Alberta Government

PROFESSIONAL CONDUCT AND COMPETENCY GENERAL PANEL HEARING COMMITTEE DECISION IN THE MATTER OF CHRISTOPHER GALWYN TAYLOR (ATPC# [redacted])

HEARING HELD ON JUNE 4, 2025 VIA VIDEO CONFERENCE

[1] The Hearing Committee (the "**Committee**"), established in accordance with the *Teaching Profession Act*, RSA 2000 c T-2 [now amended] (the "**TPA**")[1] and the *Education Act Transitional Regulation*, AR 125/2022 convened to hear a complaint about the alleged unprofessional conduct of Mr. Christopher Galwyn Taylor (the "**Teacher**") received on September 22, 2022.

[2] The following individuals were present at the hearing:

Committee

- [redacted], Chair, Public Member
- [redacted], Teacher Leader Member
- [redacted], Teacher Leader Member

Independent Legal Counsel to the Committee

- [redacted]

Alberta Teaching Profession Commission

- [redacted], Commissioner
- [redacted], Legal Counsel for the Commissioner

Others in attendance

- [redacted]

[1] The *Education Act*, SA 2012, c. E-0.3 (with amendments proclaimed on January 1, 2023), is now in force. However, pursuant to the Education Act Transitional Regulation, AR 125/2022, an investigation commenced under the former legislation (the *Teaching Profession Act,* RSA 2000, c. T-2 ("**TPA**")) and any subsequent hearing must be concluded in accordance with the former TPA as if it had not been repealed. The Education Act Transitional Regulation defines "former TPA" to mean: the TPA "as it read immediately before the coming into force of this Part" (being January 1, 2023). The TPA as it read immediately before the coming into force of the Education Act Transitional Regulation was the TPA in effect on December 31, 2022 (as amended on September 1, 2022, with further minor amendments on November 16, 2022). As such, the version of the TPA as it existed on September 1, 2022, applies based on the Educational Act Transitional Regulation.

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PRELIMINARY MATTERS

[3] At the commencement of the hearing, the Chair introduced all participants and provided comments regarding the process.

[4] As a preliminary matter, it was noted that the Teacher was not present at the commencement of the hearing, nor did he have someone representing him. The Chair asked whether the Commissioner was planning to make an application to proceed in the absence of the Teacher, pursuant to section 40 of the TPA.

[5] Counsel for the Commissioner confirmed that the Commissioner would like to proceed, and noted that, under section 40 of the TPA, the Committee may proceed in the absence of the Teacher if it can be provided with proof of service.

[6] Counsel for the Commissioner and the Governance Secretariat each received an email communication from the Teacher (Exhibit 5 and 6 respectively) indicating he was aware of the scheduled hearing but was under the assumption that, given the Agreed Statement of Facts, Acknowledgement of Unprofessional Conduct, and Joint Submission on Penalty, he did not need to attend. The Teacher further advised that he would be unable to join the hearing as he was currently on an airplane.

[7] After deliberating, the Committee returned and granted the application of the Commissioner to proceed in the absence of the Teacher. The Committee found that the Teacher had notice of the hearing and was aware of it proceeding considering his email communications.

[8] The hearing was open to the public and members of the public were in attendance.

[9] Counsel for the Commissioner confirmed that there was no objection to the composition of the Committee.

[10] Counsel for the Commissioner advised that the parties were proceeding by agreed statement of facts and joint recommendation on penalty.

ALLEGATIONS

[11] The allegations set out in the Notice of Hearing (Exhibit 1) are as follows:

The particular of the matter to be heard are:

Christopher G. Taylor is charged with unprofessional conduct as defined by section 23 of the former *Teaching Profession Act*, RSA 2000, c T-2, in that they engaged in the emotional, psychological, and sexual exploitation of a student from an advantaged position of authority, initially from the time in which the student was a minor. [redacted] The inappropriate conduct spanned from the student's enrollment [redacted] 2012 and 2013-2014 school years,

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beyond [redacted] 2016, and continued as an electronic, communication-based relationship, to 2022. The exploitation included:[2]

1. Communications with the student while enrolled, [redacted] in 2012 and continuing to 2016, with retroactive comments [redacted] being made until 2022, via text messaging, WhatsApp, Snapchat, Kik, E-Mail, and Facebook, about personal, inappropriate, or explicit matters outside of the classroom setting and areas of instruction, including:

    1. [redacted] 2012 – admission of consuming a cigarette given to him by the student, to which [redacted] put [redacted] email for future correspondence;

    2. [redacted] 2012 – emailing the student over the Christmas break to discuss personal matters, i.e., [redacted] and requests for the use of the use of name [redacted] after exchanging personal phone numbers (confirmed July [redacted] 2013 text exchange);

    3. [redacted] 2013 – [redacted] texting that the student 'looks nice' and should not shy away from dressing up;

    4. [redacted] 2013 – telling the student [redacted] is capable of inspiring a [redacted] with further inappropriate communications which include:

        i. March [redacted] 2014 – discussion of pornography with the student;
        ii. March [redacted], 2014 – discussion of [redacted] images from [redacted]
        iii. April [redacted], 2014 – discussion of it being a long time since the Teacher has sent [redacted]
        iv. May [redacted] 2014 – calling the student a "[redacted]";"
        v. June [redacted], 2014 – calling the student [redacted]
        vi. June [redacted], 2014 – discussion of sleep and telling the student to [redacted].
        vii. July [redacted], 2014 – discussion of unhappiness in [redacted];
        viii. July [redacted], 2014 – discussion of image of student [redacted]
        ix. January [redacted] 2015 – Sending images from a [redacted]

[2] The numbering scheme of the allegations are listed as they were in the particulars provided on behalf of the Commissioner's Office to the Committee Chair for the Notice of Hearing.

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x. January [redacted] 2015 – asking the student if [redacted] kissed anybody that day;
xi. February [redacted] and October [redacted] 2015 – Making cultural references to the [redacted] novel [redacted] and film [redacted]
xii. February [redacted] 2015 – discussion of the website titled [redacted]
xiii. July [redacted] 2015 – discussion of DVD [redacted] and watching [redacted] porn.

