

PRACTICE REVIEW HEARING COMMITTEE

HEARING DECISION IN THE MATTER OF KRIS JAMES MCNAB

**HEARING HELD ON JULY 19, 2021
EDMONTON, ALBERTA**

The Practice Review Hearing Committee (the “Committee”), established in accordance with section 7 of the *Practice Review of Teachers and Teacher Leaders Regulation*, Alberta Regulation 92/2019 (the “Regulation”), convened to hear a complaint about the alleged unprofessional conduct of Kris James McNab (the “Teacher”).

The following were Members of the Committee:

- [REDACTED], Chair, Teacher Member;
- [REDACTED] Teacher Member; and
- [REDACTED], Public Member.

The hearing was held on Monday, July 19, 2021 commencing at 9:00 a.m. via video-conference.

In addition to the Committee, the following individuals were present at the hearing:

- [REDACTED] Associate Registrar, Registrar’s Representative
- [REDACTED] Office of the Registrar
- Kris James McNab Teacher
- [REDACTED] Secretary to the Committee
- [REDACTED] Independent Legal Counsel to the Committee
- [REDACTED] Court Reporter
- [REDACTED] Virtual Hearing Technician

PRELIMINARY MATTERS

- [1] The Chair introduced the Members of the Committee, all individuals party to the hearing and all those in attendance.
- [2] The Members of the Committee stated they did not have any knowledge of the Teacher or the allegations, apart from the materials that were provided to them in advance of the hearing. The Registrar’s Representative and the Teacher each confirmed they had no objection to the composition of the Committee.
- [3] The Teacher was present at the hearing but was not represented by legal counsel or another representative. The Teacher confirmed that he understood he had a right to legal counsel or a representative. The Teacher confirmed he was waiving the right to be represented by legal counsel or a representative and was asking that the hearing proceed.
- [4] The Chair confirmed the date of the Registrar’s Notice of Decision of October 28, 2020.

[5] The Registrar's Representative and the Teacher each confirmed there were no preliminary applications.

ALLEGATION

[6] The allegation in the Registrar's Notice of Decision dated October 28, 2020 is that the Teacher engaged in inappropriate conversations of a sexual nature with some students while employed at [REDACTED].

EXHIBITS

[7] The following were entered into the record:

- a) Exhibit A – Registrar's Materials (138 pages);
- b) Exhibit B – Registrar's Cover Letter dated July 9, 2021;
- c) Exhibit C – Agreed Statement of Facts and Joint Recommendation on Penalty;
- d) Exhibit D – Teacher's Written Statement.

MANDATE OF THE COMMITTEE

[8] The mandate of the Committee is to hear the evidence presented with respect to the complaint about the alleged unprofessional conduct of the Teacher, to determine whether the Teacher's actions constitute unprofessional conduct, as defined under section 26 of the Regulation and, if so, to make recommendations under section 27 of the Regulation, as noted below.

Finding - unprofessional conduct

26(1) The practice review hearing committee

- (a) may find the conduct of the teacher or teacher leader who is the subject of the hearing to constitute unprofessional conduct if, in the opinion of the practice review hearing committee, the teacher's or teacher leader's conduct
 - (i) is detrimental to the best interests of students, the public, teachers or teacher leaders generally, or
 - (ii) does not meet the professional conduct requirements,
- (b) must find the conduct of a teacher or teacher leader who is the subject of the hearing to constitute unprofessional conduct if the teacher's or teacher leader's conduct is the basis for a conviction for an indictable offence, or
- (a) if clauses (a) and (b) do not apply, may find that the conduct of the teacher or teacher leader who is the subject of the hearing does not constitute unprofessional conduct.

(2) If a teacher or teacher leader has been convicted of an indictable offence, a practice review hearing committee must make a recommendation to the Minister under section 27(3) and has no authority to investigate the conduct of the teacher or teacher leader on which the conviction is based except for the purpose of making a recommendation to the Minister.

