

THE ALBERTA TEACHERS' ASSOCIATION  
REPORT OF THE HEARING COMMITTEE  
OF THE PROFESSIONAL CONDUCT COMMITTEE  
IN THE MATTER OF A CHARGE OF UNPROFESSIONAL  
CONDUCT AGAINST TREVOR JASON WASYLYK

The hearing committee of the Professional Conduct Committee of the Alberta Teachers' Association reports that a charge of unprofessional conduct laid against Trevor Jason Wasylyk of [REDACTED] was duly investigated in accordance with the *Teaching Profession Act*. The hearing was held in Barnett House, 11010 142 Street NW, Edmonton, Alberta, Canada on Friday, February 26, 2016, commencing at 0900.

Professional Conduct Committee members present as the hearing committee were [REDACTED]  
[REDACTED]  
[REDACTED] presented the case against the investigated member. The investigated member, Trevor Wasylyk, was present and was not represented.

CONSTITUTION/JURISDICTION

There was no objection to either the composition of the committee or its jurisdiction.

CHARGES AND PLEA

The following charge was read aloud by the secretary to the hearing committee:

1. Trevor Jason Wasylyk is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that he, while a member of the Alberta Teachers' Association, between December 2011 and June 2014, engaged in conduct for which he, on April 2, 2015, was convicted of an indictable offence, to wit: Unlawfully Defrauding [School Board Redacted] of Monies of a Value Exceeding \$5000.00, contrary to Section 380(1) (A) of the *Criminal Code of Canada*.

The investigated member entered a plea of guilty to the charge.

WITNESSES

There were no witnesses called.

EXHIBITS FILED

- Exhibit 1 Notice of hearing and Canada Post confirmation of delivery on January 25, 2016
- Exhibit 2—Proof of Wasylyk's membership in the Association
- Exhibit 3 Certificate of conviction dated December 10, 2015

Exhibit 4 Agreed statement of facts between Her Majesty the Queen and Trevor Jason Wasylyk, dated April 2, 2015

Exhibit 5 Penalty submission from [REDACTED]

EVIDENCE ADDUCED AND EXHIBITS FILED INDICATED THAT:

1. Wasylyk was a member of the Alberta Teachers' Association during the periods from September 1, 1998 to August 31, 2004 inclusive and September 1, 2005 to September 30, 2014.
2. Wasylyk was employed by [School Division Redacted] at [School Redacted] from December 12, 2011 until July 2, 2014, during which the fraud occurred. He was the head of the [Subject Redacted] Department for the 2013/14 school year.
3. Wasylyk was provided with a purchasing card by his employer to make purchases on behalf of the school and made purchases totalling \$11,289.80 that were unauthorized and illegitimate. These purchases were made between December 2011 and June 2014.
4. On June 30, 2014 the school principal, [Name Redacted], noted irregularities in Wasylyk's purchasing card reconciliation statement for May of 2014.
5. On both July 2 and 4, 2014, Wasylyk misled the school administration regarding the purchases in question.
6. On July 5, 2014 Wasylyk continued to mislead school administration but then admitted, in an e-mail, that he fraudulently took money from the school and he was extremely sorry and remorseful.
7. An audit was done by the school and it revealed that Wasylyk had purchased various gift cards for his personal use but had documented them as school expenses.
8. On August 26, 2014, Wasylyk met with [Name Redacted] of [School Division Redacted] and acknowledged that he had misappropriated school funds.
9. Wasylyk resigned from [School Division Redacted] on September 2, 2014.
10. On October 17, 2014, the [Location] Police Service contacted Wasylyk and advised him of the charges against him.
11. On March 23, 2015, Wasylyk provided full restitution to [School Division Redacted] in the amount of \$11,289.80.

12. On April 2, 2015, Wasylyk plead guilty and was convicted under part XIX (indictable) of the *Criminal Code* on the charge that

Between the 12<sup>th</sup> day December, 2011 and the 2<sup>nd</sup> day of July, 2014, both dates inclusive, at or near [REDACTED], did by deceit, falsehood or other fraudulent means, unlawfully defraud [School Board Redacted] of property, money, valuable security or a service, to wit: monies, of a value exceeding \$5,000.00, contrary to section 380(1)(a) of the *Criminal Code* of Canada. As required by section 380(1)(a) itself, the Crown proceeded by indictment.

13. On November 10, 2015, the following penalty was imposed on Wasylyk, namely, that he be imprisoned in the community for the term of 15 months and pay a victim fine surcharge of \$100.

#### DECISION OF THE HEARING COMMITTEE

The committee accepted Wasylyk's plea of guilty.

#### REASONS FOR DECISION

1. Wasylyk was convicted of an indictable offense under the *Criminal Code* of Canada and, therefore, pursuant to section 23(2) of the *Teaching Profession Act* is deemed to have engaged in unprofessional conduct.
2. Teachers and principals, in relation to their responsibilities for financial matters associated with the school community, must act in a manner which establishes and maintains a relationship of trust. Wasylyk violated this relationship of trust.
3. In defrauding his employer, Wasylyk behaved in a manner which failed to maintain the honour and dignity of the profession.

#### PENALTY

The hearing committee of the Professional Conduct Committee imposes the following penalties on Wasylyk:

1. A declaration of ineligibility for membership in the Alberta Teachers' Association for two years
2. A recommendation to the minister of education to suspend his teaching certificate for a period of two years

REASONS FOR PENALTY

1. Wasylyk misappropriated funds for his own personal use and made unauthorized purchases and did so repeatedly, over an extended period of time.
2. Wasylyk violated the trust and authority that was vested in him as a department head and school community leader.
3. All teachers are expected to uphold the provisions of the Code of Professional Conduct, which includes maintaining the honour and dignity of the profession. Wasylyk failed to act in a manner that would maintain the honour and dignity of the profession.
4. Society values teachers and expects that they will conduct themselves, in all matters, with honesty and integrity. Teachers are expected to be positive role models and are held to a higher standard than the general public. Wasylyk's conduct fell far below the expected standard.
5. The hearing committee considered the fact that by defrauding the employer of the money, Wasylyk created a negative impact on the school's budget and resources for the students. Wasylyk put the satisfying of his own greed ahead of fulfilling the needs of the school and the students.
6. The hearing committee did take into account Wasylyk's guilty pleas and the fact that he did make restitution.

Dated at the City of Edmonton in the Province of Alberta, Friday, February 26, 2016.

HEARING COMMITTEE OF THE  
PROFESSIONAL CONDUCT COMMITTEE  
OF THE ALBERTA TEACHERS' ASSOCIATION