1. February [redacted] 2014-discussing the consumption of alcohol with the student, as well on:
   i. February [redacted] 2014 – receiving image of wine and discussion of drinking;
   ii. March [redacted] 2014 – discussion of going for drinks after the student turned [redacted];
   iii. March [redacted] 2014 – discussion of rum and waiting until the student turned [redacted] for a more in-depth discussion of rum;
   iv. March [redacted] 2014 – discussion of the student [redacted]
   v. April [redacted] 2014 – encouragement of student to drink [redacted]
   vi. May [redacted], 2014 – discussion of a [redacted]
   vii. June [redacted] 2014 – discussion of student's [redacted] and drinking rum [redacted]
   viii. June [redacted] 2014 – sending a picture of a glass of red wine to the student;
   ix. June [redacted] 2014 – discussion of drinking too much;
   x. June [redacted] 2014 – sending an image to the student while drinking wine;
   xi. June [redacted] 2014 – discussion of enrollment and [redacted]
   xii. June [redacted] 2014 – receipt of image [redacted] from student;
   xiii. June [redacted] 2014 – discussion of drinking [redacted]
   xiv. July [redacted] 2014 – discussion of rum;
   xv. July [redacted] 2014 – expression of interest in the student hypothetically pouring him a drink;
   xvi. December [redacted] 2014 – discussion of rum;
   xvii. December [redacted] 2014 – discussion of whiskey as a [redacted]
   xviii. January [redacted] 2015 – discussion of wine, and hoping the student had "somebody to share it with;"

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xix. March [redacted] 2015 – discussion of drinking, and response to [redacted]
xx. May [redacted] 2015 – discussion of drinking over the summer and waiting until the student [redacted] to continue conversing;
xxi. May [redacted] 2015 – discussion of drinking and sending images of drinks;
xxii. October [redacted] 2015 – sending student images of wine bottles and sharing them [redacted]; and
xxiii. December 1[redacted] 2015 – sending the student images of a bottle of wine and a picture of himself at a younger age;

1. Requesting, receiving, or sending a photo of a sexual nature [redacted] on:

   i. March [redacted] 2014 – receiving an image of the student in a black top and blue jeans, [redacted]
   ii. May 26, 2013 – texting an image of his foot, and receiving an images of the student's bare feet, as well on:
      1. February [redacted], 2014 - receiving and commenting [redacted]
      2. July [redacted] 2014 – sending images of his feet while lying in bed;
      3. June [redacted] 2014 – sending an image of his feet while drinking wine;
      4. June [redacted] 2014 – sending images of 3 empty bottles of wine, as well as his bare feet with his pant leg rolled up;
      5. October [redacted] 2014 – sending an image to the student of the Teacher lying on a couch wearing blue jean pants, with bare feet; and
      6. May [redacted] 2015 – sending an image while in bed with his bare right foot showing outside the covers.

   xv. May [redacted] 2015 – receiving [redacted] explicit [redacted] images and videos (deleted and not-retained as evidence);
   iii. June [redacted] 2014 – receiving an image from the student [redacted]
   iv. June [redacted] 2014 – receiving an image of the student [redacted]
   v. June [redacted] 2014 – sending a full-legged photo while in the bath to the student;
   vi. August [redacted] 2015 – receiving images of student [redacted]

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vii. 2015 (approximate date unknown, image retained) – sending a photo to the student shirtless, [redacted]

viii. July [redacted] 2014 – discussion of SnapChat, and response from the Teacher to student's comment [redacted] which was "the best part of snappy;"

ix. July [redacted] 2015 – receiving a photo from the student [redacted]

x. September [redacted] 2015 – receiving images of student [redacted]

xi. October [redacted], 2015 – receiving a sexually explicit video [redacted]

xii. December 1[redacted] 2015 – requesting and receiving images of an [redacted] photo of the student [redacted]

xiv. December [redacted] 2015 – sending photos purportedly of his pants.

7. March [redacted] 2014 – inviting the student in the classroom for a hug, as well on:
   I. July 27,2015 – responding to comment about getting [redacted]

1. March [redacted] 2012 – driving with the student alone, as well on:
   March [redacted] 2014 – driving with the student alone;
   xvii. April [redacted], 2014 – giving the student a ride to the mall [redacted];
   xviii. May [redacted] 2014 – driving with the student alone;
   xix. June [redacted] 2014 – prior to driving with the student alone, advising [redacted] to wait for a colleague who he did not trust was present, and then giving the approval for them to meet;
   xx. July [redacted] 2014 – driving to the house of the student to meet, and driving the student to and from [redacted] alone;
   xxi. March [redacted] 2015 – [redacted] discussion of meeting despite being "risky;"

1. June [redacted] 2014 – purchasing Gatorades, lollipops and chocolate bars to assist the student [redacted]
2. July [redacted] 2014 – meeting with the [redacted] who requested that the Teacher cease communication with the student. The [redacted] informed the Teacher that a line had been crossed upon driving the student for coffee [redacted]

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3. September [redacted], 2014 – discussing with the student the particulars of a complaint made to the Superintendent about their [redacted], and subsequently handwriting a note to instruct the student's responses to the internal investigation being conducted by the Superintendent after an anonymous letter informed the school district of the [redacted], as well on:
    1. December [redacted],2014 Advising the student to "double delete" conversation threads;
    2. September [redacted], 2015 – requesting that the student advise him if they were to take any further action in supporting the complaints made by his partner;
    3. March [redacted], 2017 – accusing the student of harassment and of sending letters [redacted] to prevent him from coaching [redacted]; and
    4. March [redacted], 2017 – inquiring about the status of compliance with the complaints / investigation;
    5. October [redacted] 2022 – expression of anger for student reporting to the police, government, and ATA; and
    6. November [redacted], 2022 – expression of anger at student [redacted] about the matters and discussion of ATA investigation;