Recommendations of practice review hearing committee

27(1) The practice review hearing committee may recommend that the Minister dismiss the complaint if the practice review hearing committee does not find

- (a) that the teacher or teacher leader who is the subject of the complaint is
 - (i) unskilled or incompetent in teaching,
 - (ii) unskilled or incompetent in carrying out the leadership duties related to a leadership certificate, or
 - (iii) unskilled or incompetent in carrying out the leadership duties related to a superintendent leadership certificate,or
- (b) that the conduct of the teacher or teacher leader constitutes unprofessional conduct.

(2) The practice review hearing committee may make a recommendation to the Minister under subsection (3) if the practice review hearing committee finds

- (a) that the teacher or teacher leader who is the subject of the hearing is
 - (i) unskilled or incompetent in teaching,
 - (ii) unskilled or incompetent in carrying out the leadership duties related to a leadership certificate, or
 - (iii) unskilled or incompetent in carrying out the leadership duties related to a superintendent leadership certificate;or

- (b) that the conduct of the teacher or teacher leader constitutes unprofessional conduct.

(3) The practice review hearing committee may recommend that the Minister do one or more of the following:

- (a) serve a letter of reprimand on the teacher or teacher leader;
- (b) suspend one or more of the certificates of the teacher or teacher leader, with or without conditions;
- (c) cancel one or more of the certificates of the teacher or teacher leader or cancel the certificate and issue a certificate of a different class, with or without conditions;
- (d) order that the teacher or teacher leader be ineligible for one or more certificates for a definite or indefinite period of time, with or without conditions.

(4) If the decision of a practice review hearing committee

- (a) relates to a teacher or teacher leader who has been convicted of an indictable offence, and
- (b) does not contain a recommendation that the Minister cancel or suspend the certificate of the teacher or teacher leader,

the decision must include reasons why such a recommendation has not been made.

AGREED STATEMENT OF FACTS AND JOINT SUBMISSION

- [9] An Agreed Statement of Facts and Joint Submission for Penalty between the Registrar and the Teacher was submitted for the Committee's consideration (Exhibit C).
- [10] The Agreed Statement of Facts and Joint Submission for Penalty states that it contains facts admitted to by the Teacher for the purpose of dispensing with formal proof of such facts in respect to an allegation of unprofessional conduct against the Teacher, to be heard before the Committee. It is dated June 30, 2021 and is signed by the Teacher and the Registrar, [REDACTED].

Statement of Facts

- [11] The Teacher holds a Permanent Professional Certificate valid in the province of Alberta (Certificate [REDACTED]). The certificate was issued on August 4, 2010 in the province of Alberta, in accordance with the Certification of Teachers Regulation. This legislation was repealed and replaced by the Certification of Teachers and Teacher Leaders Regulation (AR84/2019) on September 1, 2019.
- [12] The conduct of Alberta certificated teachers who are not subject to the Teaching Profession Act is governed by the Practice Review of Teachers and Teacher Leaders Regulation (AR 92/2019).
- [13] The Practice Review of Teachers Regulation was replaced by the Practice Review of Teachers and Teacher Leaders Regulation effective September 1, 2019, and this matter continues under this regulation.
- [14] The Teacher was a teacher and [REDACTED] coach at [REDACTED] School from January 1, 2009 to December 7, 2017.
- [15] [REDACTED] School suspended the Teacher on November 23, 2017, after a former student ("Student 1") of [REDACTED] School received a message over social media of sexual nature from the Teacher.
- [16] The Teacher was Student 1's [REDACTED] coach when Student 1 attended [REDACTED] School.
- [17] [REDACTED] School conducted an investigation and found there were conversations of a sexual or inappropriate nature involving the Teacher and several former [REDACTED] students of [REDACTED] School, over social media; that the Teacher initiated and sent to these [REDACTED] students soon after they graduated from [REDACTED] School.
- [18] [REDACTED] School terminated the Teacher's employment on December 7, 2017 for these incidents.

