

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

DEPARTMENT OF EDUCATION,	:	
Petitioner,	:	
	:	
v.	:	
	:	PSPC DOCKET NO. DI-23-119
ROBERT A. IVANISIN,	:	
Respondent.	:	

ORDER APPROVING SETTLEMENT AGREEMENT

This matter is before the Professional Standards and Practices Commission (Commission) on the Department of Education’s (Department) Motion for Entry of Order requesting that the Commission issue an order approving the parties’ Settlement Agreement and directing the Department to issue a public supplemental sanction to Robert A. Ivanisin (Respondent) in settlement of an educator misconduct complaint filed against him.

Background

Respondent holds an Instructional II certificate in the area of Art PK-12. Most recently, Respondent was employed by the Aliquippa School District until his resignation on November 2, 2022. Prior to that, Respondent was employed by the Ambridge Area School District until his resignation on February 13, 2019. On August 3, 2017, an educator misconduct complaint was filed with the Department alleging that Respondent engaged in professional misconduct both inside and outside the classroom. As required by the Educator Discipline Act (Act), the Department provided written notice to Respondent of the legal sufficiency of the complaint and its determination that there

was probable cause to believe that grounds for discipline existed. See 24 P.S. § 2070.9(e).

Settlement Agreement

A teaching 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 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 imposition of a public supplemental sanction consisting of Respondent's completion, at his expense, of the twelve (12) hour course titled "Course for Anger Management" offered by the North American Learning Institute.¹ The Settlement Agreement was presented to the Commission for approval at its regularly scheduled meeting on November 6, 2023. 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 22nd day of November 2023, upon consideration of the Department's Motion for Entry of Order, it is hereby Ordered:

1. The Motion is Granted, and the Settlement Agreement is approved.
2. The Commission incorporates the terms of the Settlement Agreement into this Order.
3. Consistent with the terms of the Settlement Agreement, the Department is directed to impose a public supplemental sanction against Respondent effective on the date of this Order.
4. The educator misconduct complaint filed against Respondent is resolved.

PROFESSIONAL STANDARDS AND
PRACTICES COMMISSION

By:



Myron Yoder
Chairperson Pro Tempore



Attest:

Shane F. Crosby
Executive Director

Date Mailed: November 22, 2023

1. Respondent completed the course on October 11, 2023.