1. December [redacted], 2014 – commenting/disapproving of the student's personal relationship [redacted]; as well on:
    1. June [redacted] 2014 – advising student to tell [redacted] had more important things to do,' [redacted]
    2. January 1, 2015 – advising the student to break up [redacted]
    3. January [redacted] 2015 – calling the student's [redacted]' and suggesting that [redacted] break up [redacted]
    4. March [redacted] 2015 – requesting status of relationship with [redacted] and
    5. August [redacted] 2015 – discussion of drinking wine and request for information [redacted];

1. March [redacted], and April [redacted] 2016 – implicating the student in [redacted] while the student was enrolled in [redacted] as a student of his class, in approximately February of 2016. The student and [redacted] were contacted by the Teacher [redacted] On September [redacted] 2015, the Teacher acknowledged the communications between the student and [redacted], which he considered 'strange;'

2. Continuing a relationship with the student [redacted], from 2016 – 2022, including:

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1. February 24, 2022 – re-connecting with the former student via text message and continuing a [redacted] relationship via exchanges of sexually explicit images and videos from May [redacted] to June [redacted] 2022.

EXHIBITS

[12] The following were entered as Exhibits:

Exhibit 1 - Notice of Hearing dated May 5, 2025;

Exhibit 2 - Proof the Notice of Hearing was served on the Teacher in accordance with section 31 of the TPA;

Exhibit 3 - A copy of the Teacher and Teacher Leader Registry confirming the date the teacher received the teaching certificate;

Exhibit 4 - A copy of the email setting out the date and manner the matter was referred to the panel by the Commissioner;

Exhibit 5 – A copy of the email communication between Ms. Lee and the Teacher regarding his absence at the Hearing;

Exhibit 6 - A copy of the email communication between the Governance Secretariat and the Teacher regarding his absence at the Hearing;

Exhibit 7 - Agreed Statement of Facts;

Exhibit 8 - Joint Statement on Penalty.

MANDATE OF THE COMMITTEE

[13] 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 23 of the TPA and, if so, to make appropriate findings and orders under sections 41, 42 and 43 of the TPA, as noted below.

Unprofessional conduct

23(1) Any conduct of a member that, in the opinion of a hearing committee,

(a) is detrimental to the best interests of

(i) students as defined in the *Education Act*,

(ii) the public, or

(iii) the teaching profession,

(b) contravenes sections 16 to 65 or a bylaw made under section 8(f) or (g), or

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(c) harms or tends to harm the standing of teachers generally,

whether or not that conduct is disgraceful or dishonourable, may be found by a hearing committee to constitute unprofessional conduct.

(2) If a member has been convicted of an indictable offence,

(a) the conduct of the member on which the conviction is based is deemed to constitute unprofessional conduct, and

(b) the member shall forthwith inform the association of the conviction.

(3) The association shall not use sections 16 to 65 to discipline a member for conduct that relates to

(a) collective bargaining,

(b) the administration of a collective agreement, or

(c) any matter under the jurisdiction of the Labour Relations Board

or that arises under sections 204 to 212 or section 220(1) of the *Education Act*.

Finding of hearing committee

41(1) A hearing committee may find that the conduct of an investigated person constitutes or does not constitute unprofessional conduct.

(2) Where the investigated person has been convicted of an indictable offence, a hearing committee must determine the question of penalty and has no authority

(a) to find that the conduct of the member on which the conviction is based does not constitute unprofessional conduct, or

(b) to investigate the conduct of the member on which the conviction is based except for the purpose of deciding the penalty.

(3) No person shall require the attendance as a witness at a hearing before the hearing committee of any person who attended as a witness at the court that convicted the member of the indictable offence.

Orders of hearing committee[3]

42(1) If a hearing committee finds that the conduct of an investigated person constitutes unprofessional conduct, the hearing committee may do any one or more of the following:

(a) cancel the investigated person's membership in the association; [*no longer available*]

(b) suspend the investigated person's membership in the association for any period it considers proper; [*no longer available*]

(c) recommend that the Minister cancel or suspend one or more certificates issued to the investigated person under the *Education Act;*

(d) make any further or other order it considers appropriate.

(2) If a hearing committee is satisfied that an investigated person has contravened an order made under subsection (1)(d), it may, without the necessity of a further hearing, cancel or suspend the investigated person's membership in the association, subject to any terms it considers appropriate. [*no longer available*]

[3] Pursuant to the *Education Act Transitional Regulation*, Alta Reg 125/2022, s 9(3), a hearing committee can no longer make an order under section 42(1)(a) or (b) or 42(2) of the former TPA.

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(3) If the decision of a hearing committee

(a) relates to an investigated person who has been convicted of an indictable offence, and

(b) does not contain a recommendation that the Minister cancel or suspend the teaching certificate of the investigated person,

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

Costs and fines

43(1) A hearing committee may, in addition to dealing with the conduct of an investigated person in accordance with section 42, order that the investigated person pay

(a) all or part of the costs of the investigation, hearing or appeal determined in accordance with the bylaws,

(b) a fine not exceeding $10 000 for each finding of unprofessional conduct, or

(c) costs under clause (a) and a fine under clause (b),

to the association within the time and in accordance with the conditions set by the order.

(2) Where the investigated person's membership in the association has been suspended, a hearing committee may, in addition to an order under subsection (1), order that the membership remain suspended until the fine or costs, or both, have been paid.

SUBMISSIONS OF THE PARTIES

Submissions of Counsel for the Commissioner on the Allegations

[14] Counsel for the Commissioner noted that this matter was proceeding through an Agreed Statement of Facts.

[15] Counsel for the Commissioner noted that the Teacher voluntarily admitted to the facts without compulsion or duress and after the opportunity to seek legal counsel, as seen in the Acknowledgement by Teacher (Exhibit 7). She confirmed the Agreed Statement of Facts was signed by the Commissioner and that the electronic signature was that of the Teacher.

[16] Counsel for the Commissioner then read the Agreed Statement of Facts into the record.