- [19] Student 1 attended [REDACTED] School from 2010 to 2017 and played [REDACTED] on the school team that the Teacher coached for students in grades [REDACTED].
- [20] The Teacher began to send Student 1 comments of a sexual nature over Snapchat after Student 1 graduated from the high school and was in university.
- [21] After Student 1 graduated from [REDACTED] School [REDACTED] began to receive Snapchat messages from the Teacher daily.
- [22] [REDACTED]
- [23] The witness statement provided by Student 1 regarding the comments and actions of the Teacher toward [REDACTED] are part of Exhibit C. Also part of Exhibit C is a text message script between the Teacher and Student 1 that also shows the Teacher's comments made to Student 1 soon after [REDACTED] graduated from [REDACTED] School.
- [24] The Teacher asked Student 1 to send him full body pictures of Student 1, commenting on [REDACTED]; the messages became more "flirtatious". Student 1 describes this event in [REDACTED] Statement.
- [25] The Teacher sent Student 1 a message on social media where he told Student 1 about a sexually explicit dream the Teacher had about Student 1. Details regarding this incident are described in the Student's Statement.
- [26] Student 1 reported the Teacher's actions to [REDACTED] Police on November 20, 2017. Student 1 described [REDACTED] encounters with the Teacher in a Witness Statement to [REDACTED] Police.
- [27] The Teacher admitted that he did send Student 1 the message noted in [REDACTED] witness statement.
- [28] The Teacher indicated he was intoxicated at a Halloween party when he sent the message to Student 1. The message was not intended for Student 1 but for someone else on his contact list.
- [29] The Teacher admits he did not inform [REDACTED] School of what happened after he sent the message to Student 1.
- [30] The Teacher admits he did not contact Student 1 after he sent the message to [REDACTED] to advise Student 1 the message was not intended for [REDACTED], and was sent in error.
- [31] [REDACTED] Police did not formally press charges against the Teacher because Student 1 was over the age of [REDACTED] years when the Teacher sent Student 1 the message outlined in [REDACTED] witness statement. At this time Student 1 was a former student of [REDACTED] School. The Teacher sent the message soon after Student 1 graduated.

- [32] The Teacher sent text messages to Student 1 that were of a romantic nature, soon after Student 1 graduated from [REDACTED] School (part of Exhibit C).
- [33] The Teacher admits that all of the messages he sent to Student 1 over social media were not appropriate and poor decisions on his part as a teacher.
- [34] The Teacher indicated he was not happy at work and his [REDACTED] was not in a good state when he sent these messages to Student 1.
- [35] Student 2 attended [REDACTED] School from 2008 to 2017 and was on the [REDACTED] team that the Teacher coached.
- [36] The Teacher added Student 2 on Snapchat after [REDACTED] graduated from [REDACTED] School in June 2017. While none of the Teacher's messages were of a sexual nature, the Teacher made Student 2 uncomfortable; the messages were casual conversations.
- [37] An example of a message the Teacher sent to Student 2 was he would ask [REDACTED] what [REDACTED] was doing. Student 2 felt it was odd that the Teacher was contacting [REDACTED]. Student 2 was of the opinion it was fine when [REDACTED] attended [REDACTED] School and [REDACTED] and the Teacher spoke, but for the Teacher to contact [REDACTED] after she left school felt like an inappropriate relationship to Student 2.
- [38] The Teacher continued to send Student 2 messages during the summer after [REDACTED] graduated. The messages stopped when [REDACTED] was at University in the fall of 2017.
- [39] Student 3 attended [REDACTED] School from grade [REDACTED] and graduated in 2017. Student 3 indicated the Teacher was not [REDACTED] teacher, the Teacher was [REDACTED] coach on the [REDACTED] School team.
- [40] Student 3 indicated the Teacher added [REDACTED] on Snapchat and began to message [REDACTED] after [REDACTED] turned [REDACTED] old and after [REDACTED] graduated from [REDACTED] School.
- [41] There was one comment that the Teacher made regarding a video Student 3 posted with [REDACTED] friends that [REDACTED] felt was "weird". Student 3 said the Teacher made a comment to the effect "that could turn anyone on".
- [42] Student 3 indicated while the Teacher was [REDACTED] coach and while he was on a school fieldtrip with Student 3 and others to [REDACTED], the Teacher never said anything to Student 3 that [REDACTED] felt was inappropriate to say in his role as a coach or teacher while Student 3 was at the school.
- [43] Student 5 attended [REDACTED] School from [REDACTED] and graduated in 2018. Student 5 played [REDACTED] on the Teacher's team. After the Teacher left the school, Student 5 indicated he tried to add [REDACTED] on Snapchat, but Student 5 blocked the Teacher and did not have any conversations with the Teacher.
- [44] Student 5 was still a student at [REDACTED] School when the Teacher left [REDACTED] School and [REDACTED] was [REDACTED] years old.

