

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

IN THE MATTER OF CHARGES OF UNPROFESSIONAL  
CONDUCT AGAINST RAYMOND JEWAN

The hearing committee of the Professional Conduct Committee of the Alberta Teachers' Association reports that charges of unprofessional conduct laid against Raymond Jewan of [Location Redacted] were duly investigated in accordance with the *Teaching Profession Act*. The hearing was held in Barnett House, 11010 142 Street NW, Edmonton, Alberta, Canada on Monday, September 19, 2005 at 0900.

Professional Conduct Committee members present as the hearing committee were [REDACTED]

[REDACTED] assisted by [REDACTED] presented the case against the investigated member. The investigated member was not present, nor was his counsel [REDACTED]

CONSTITUTION/JURISDICTION

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

CHARGES AND PLEA

The following charges were read by the secretary to the hearing committee:

1. Raymond Jewan is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that he, while a member of the Alberta Teachers' Association, during the period of October 2003 to December 2003, developed and maintained an inappropriate relationship with a student.
2. Raymond Jewan is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that he, while a member of the Alberta Teachers' Association, during the period of October 2003 to January 2004, knowingly provided misleading information to his school principal and his district superintendent.

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3. Raymond Jewan is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that he, while a member of the Alberta Teachers' Association, during the period of October 2003 to November 2003, provided alcohol to an underage student.
4. Raymond Jewan is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that he, while a member of the Alberta Teachers' Association, during the period of October 2003 to November 2003, engaged in one or more acts of a sexual nature with a student.

At the request of the prosecuting officer, Charges 2 and 3 were amended as follows:

2. Raymond Jewan is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that he, while a member of the Alberta Teachers' Association, during the period of October 2003 to December 2003, knowingly provided misleading information to his school principal and his district superintendent.
3. Raymond Jewan is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that he, while a member of the Alberta Teachers' Association, during the period of October 2003 to December 2003, was present and aware that alcohol was provided to an underage student.

Charge 1 was proceeded with as drafted and Charge 4 was withdrawn.

The hearing committee received a written submission from the investigated member in which he entered a plea of guilty to each of the amended charges.

WITNESSES

No witnesses were called.

EVIDENCE ADDUCED AND EXHIBITS FILED INDICATED THAT:

1. Jewan was member of the Association during the 2003/2004 school year (Exhibit 2).
2. Jewan was employed by [REDACTED] as a teacher at [REDACTED] School, at the time of the incidents (Exhibit 3).
3. Jewan took one of his students, Student A, who was [REDACTED] years old at the time, to a commercial gym which was not connected to the school. Following two hours or more at the gym, he

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- drove [redacted] from [redacted] to his friend [redacted] home in [redacted], arriving at about 7:00 pm. At times during the evening, Jewan and Student A were in the house alone, discussing personal matters. Alcohol was consumed by Student A in the presence of Jewan (Exhibit 3).
4. At 1:00 am, November 2, 2003, Student A called Jewan on his cell phone. Jewan was staying in a Calgary hotel. Jewan then phoned Student A back, using the hotel phone, and they had an extended conversation which included sexually explicit references (Exhibit 3).
  5. On November 5, 2003 at 8:30 pm, Jewan took Student A to the gym for the second time. They were in each other's company for the evening (Exhibit 3).
  6. Student A's parents found [redacted] notes referencing a romantic relationship with Jewan. On Sunday, November 9, 2003, Jewan met with Student A's parents about his relationship with their [redacted]. He told the parents that their [redacted] was delusional about the romantic nature of their relationship and that he only had a professional interest in helping Student A deal with [redacted] emotional problems (Exhibit 3).
  7. The parents initiated a complaint with the RCMP and on November 10, 2003, the police launched an investigation. Student A gave [redacted] first interview to the RCMP on November 25, 2003 (Exhibit 3).
  8. The next weekend, on November 15, 2003 at 9:30 pm, despite having assured Student A's parents that his relationship with their [redacted] was professional in nature, Jewan again took Student A to [redacted] house in [redacted]. While there, Student A drank alcohol that Jewan had purchased while waiting for [redacted] to meet [redacted] earlier. During the drive out to [redacted] and back to [redacted], Jewan and Student A were alone in each other's company (Exhibit 3).
  9. On November 26, 2003, Jewan spoke for the first time to [redacted] principal of [redacted] School, about the RCMP investigation. Jewan spoke about the notes that Student A had written about their relationship and about his meeting with Student A's parents. Jewan said that he had met Student A at the gym; however, he did not disclose
    - a) that he had twice taken Student A to the gym;
    - b) that he had twice taken Student A to [redacted] home in [redacted], where [redacted] consumed alcohol on both occasions;
    - c) that he had a late night phone conversation with Student A that included sexually explicit dialogue; and
    - d) the full extent of their activities (Exhibit 3).
  10. On December 4, 2003, Jewan met with [redacted], superintendent of [redacted] School [redacted], and disclosed only that he
    - a) had given Student A his personal cell phone number,