[17] Counsel for the Commissioner submitted that the Teacher is guilty of unprofessional conduct as defined in section 23(1) of the TPA in that the conduct was detrimental to the best interests of the student, the public, and the teaching profession and harmed the standing of teachers generally. She urged the Committee to find that the conduct of the Teacher constituted unprofessional conduct under section 41(1) of the TPA.

The Committee's Consideration of the Submissions on the Allegations

[18] The Committee adjourned to consider the submissions of counsel for the Commissioner on the allegations.

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[19] The Committee reconvened and clarified with counsel for the Commissioner whether the allegations being put forward were those in the Notice of Hearing (Exhibit 1) or those in the Agreed Statement of Facts (Exhibit 7).

[20] Counsel for the Commissioner requested a ten-minute adjournment to review the particulars and discuss with the Commissioner. The Committee granted the adjournment.

[21] The Committee reconvened and counsel for the Commissioner advised that, while the particulars in the Notice of Hearing are lengthy, the overarching charges remain accurate. Counsel for the Commissioner submitted that the Committee should find the allegations to be proven based on what is in the Agreed Statement of Facts.

[22] The Chair advised that the Committee accepted the Agreed Statement of Facts and overall found the conduct in the allegations to be proven and to constitute unprofessional conduct but noted that the Committee would be reviewing the Notice of Hearing against the Agreed Statement of Facts in more detail.

[23] The Chair then asked counsel for the Commissioner for submissions on sanction.

Submissions of Counsel for the Commissioner on Sanction

[24] Counsel for the Commissioner reviewed the Joint Recommendation for Penalty (Exhibit 8) and urged the Committee to accept the proposed penalty being cancellation of the Teacher's membership in the Alberta Teachers Association ("**ATA**" or "**Association**") and a recommendation to the Minister that the Teacher's teaching certificate be cancelled. She noted that a committee is not bound to accept a joint submission but that the principle of deference applies, citing *R v Anthony-Cook*, 2016 2 S.C.R. 204.

[25] Counsel for the Commissioner then reviewed some of the factors from *Jaswal v Medical Board* (Nfld), 1996 CanLII 11630 (NL SC), in relation to the determination of a just and appropriate sanction. The following factors were considered:

a) *The nature and gravity of the proven allegation*: Counsel for the Commissioner submitted that there is serious gravity to this conduct. While the [redacted] between the Teacher and [redacted] did not consist of physical acts or touching, sexual communications and innuendos formed a large part [redacted].

b) *Age and experience of the member*: Counsel for the Commissioner noted the power dynamics at play and the Teacher's authority in his relationship with [redacted]

c) *Age* [redacted] *of the* [redacted] Counsel for the Commissioner noted that [redacted] was a minor [redacted] She also submitted that [redacted] which [redacted] had disclosed to the Teacher from the very beginning.

d) *The role of the member in acknowledging what had occurred*: Counsel for the Commissioner noted that the Teacher acknowledged he exceeded professional boundaries and engaged in an inappropriate relationship.

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e) *Whether the member has suffered other serious financial or other penalties*: Counsel for the Commissioner advised that the Teacher had been suspended from his position for the past three years.

f) *The need to promote specific and general deterrence and thereby protect the public and ensure the safe and proper practice of the profession*: Counsel for the Commissioner submitted that the proposed penalty was necessary to promote specific and general deterrence in this type of behaviour.

g) *The need to maintain the public's confidence in the integrity of the profession*: Counsel for the Commissioner noted the need to protect the public's perception of the profession.

h) *The range of sentence in other similar cases*: Counsel for the Commissioner reviewed a number of cases to determine the appropriate penalty, which are outlined below.

[26] Counsel for the Commissioner read into the record the following list of remarks submitted by [redacted] which highlights the impact the Teacher's conduct had [redacted]

1. The introduction to alcohol through the Teacher [redacted]
2. [redacted] has an ongoing distrust of authority figures [redacted]
3. [redacted] fear that this situation might happen [redacted] again.
4. Feeling stunted in relation to [redacted] Paranoia, fear and intrusive thoughts of the Teacher and of being targeted in other relationships.
5. [redacted]
6. Chronic sense of [redacted] negative self-worth. [redacted]

[4] Although the Agreed Statement of Facts referred to D.S. by name and her name was also referenced during the hearing, the Committee determined that D.S.'s identity should be anonymized in this decision.

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Counsel for the Commissioner submitted that the Teacher's misconduct had an extreme impact on the student and this impact should be taken into account when considering the Joint Recommendation on Penalty.

[27] Counsel for the Commissioner proceeded to review penalties in similar hearings. She referred to *Alberta Teachers' Association v James Patrick Roland Desjardins*, which involved an inappropriate relationship between a teacher and student through electronic communications. The parties entered a joint submission of penalty that entailed a suspension of the teacher's teaching certificate and ineligibility in the ATA for four years. Counsel for the Commissioner also referred to *Alberta Teacher's Association v Amanda Chilton*, with the teacher inviting students to her apartment to consume alcohol and engaging in sexual encounters with them. In that case, the hearing committee imposed penalties of a fine of $1,000, a severe letter of reprimand, and a suspension of the teacher's teaching certificate and ineligibility in the ATA for three years. Counsel for the Commissioner noted that these cases are not binding but are instructive.

[28] Counsel for the Commissioner then reviewed similar cases in Ontario. She referred to *Ontario College of Teachers v Latour*, 2013 ONOCT 59, *Ontario College of Teachers v Dolson*, 2024 ONOCT 23, and *Ontario College of Teachers v Deans*, 2012 ONOCT 11 to highlight instances of sexual conduct between teachers and students that resulted in the revocation of the teacher's Certificate of Qualification and Registration.

[29] Counsel for the Commissioner advised there are several cases where electronic communications of a sexual nature occurred, with no physical contact, between teachers and students that resulted in lengthy suspensions of teaching certificates.