- [45] Student 5 indicated the Teacher did not attempt to reach out to Student 5 after [REDACTED] blocked him on Snapchat.
- [46] Student 6 attended [REDACTED] School from 2008 to 2018 when [REDACTED] graduated. Student 6 was on the [REDACTED] School [REDACTED] team. The Teacher was Student 6's [REDACTED] coach for [REDACTED] years.
- [47] Student 6 indicated in Spring of 2018, [REDACTED] received a notification on [REDACTED] Facebook account with a request from the Teacher; when [REDACTED] logged on to Facebook the request was no longer there.
- [48] The Teacher did not make any further attempts to communicate with Student 6 on social media.
- [49] Student 7 attended [REDACTED] School from [REDACTED] and graduated in 2019 from grade [REDACTED]. The Teacher was Student 7's [REDACTED] coach for [REDACTED] year at [REDACTED] School before the Teacher left the school.
- [50] Student 7 indicated the Teacher never said anything of a sexual nature to Student 7 directly over social media. The Teacher did make a comment to Student 7 where he said "I could see you being the next Student 1 in a few years".
- [51] Student 13 attended [REDACTED] School from grade [REDACTED] graduating in 2017.
- [52] Student 13 did not have the Teacher as a teacher or coach. The Teacher did not make comments of a sexual nature to Student 13 directly over social media while [REDACTED] attended [REDACTED] School.
- [53] After Student 13 graduated from [REDACTED] School, the Teacher added Student 13, along with other friends of [REDACTED], on Snapchat. Student 13 indicated the Teacher did not make any comments of a sexual nature on Snapchat however; the Teacher would make comments about pictures Student 13 posted. One comment Student 13 recalls the Teacher making is "looking good [REDACTED]". The Teacher made this comment about a picture of Student 13 and two other friends that also attended [REDACTED] School. Student 13 thought it was "weird" the Teacher commented on Student 13's posts.
- [54] Student 13 deleted the Teacher from Snapchat. Student 13 indicated the Teacher then started to follow [REDACTED] on Instagram and would make comments about the pictures [REDACTED] posted.
- [55] Student 13 was not sure when the Teacher started to follow [REDACTED] on Instagram. Student 13 does know that this was after Student 13 graduated from [REDACTED] School.
- [56] Student 14 attended [REDACTED] School from grade [REDACTED] and graduated in 2019. The Teacher was Student 14's teacher.
- [57] During the Winter Break of 2017, while Student 14 was in grade [REDACTED] at [REDACTED] School and [REDACTED] at the time, the Teacher added Student 14 to Snapchat. At that time Student 14 was not aware the Teacher was no longer a teacher at [REDACTED] School.

- [58] The Teacher asked Student 14 how [redacted] winter break was going. At the end of his message to Student 14 he said "pretty [redacted]".
- [59] Student 14 took the Teacher off [redacted] Snapchat. The Teacher attempted to add Student 14 on Snapchat again in spring of 2018. Student 14 blocked the Teacher on Snapchat.
- [60] Student 14 indicated when [redacted] was in Grade [redacted] at [redacted] School, the Teacher made a comment to [redacted] in person about the shirt [redacted] was wearing and something about [redacted] showing too much [redacted]. This comment made Student 14 uncomfortable.
- [61] The Teacher admits he contacted Student 1, Student 2, Student 3, Student 5, Student 6, Student 7, Student 13, and Student 14 over social media either during or soon after these [redacted] students graduated from [redacted] School to try and continue a personal relationship with these former students, and did send all of the social media messages to these students.

