certificate¹ and employment eligibility of Kelly A. Schutte (“Respondent”) in resolution of an educator misconduct complaint filed against her.

Background

Respondent holds an Educational Specialist II certificate in the area of Elementary & Secondary School Counselor PK-12. At all relevant times, Respondent was employed by the Pennridge School District. On August 7, 2023, an educator misconduct complaint was filed with the Department. Following an investigation, it was determined that Respondent pleaded guilty to Corruption of Minors, 18 Pa.C.S. § 6301(a)(1)(ii).

Settlement Agreement

A certificate is a constitutionally protected property right entitled to due process protection. Bowalick v. Dep’t of Educ., 840 A.2d 519, 522 (Pa. Cmwlth. 2003). Generally, an accused educator is entitled to a full evidentiary hearing conducted in accordance with the Educator

¹ As defined in the Educator Discipline Act. 24 P.S. § 2070.1b.

Discipline Act (“Act”) and the Administrative Agency Law. 24 P.S. §§ 2070.13 (relating to hearing) and 2070.18(a) (relating to commission proceedings and procedures). In place of a hearing, a charge of misconduct can be resolved in a written settlement agreement. 24 P.S. § 2070.12 (relating to department action after investigation). When approved by the Commission, a settlement agreement has the same effect as an order issued following an administrative adjudication. *See Kenney v. Bureau of Prof'l & Occupational Affairs*, 203 A.3d 421 (Pa. Cmwlth. 2019).

The parties have entered into a written Settlement Agreement, whereby they agree to resolve all matters contained in the complaint with the surrender of Respondent’s certificate and employment eligibility. On July 11, 2025, Respondent signed a Settlement Agreement and an Affidavit, agreeing to surrender her certificate and employment eligibility. (Motion for Entry of Order, Ex. 1 and Ex. 2.) On July 29, 2025, the Department filed a Motion for Entry of Order requesting that the Commission approve the Settlement Agreement and accept Respondent’s surrender in lieu of further disciplinary proceedings.

Pursuant to the 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.

The Motion was presented to the Commission at its regularly scheduled meeting on September 15, 2025. After careful consideration, the Commission finds that the agreement is fair, reasonable, and in the best interests of the parties and the public and enters the following:

Order

AND NOW, this 30th day of September 2025, upon consideration of the Department's Motion for Entry of Order, it is hereby Ordered:


1. The Motion for Entry of Order is granted, the Settlement Agreement is approved, and the Commission accepts the surrender of Respondent's certificate and eligibility to be employed as a charter or cyber charter school staff member or contracted educational provider staff member.
2. The Commission incorporates the terms of the Settlement Agreement into this Order.
3. Respondent's certificate and 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.
4. The acceptance by the Commission of the surrender of Respondent's certificate and employment eligibility shall constitute the imposition of discipline against Respondent.
5. 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.
6. Pursuant to 24 P.S. § 2070.16(b), the Commission shall not reinstate Respondent's certificate and employment eligibility.

7. The educator misconduct complaint filed against Respondent is resolved.

PROFESSIONAL STANDARDS AND
PRACTICES COMMISSION

By: 

Myron Yoder
Chairperson Pro Tempore

Attest: 

Amber Lee Czerniakowski
Executive Director

Date Mailed: September 30, 2025