[30] Counsel for the Commissioner submitted that the following aggravating factors warrant the cancellation of the Teacher's teaching certificate and membership in the ATA:

1. The student initially approached the Teacher to discuss [redacted] would impact [redacted] ability to attend school, and the Teacher took advantage of [redacted].

2. The unprofessional conduct spanned several years and communications between the Teacher and student was re-occurring. The Teacher's on and off communication with [redacted] was a repeated pattern.

3. The involvement of alcohol in their communications, the Teacher's encouragement of [redacted] drinking, [redacted].

4. The Teacher's awareness of his own unprofessional conduct in asking the student whether he was a bad influence [redacted]

5. The Teacher's conduct was not a single incident of a lapse of judgement. [redacted]

6. The Teacher's conversation with [redacted] regarding the [redacted] concerns of the appropriateness of [redacted].

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[31] Finally, counsel for the Commissioner submitted that the proposed penalty should be accepted as it would not bring the administration of justice into disrepute, nor would it contravene the public interest. Rather, the proposed penalty ensures the protection of students and the public interest and is aligned with the *Jaswal* factors.

DECISION AND ORDERS

Jurisdiction over the Teacher

[32] In the Agreed Statement of Facts, the following is admitted by both parties:

1. The Teacher was employed by the [redacted] as a teacher at [redacted] (the "School") and was an active member of the ATA.

2. The Teacher holds a permanent professional certificate within Alberta as confirmed by the Alberta Education Office of the Registrar.

[33] In the TPA, "teacher" is defined as follows:

> 1(j) "teacher" means a person holding a permanent or temporary certificate of qualification as a teacher issued by the Minister under the *Education Act*.

[34] Accordingly, given the existence of the Teacher's permanent professional certificate within Alberta, the Committee finds that it has jurisdiction over the Teacher in this matter.

Part One – Facts Found by the Committee

[35] The Committee noted discrepancies between the particulars listed in the Notice of Hearing and the facts in the Agreed Statement of Facts set out below.

Conduct in Issue:

[36] The Agreed Statement of Facts sets out the following facts:

1. In September of 2012, [redacted] was enrolled as a student in the Teacher's [redacted] at the School. [redacted] was [redacted] old at the time.

2. While the Teacher's student, [redacted] confided in and shared personal information with the Teacher. [redacted] told the Teacher that [redacted] would affect [redacted] attendance at School.

3. The Teacher advised [redacted] that he also had [redacted], and the Teacher and [redacted] these issues. The Teacher advised [redacted] that he had some success with [redacted]. The Teacher states that throughout his [redacted] he encouraged [redacted]

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4. Through the investigation of this matter, [redacted] disclosed that [redacted] spent lunch breaks and time after school in the Teacher's classroom with him. The Teacher and [redacted] listened to and exchanged music with each other. The Teacher gave [redacted]. On one occasion, the Teacher led [redacted] out of the classroom with his hand on [redacted] back.

5. In or around November or December of 2012, [redacted] arranged to complete [redacted] during the following semester. [redacted] informed the Teacher that they would be unable to complete the Teacher's class, and that they would miss being his student. The Teacher told [redacted] that they could stay in touch [redacted]

6. Over the [redacted], the Teacher emailed [redacted] a list of music he suggested [redacted] should listen to. The Teacher also confided in [redacted] about [redacted] with [redacted]. The Teacher and [redacted] corresponded with each other by text message and email.

7. In 2013, [redacted] was [redacted] out of school. [redacted] considered the Teacher to be [redacted] confidante. [redacted] advised the Teacher that [redacted] did not want to lose the Teacher's presence [redacted] and offered to give the Teacher [redacted] phone number. The Teacher accepted.

8. After [redacted] school, [redacted]. worked [redacted] would drop by the school to bring the Teacher coffee between work hours and after work. The Teacher also visited [redacted] at the [redacted] while [redacted] at work. The Teacher and [redacted] met at coffee shops and spent time together on numerous occasions.

9. The Teacher and [redacted] communicated via text message frequently, and via other communication applications such as Kik and WhatsApp. [redacted] tried to add the Teacher as a friend on Facebook, but the Teacher told [redacted] that it was "not a good idea".

10. Through the investigation of this matter, [redacted] revealed that over time, the communications between them [redacted]

11. [redacted] re-enrolled in school in [redacted] 2014, when [redacted] The Teacher was not [redacted] teacher [redacted] returned to school in February of 2014, but they continued their interactions at School. Through the investigation, [redacted] revealed that [redacted] and the Teacher would sit and stand [redacted] in the Teacher's classroom and would physically separate and move away from each other if another teacher or student entered the classroom. [redacted] often went to the Teacher's classroom after [redacted] classes ended [redacted]

12. On numerous occasions, the Teacher drove [redacted] from School, and to work. The Teacher did not pick up or drop off [redacted] at [redacted] residence. Instead, the Teacher

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picked up and dropped off [redacted] at a school near [redacted] residence. [redacted]

13. Throughout [redacted] enrollment at the School, the Teacher and [redacted] drank alcohol while corresponding with each other in the evening. The Teacher brought [redacted] a Gatorade beverage and candy [redacted] The Teacher and [redacted] frequently discussed alcohol together, and the Teacher gave [redacted] a list of wines to try. [redacted]

14. When the school year ended in June of 2014, [redacted] told the Teacher that [redacted] was going to miss him [redacted]. Around this time, the Teacher abruptly cut off contact with [redacted]

15. Later in [redacted] 2014, the Teacher and [redacted] re-established contact with one another. The Teacher apologized for abruptly cutting off contact and asked to meet [redacted] for coffee. Contrary to [redacted] wishes, [redacted] met with the Teacher. [redacted] was aware that the Teacher was [redacted] confidante, and that he assisted [redacted] with [redacted] schoolwork. However, [redacted] was not aware of the extent of their [redacted], including that they were texting [redacted] each other.