Joint Recommendation for Findings

- [62] The Registrar and Teacher jointly ask the Committee, under Section 26 of the Regulation, to find the conduct of the Teacher to constitute unprofessional conduct in accordance with section 2 of the Regulation in that it:
- (i) is detrimental to the best interests of students, the public, teachers or teacher leaders generally, and
 - (ii) does not meet the professional conduct requirements.
- [63] The specific provisions in the *Professional Conduct Requirements for Teachers and Teacher Leaders* as set out in the *Schedule* to the Regulation, that the Teacher did not meet are:
- a. The conduct of teachers and teacher leaders both on and off duty, bears directly on the community's perception of the ability of teachers and teacher leaders to fulfill their unique position of trust and influence. Society and the school community hold teachers and teacher leaders to a high standard of conduct. Teachers and teacher leaders are expected to conduct themselves with due regard to the honour, dignity, welfare, rights, best interests of students, parents, colleagues, their employer and the teaching profession.
 - b. In relation to the teacher's or teacher leader's employers, the teacher or teacher leader is required to foster and maintain open and honest communication with the employer and the members of the school administration.
 - c. In relation to the teaching profession, the teacher or teacher leader is required to conduct himself or herself in a manner that maintains the honour and dignity of the profession, and not to engage in activities that adversely affect the quality of the teacher's or teacher leader's professional service.
 - d. In relation to the school community as a whole, the teacher or teacher leader is required to conduct himself or herself in a manner that maintains the good

reputation of the school and the employer; and to conduct himself or herself in a manner that is respectful of the norms and values of the school community.

[64] The Registrar views the Teacher's actions to be on the more serious end of the unprofessional conduct spectrum.

[65] The Teacher indicated he has attended [REDACTED] after he was terminated from his employment with [REDACTED] School to try and improve his [REDACTED] and well-being.

[66] The Teacher admits and understands his unprofessional conduct was unacceptable behaviour on his part as an Alberta certificated teacher.

Joint Recommendation for Penalty

[67] The Registrar, and the Teacher, jointly ask the Committee to recommend to the Minister, pursuant to Section 27(3)(b) to:

- a. Suspend the Teacher's Permanent Professional Certificate in teaching until June 30, 2023 subject to the following conditions:
 - i. Completion of a course approved by the Registrar in setting professional boundaries or ethical practice for professionals on or before June 30, 2023, such approval not be unreasonably withheld, no later than 4:00 p.m. MST June 30, 2023.
 - ii. Completion of a course approved by the Registrar addressing respectful conduct in the workplace on or before June 30, 2023, such approval not be unreasonably withheld, no later than 4:00 p.m. MST, June 30, 2023.
 - iii. Proof satisfactory to the Registrar of successful completion of the above two courses provided to the Registrar no later than 4:00 p.m. MST, July 7, 2023.
- b. The Teacher acknowledges that failure to comply with the conditions set out in subparagraph (a) will result in cancellation of his Permanent Professional Certificate on July 14, 2023.

[68] The Registrar and the Teacher agree that the joint submission on penalty is reasonable and appropriate considering:

- a. The serious nature of the Teacher's unprofessional conduct.
- b. The Teacher has acknowledged his unprofessional conduct by accepting the joint submission.

[69] The Teacher acknowledges that if the Committee accepts the joint submission and makes the agreed upon recommendation for penalty to the Minister of Education, the Minister of Education is not bound by the recommendation, and has discretion pursuant to Section 33 of the Regulation to dismiss the complaint, substitute a lesser or greater penalty, or cancel or amend the conditions.

SUBMISSIONS OF THE PARTIES

- [70] The Registrar's Representative provided a detailed review of the Agreed Statement of Facts and Joint Recommendation for Penalty, including submissions regarding why the conduct was unprofessional conduct. The Registrar's Representative also reviewed the recommendation for penalty in detail, including why the penalty was viewed to be appropriate.
- [71] The Teacher was affirmed and provided evidence and submissions. This was in addition to the written statement provided by the Teacher (Exhibit D) which provides more detailed information regarding abuse suffered by the Teacher.
- [72] The Teacher noted that he was not trying to make excuses for his behaviour, but provide context for his past behaviour. He stated that looking back, it is easy to see the path he was on, and the self-destructive nature of his conduct. [REDACTED] Things have happened in the last few years, as set out in his written statement and he wants to see this hearing process as part of the closure and healing. He wants to be an educator and believes he is capable of being educator.
- [73] [REDACTED] The Teacher acknowledges responsibility for his actions and has realized the importance of taking care of himself, [REDACTED], in order to avoid his self-destructive tendencies.