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- b) had met [REDACTED] at the gym,
- c) had a close relationship with Student A because he was [REDACTED] teacher advisor,
- d) kept a physical distance from Student A at school and at the gym and
- e) discussed with [REDACTED] his personal problems [REDACTED]

Jewan did not disclose

- a) twice taking Student A to [REDACTED] house in [REDACTED]
- b) taking Student A to the gym a second time,
- c) having a late night telephone conversation with Student A or
- d) the full extent of their activities (Exhibit 3).

11. Jewan misrepresented his behaviour by claiming that he kept a physical distance from Student A at school and the gym and by failing to disclose that he had hugged [REDACTED] at school (Exhibit 3).
12. On January 26, 2004, [REDACTED] interviewed Jewan after receiving Student A's written description of events in October and November 2003. Jewan said that one of the visits to [REDACTED] was to enable Student A to babysit [REDACTED]. [REDACTED] was unaware of such plans and Student A said that Jewan and [REDACTED] created the excuse after the fact (Exhibit 3).
13. Jewan was concerned that Student A would exaggerate their relationship so he told [REDACTED] not to say that anything of a sexual nature occurred because that would cost Jewan his job (Exhibit 3).

#### DECISION OF THE HEARING COMMITTEE

The hearing committee accepted the plea of guilty on all three charges.

#### REASONS FOR DECISION

1. Jewan admitted guilt and the hearing committee confirmed his guilt based on evidence adduced on all three charges.
2. It is inappropriate and unprofessional for a teacher to enter into sexually explicit conversations when those conversations are not of an instructional nature.
3. It is unprofessional and a breach of trust to allow a relationship with a student to cross the boundaries of what is acceptable.

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4. Jewan knew that the relationship was inappropriate when he asked Student A to lie and maintain a fiction disavowing the sexual nature of their relationship.
5. Jewan knew of, permitted and enabled Student A to consume alcohol in his presence.
6. Jewan withheld information and minimized the full extent of his relationship with Student A.

PENALTY

The hearing committee imposed the following penalty for all three charges:

1. A fine of \$1,000
2. Jewan's membership in the Alberta Teachers' Association is suspended for six months effective immediately.
3. A recommendation will be forwarded to the minister of education that Jewan's teaching certificate be suspended for six months effective immediately.
4. The \$1,000 fine must be paid by Jewan prior to reinstatement of his membership in the Alberta Teachers' Association and reinstatement of his teaching certificate.

REASONS FOR PENALTY

1. By developing and maintaining an inappropriate relationship, Jewan failed to treat Student A with the dignity and respect ■■■ deserved from ■■■ teacher.
2. Jewan broke a fundamental trust that society (ie teachers, students, parents, and the community) places on teachers.
3. Jewan was deceptive to his supervisors about the full extent of his activities.
4. Jewan encouraged Student A to lie about the sexual nature of their relationship.
5. Society has the right to expect that teachers will act in a manner that establishes and maintains a trust relationship between teachers and students. Jewan exploited a vulnerable student.
6. Allowing, promoting or enabling an underage student to drink alcohol is unacceptable behaviour for a teacher.