16. [redacted] contacted the Teacher on Facebook and advised the Teacher that [redacted] was uncomfortable with the interactions between [redacted] and the Teacher. The Teacher met with [redacted], and assured [redacted] that everything was "fine", and that he just wanted to be [redacted] friend. The Teacher advised [redacted] that "everything would stop". The Teacher ceased contact with [redacted] shortly after this interaction.

17. [redacted] learned that the Teacher cut contact with [redacted] because of [redacted] communication with the Teacher. [redacted]

18. A couple of months later, the Teacher re-established contact with [redacted] over the social media platform Kik.

19. On September [redacted] 2014, [redacted] visited the Teacher at the School. The Teacher advised [redacted] that an anonymous letter had been sent to the Superintendent about their relationship, and that the ATA was involved. The Teacher shared with [redacted] what he had disclosed to the ATA. The Teacher directed [redacted] regarding what [redacted] should say to any investigators who might speak to [redacted] about [redacted]. The Teacher told [redacted] that their "explanations needed to line up". The Teacher' instructed [redacted] to tell investigators that [redacted] had exchanged only a dozen or fifteen text messages with the Teacher, and that [redacted] had initiated contact with the Teacher when [redacted] The Teacher gave [redacted] a piece of paper containing his written instructions for responding or speaking to any investigators. Further to the Teacher's instructions, [redacted] memorized the version of events that the

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Teacher had instructed [redacted] to tell [redacted] The Teacher directed [redacted] to "stay away" from him until the "whole thing blew over".

20. In November of 2014, the Teacher approached [redacted] in the hallway. [redacted] to which the Teacher agreed. The investigation revealed that the [redacted] "picked up where they had left off' before the school division's investigation into their [redacted]

21. The Teacher advised [redacted] that he had received a letter of reprimand as a result of the school division's investigation [redacted]

22. In [redacted] 2015, [redacted] in [redacted] school [redacted] at the School. [redacted] old at this time. The Teacher was teaching a [redacted] course at the School. The Teacher and [redacted] interacted in person during [redacted] school, and also via the communication application Snapchat. At times, the Teacher sent [redacted] photographs of himself shirtless. Through the investigation of this matter, [redacted] revealed that [redacted] sent the Teacher [redacted] photographs and videos [redacted]. [redacted] advised the investigator that the Teacher did not tell [redacted] to stop sending him [redacted]. The investigation also revealed that [redacted]

23. As a result of the anonymous letter to the Superintendent about the Teacher and [redacted] relationship, the Teacher received a letter of reprimand, and an agreement was made that [redacted] would not be enrolled in any of the Teacher's classes going forward. The Teacher informed [redacted] of this agreement. However, the school approved [redacted] taught by the Teacher [redacted] 2015-2016 at the School. During this time, the Teacher's [redacted] sent [redacted] text messages alleging that [redacted] and ruining his [redacted] At the same time, the Teacher became distant from [redacted] The Teacher advised [redacted] not to text him while [redacted] a student in his class, and [redacted] complied. [redacted] advised [redacted] did not understand the situation, and that it was [redacted] eventually stopped attending the Teacher's class in person, and instead completed the class online so that [redacted] would not have to see the Teacher.

24. [redacted] the School in [redacted] 2016. [redacted]

25. [redacted] advised [redacted] that after [redacted] School, the Teacher "dropped" [redacted] and did not correspond [redacted] as he used to. [redacted] advised [redacted] realization that the [redacted] of the improper nature of [redacted] relationship with the Teacher. The Teacher told [redacted] that he did not understand what he had done to deserve [redacted]

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26. From 2017 to 2021, the Teacher and [redacted] communicated over email every few months. Between March [redacted], 2017, an email exchange occurred in which the Teacher called D.S. a [redacted] and accused [redacted] about his conduct towards [redacted] and citing it as a reason he should not be coaching [redacted]. [redacted] did not at any time contact the Teacher's school as alleged.

27. In early 2021, [redacted] confronted the Teacher about starting a relationship [redacted] when [redacted] was [redacted]. The Teacher expressed "some regret" about their relationship. Over several months, [redacted] confronted the Teacher and had long exchanges with [redacted] the Teacher [redacted] about the impact [redacted] [redacted] advised [redacted] that, despite [redacted] initial reluctance, [redacted] to confront the Teacher about these matters in the interest of getting closure. D.S. advised [redacted] that the Teacher flipped back and forth between being apologetic and blaming [redacted]

28. In the winter of 2021, the Teacher and [redacted] discussed the topic of the Teacher's previous feelings relating to [redacted], and the Teacher advised [redacted] that he may have underestimated his feelings towards [redacted] in the past. [redacted] showed these messages to [redacted]. The Teacher again ceased contact with [redacted]

29. In February of 2022, the Teacher re-established contact with [redacted] Through the investigation of this matter, [redacted] revealed that the conversations became [redacted] The investigation revealed communications and shared videos and photos that were overtly sexual or rife with sexual innuendo. For example, [redacted]

30. [redacted] and the Teacher continued communicating and [redacted] with each other over text message into 2022. In May of 2022, the Teacher asked [redacted] to send him more sexual images and videos. [redacted]

31. In 2022, the Teacher told [redacted] that he felt guilty for [redacted]. [redacted] suggested that they cease the [redacted] exchanges, which the Teacher dismissed. The Teacher advised [redacted] that he had considered engaging in a [redacted] relationship with [redacted] but was worried that it would represent an "admission" of having groomed [redacted] while [redacted] a student.

32. In 2023, the Teacher emailed [redacted] apologizing for "everything". In January of 2023, the Teacher emailed [redacted] a photo [redacted], blamed [redacted] for having [redacted], and alleged that [redacted]

33. The following communications were exchanged between the Teacher and [redacted] during the 2012 - 2013 school year:

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- The Teacher and [redacted] exchanged photos of each other's bare feet on May [redacted] 2013;
- The Teacher offered to bring [redacted] coffee after her work shift on June [redacted], 2013. [redacted] suggested that he could keep [redacted] company after work; [redacted]
- The Teacher commented [redacted] that a picture that [redacted] sent him was "Purdy, like you" on June [redacted], 2013; and
- The Teacher told [redacted] that [redacted] should not shy away from dressing up and that [redacted] looked very nice on June [redacted], 2013.