COMMITTEE'S FINDINGS

- [74] The Committee carefully reviewed and considered the Agreed Statement of Facts and Joint Recommendation for Penalty and accepts the facts as stated therein.
- [75] After careful deliberation and consideration of the evidence and submissions before it, and in accordance with section 26(1)(a)(i) and (ii) of the Regulation, the Committee finds that the Teacher's actions constitute unprofessional conduct in that it is conduct that is detrimental to the best interests of students, the public, teachers or teacher leaders generally, and does not meet the professional conduct requirements.
- [76] The Committee has agreed on the recommendation to the Minister which was the Joint Recommendation on Penalty put forward.

DECISION AND RECOMMENDATION

Part One -- Facts Found by the Committee

- [77] In terms of the fact finding portion of the Committee's mandate, the Committee carefully listened to the submissions of the Registrar and the evidence and submissions of the Teacher and carefully reviewed the materials presented to the Committee.

[78] The Committee acknowledges the Teacher signed the Agreed Statement of Facts and Joint Recommendation for Penalty. The Committee accepted the facts presented therein and therefore finds that the allegation is proven on a balance of probabilities.

Part Two -- Unprofessional Conduct

[79] After having found the facts referenced above, the Committee considered sections 26(1)(a)(i) and (ii) of the Regulation in order to come to the conclusion that the Teacher's actions constituted unprofessional conduct.

a. Section 26(1)(a)(i) – Detrimental to the Best Interests of Students, the Public, and Teachers and Teacher Leaders Generally

[80] The Committee found that this conduct, being inappropriate conversations of a sexual nature with students to be profoundly detrimental to the best interests of students.

[81] In particular, the Committee was cognizant of the detrimental impact on the students involved. While some of the students were no longer at the school at the time the statements were made to them, they were recent graduates. The number of students affected was also considered by the Committee.

[82] Beyond the impact on the particular students in this case, the Committee felt that conduct of this nature detrimentally affects students more generally. By engaging in this conduct, the Teacher damaged the reputation of all teachers in respect of their students. Teachers are in a position of trust with respect to their students. It is of the utmost importance that this trust not be breached.

[83] In addition to that, it is clear that the conduct was detrimental to the best interests of the public. Conduct such as this damages the relationship of trust between the public and teachers.

[84] Finally, this conduct has the possibility to detrimentally affect the best interests of teachers. Teachers are held to a high standard by the public, with good reason, because they are tasked with caring for very vulnerable members of our society: children. Teachers are entrusted with the safety and well-being of their students. The reputation of all teachers, in this important role, is affected when one teacher chooses to cross boundaries.

[85] It is very important for the Committee to ensure that the perception of teachers to the public is rehabilitated by a strong condemnation of the actions of the Teacher.

b. Section 26(1)(a)(ii) – Does not Meet the Professional Conduct Requirements

[86] The Committee also found that the conduct of the Teacher does not meet the Professional Conduct Requirements found in the Regulation Schedule.

[87] First, the Regulation Schedule notes there is a requirement for teachers to conduct themselves with due regard to the honour, dignity, welfare, rights and best interests of students, parents, colleagues, their employer and the teaching profession both on and off

duty. The conduct of the Teacher breached this requirement. The Teacher engaged in communications with students and former students that did not have regard for the honour, dignity, welfare, rights and best interests of the students, parents, colleagues, his employer or the teaching profession.

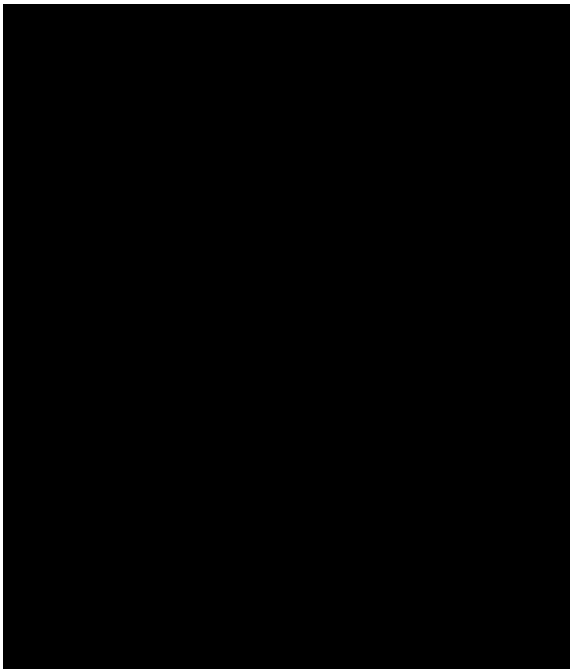
- [88] The Regulation Schedule, section 4(e) requires teachers to foster and maintain open and honest communication with the employer and the members of the school administration. The Teacher did not foster and maintain open and honest communication with the employer and breached section 4(e). The Teacher did not inform the employer about these communications.
- [89] The Regulation Schedule, section 5 requires teachers to conduct themselves in a manner that maintains the honour and dignity of the profession and not engage in activities that adversely affect the quality of the teacher's professional service. The Committee found that the Teacher did not conduct himself in a manner that maintains the dignity and honour of the profession and engaged in inappropriate behaviour that adversely affected the quality of the Teacher's professional service, in breach of section 5.
- [90] Finally, the Committee finds that the Teacher's conduct breaches Requirements 6(a) and 6(c) in that he did not conduct himself in a manner that "maintains the good reputation of the school and the employer" (Regulation, Schedule, 6(a)), nor did he conduct himself in a manner that "is respectful of the norms and values of the school community" (Regulation, Schedule, 6(c)).
- [91] The conduct of the Teacher breached each of the above provisions. His conduct is serious and constitutes unprofessional conduct.

Part Three -- Recommendation to the Minister

- [92] The Committee considered the submissions of the parties regarding sanction.
- [93] The Committee does acknowledge the Teacher's cooperation in the hearing and investigation process, that he entered into an Agreed Statement of Facts and Joint Recommendation on Penalty, and attended the hearing where he took responsibility for his actions. The Committee views this as mitigating factors which demonstrate that the Teacher is on the path to being accountable for his actions.
- [94] The Committee was prepared to give deference to the recommendation of the Registrar and the Joint Submission of the Registrar and Teacher. The Committee found the proposed recommended penalty is appropriate to protect students and the public and will maintain the integrity of the profession. The proposed penalty is appropriate in the circumstances of this case.
- [95] Therefore, the Committee recommends the following penalty to the Minister, pursuant to section 27(3)(b) of the Regulation to:

- a. Suspend the Teacher's Permanent Professional Certificate in teaching until June 30, 2023 subject to the following conditions:
 - i. Completion of a course approved by the Registrar in setting professional boundaries or ethical practice for professionals on or before June 30, 2023, such approval not be unreasonably withheld, no later than 4:00 p.m. MST June 30, 2023.
 - ii. Completion of a course approved by the Registrar addressing respectful conduct in the workplace on or before June 30, 2023, such approval not be unreasonably withheld, no later than 4:00 p.m. MST, June 30, 2023.
 - iii. Proof satisfactory to the Registrar of successful completion of the above two courses provided to the Registrar no later than 4:00 p.m. MST, July 7, 2023.
- b. Failure to comply with the conditions set out in subparagraph (a) will result in cancellation of the Teacher's Permanent Professional Certificate on July 14, 2023.

Dated at the City of Edmonton in the Province of Alberta on this 26th day of August 2021.




OPTION TO APPEAL – NOTICE TO THE TEACHER & THE REGISTRAR

The Teacher and the Registrar have fifteen (15) days of receipt of this decision to submit a notice of appeal to the Practice Review Appeal Committee, in accordance with section 29 of the Regulation.

The appeal must be in writing and must describe the finding or recommendation, or both, being appealed and state the reasons for the appeal.

The appeal must be addressed to:

The Chair of the Practice Review General Panel
c/o 
44 Capital Blvd., 10044 – 108 Street
Edmonton, Alberta T5J 5E6

Or submitted via email to:
EDC.Governance@gov.ab.ca