34. The following communications were exchanged between the Teacher and [redacted] during the 2013 - 2014 school year, when [redacted] was [redacted]

- On November [redacted], 2013, [redacted] told the Teacher that if they found a "sparkly lighter" in their car, to feel free to toss it out, [redacted] to find it.
- On December [redacted], 2015, [redacted] told the Teacher they had purchased a shirt and the Teacher "would probably like it." The Teacher asked for a picture. D.S. sent a cropped photo [redacted] wearing the shirt that showed [redacted]
- [redacted] The Teacher [redacted] The Teacher told [redacted] that they were a "work of art". [redacted] then sent the Teacher [redacted] The Teacher responded that the photo was [redacted] image was well framed: [redacted]
- On December [redacted], 2013, the Teacher messaged [redacted] that they would be "tipping a glass at midnight" while [redacted] "dreamed of fast food." The Teacher [redacted]
- On February [redacted], 2014, the Teacher asked [redacted] he Teacher sent [redacted] an emoji of a "kissy face." This exchange included the Teacher commenting that he wanted to keep things "PG rated while I'm sober," and would take a [redacted] when [redacted] came to school to pick up papers.
- On February [redacted], 2014, [redacted] sent the Teacher an image of a shelf full of wine bottles, and they discussed [redacted] drinking, and how the Teacher was a bad influence [redacted]
- On March [redacted] 2014, [redacted] asked the Teacher if they would take them out for drinks after the Teacher returned from a trip [redacted] The Teacher responded that they would. During the exchange, the Teacher also referenced previous correspondence, saying that he hoped he was not being too inappropriate, [redacted].
- On March [redacted], 2014, the Teacher told [redacted] "Inappropriate is a weakness of mine."
- On March [redacted], 2014, D.S. sent the Teacher an image of themselves, [redacted] The Teacher

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called [redacted], that the picture made them feel better, called [redacted], and said it was a good thing [redacted] was "around".

- On March [redacted] 2014, [redacted] told the Teacher that they needed a hug and the Teacher suggested they come by after school if [redacted] wanted to talk "nightmares or hugs".
- Between March [redacted], 2014, the Teacher discussed rum with [redacted] and commented on one of their pictures, stating it was a [redacted].
- On March [redacted] 2014, the Teacher told [redacted] that they had been watching a stupid film and should just go find a [redacted] instead.
- On March [redacted], 2014, the Teacher told [redacted] that [redacted] and was going to bed.

35. The following communications were exchanged between the Teacher and [redacted] on or after April [redacted] 2014. [redacted]

- On April [redacted] 2014, the Teacher asked [redacted] "You miss me don't you?" The Teacher told D.S. that they lived vicariously through her.
- On April [redacted], 2014, the Teacher encouraged [redacted], and told [redacted] that [redacted] was [redacted] The Teacher told [redacted] "[i]t's been a long time since I've taken a [redacted] of myself'.
- On May [redacted], 2014, the Teacher told [redacted] "[redacted] ... too bad you're stuck without handsome company".
- On May [redacted] 2014, the Teacher told [redacted] there were other "shitheads" out there and that [redacted] was the [redacted] at school. During this exchange, the Teacher asked whether [redacted] considered him a corrupting influence and mentioned his [redacted].
- On June [redacted], 2014, [redacted] he Teacher responded that the image was [redacted]
- On June [redacted] 2014, the Teacher and [redacted] he exchange referenced kissing other people with [redacted] During this exchange, the Teacher asked D.S. to send him [redacted]. [redacted]
- On June [redacted] 2014, while picking [redacted] up from School, the Teacher directed [redacted] to wait until one of his colleagues left the vicinity before approaching his vehicle. Once the colleague left the vicinity, the Teacher advised [redacted] that it was now safe to approach his vehicle.
- On June [redacted] 2014, the Teacher sent [redacted] a close up of the Teacher's mouth and chin. The Teacher's lips are extended forward in an open kiss towards the camera. The Teacher also sent [redacted] a photograph of himself [redacted]
- On June [redacted] 2014, the Teacher and [redacted] engaged in a [redacted] The

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[redacted]

36. The following communications were exchanged between the Teacher and [redacted] the 2013/14 school year [redacted].

- On June [redacted] 2014, the Teacher told [redacted] that he hoped [redacted]
- On June [redacted] 2014, the Teacher called [redacted] and asked if [redacted] was okay. The Teacher also called [redacted] " [redacted] in French and told [redacted] they were both [redacted]
- On July [redacted] 2014, the Teacher asked [redacted]
- On July [redacted] 2014, [redacted]
- On July [redacted] 2014, the Teacher directed [redacted] to "find a [redacted] next time". [redacted] referenced being in the Teacher's [redacted] The Teacher corrected something that [redacted] had written [redacted] and wrote [redacted]

37. The following communications were exchanged between the Teacher and [redacted] during the 2014/15 school year. [redacted].

- On November [redacted], 2014 (shortly after the school's internal investigation into the Teacher's conduct towards [redacted].), [redacted] asked the Teacher if [redacted] was allowed to talk to the Teacher again and the Teacher responded, "sure, no problem." [redacted] asked if [redacted] was allowed to stop by after school and the Teacher told [redacted] that [redacted] could. The Teacher asked [redacted] how [redacted] was and commented that [redacted] their hair [redacted] looked good.
- Between December [redacted], 2014 and December [redacted] 2014, [redacted] and the Teacher exchanged emails in which the Teacher addressed [redacted] " The Teacher stated that the letter (likely the anonymous complaint letter about his relationship with [redacted]) made [redacted] sound like a [redacted] The Teacher and [redacted] discussed presents, music and drinking. The Teacher explained [redacted] visiting arrangements with their [redacted] The Teacher stated "Do me a favour and double delete this conversation. It's not you I'm worried about. Please".
- On December [redacted], 2014, the Teacher wished [redacted] a [redacted] The Teacher [redacted] suggested that [redacted] ought to include breaking up with their boyfriend.
- On January [redacted] 2015, the Teacher told [redacted] that they were wondering if they could walk away from [redacted] and start a new career. The Teacher told [redacted]

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- On January [redacted] 2015, the Teacher sent [redacted] two images of [redacted]
- On January [redacted], 2015, the Teacher asked [redacted] if [redacted] had kissed anybody that day. They engaged in a [redacted]
- On February [redacted] 2015, [redacted] sent the Teacher an image of [redacted] had purchased that had the sayings [redacted] The Teacher commented "Ha, well, ready for another semester I see" and asked [redacted]
- On February [redacted], 2015, [redacted] asked the Teacher whether it would make him uncomfortable if [redacted] attended one of the Teacher's [redacted] and he replied that it would not.
- On February [redacted], 2015, the Teacher told D.S. about the results of their [redacted] visit and complained [redacted] did not give them drugs.
- On February [redacted] 2015, the Teacher sent [redacted] a link to a video and stated that when they were at work [redacted] The Teacher asked [redacted]
- On February [redacted] 2015 the Teacher and [redacted] engaged in a conversation about "[redacted]
- On March [redacted], 2015, the Teacher had a conversation with [redacted] about drinking, [redacted] The Teacher suggested that D.S. find [redacted] ". [redacted]
- On April [redacted] 2015, the Teacher told [redacted]
- On May [redacted], 2025, the Teacher told [redacted]
- On May [redacted] 2015, the Teacher [redacted] for coffee during a [redacted] at school during the school day.
- On May [redacted], 2015 and May [redacted] 2015 to June [redacted] the Teacher and [redacted] discuss drinking [redacted].
- On July [redacted] 2015, the Teacher emailed [redacted]
- On July 2 [redacted] 2015, [redacted] sent the Teacher a photo [redacted]; the Teacher acknowledged having viewed the photograph.

38. The following communications were exchanged between the Teacher and [redacted] after the 2014/15 school year. [redacted]

- On July [redacted], 2015, the Teacher sent [redacted] images of alcohol and wrote that they were watching [redacted] that night.

39. The following communications were exchanged between the Teacher and [redacted] during the 2015/16 school year. [redacted]

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- On September [redacted], 2015, [redacted] told the Teacher they were [redacted] and asked for a topic for a poem. [redacted]
- On October [redacted] 2015, the Teacher sent [redacted] images of wine bottles. [redacted]
- On October [redacted] 2015, [redacted] invited the Teacher to watch [redacted] movie, [redacted], with her. The Teacher told [redacted].
- On October [redacted] 2015, the Teacher told [redacted] "In the meantime, I really must stop texting and ask you too as well. I can explain further then ok?". On December [redacted] 2015 the Teacher suggested to [redacted] that he would kiss [redacted] after [redacted] graduated.

40. The following communications were exchanged between the Teacher and [redacted] after the 2015/16 school year. [redacted]

- Between September [redacted] 2016 to September [redacted] 2016, the Teacher told D.S. that he had sent [redacted] a letter of apology for any wrongdoing that [redacted] felt that he had done [redacted] He stated his hope that [redacted] would forgive him. He told [redacted] "I'm sorry for it, but reckless, irresponsible, and too late. [redacted] 'm sorry if that's what I did" and " ... I'm a bit afraid of another letter coming through the school board. I was just hoping that if you consider it, that you would tell me first and I would just quit. I don't think I could handle going through that again".

41. In addition to the above communications, the Teacher and [redacted] exchanged emails. The nature and content of these emails were similar to the nature and content of the text messages described above.

42. The Teacher provided a written statement to the investigator of this matter, in which he stated that he was ashamed that he "got to that point" with [redacted] The Teacher further recognized that his conduct has caused harm to his own reputation and that of the profession.

43. The Teacher acknowledges that the relationship between himself and [redacted] was inappropriate and crossed the professional boundaries that should exist between students and teachers. The Teacher advises that his intentions with [redacted] were initially noble, and that he had wanted to help [redacted]

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Findings of the Committee:

[37] In considering the discrepancies between the Notice of Hearing and the Agreed Statement of Facts, the Committee was only prepared to make findings on the allegations in the Notice of Hearing that were directly and clearly addressed in the Agreed Statement of Facts, as listed below. The Committee confirmed that the findings below are proven on a balance of probabilities based on the agreed facts and admissions in the Agreed Statement of Facts[5]:

1. Communications with the student while enrolled, beginning in 2012 and continuing to 2016, with retroactive comments [redacted] being made until 2022, via text messaging, WhatsApp, Snapchat, Kik, E-Mail, and Facebook, about personal, inappropriate, or explicit matters outside of the classroom setting and areas of instruction is proven, for the following:

    2. December 2012 – emailing the student over the Christmas break to discuss personal matters;[redacted]

    4. December [redacted] 2013 – telling the student [redacted]

        iii. April [redacted], 2014 – discussion of it being a long time since the Teacher [redacted]
        iv. May [redacted], 2014 – calling the student [redacted]
        v. June [redacted] 2014 – calling the student [redacted]
        vi. June [redacted] 2014 – discussion of sleep and telling the student to [redacted]
        vii. July [redacted] 2014 – discussion of unhappiness in [redacted]
        x. January 1[redacted] 2015 – asking the student if [redacted] kissed anybody that day;
        xi. February [redacted], and October [redacted] 2015 – Making cultural references to the [redacted]
        xii. February [redacted] 2015 – discussion of the website [redacted]

    1. February [redacted], 2014-discussing the consumption of alcohol with the student is proven, for the following:
        i. February [redacted], 2014 – receiving image of wine and discussion of drinking;

[5] The findings are numbered according to how they were numbered in the Notice of Hearing.

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ii. March [redacted], 2014 – discussion of going for drinks after the student turned 18;
vi. May [redacted] 2014 – discussion of a [redacted]
ix. June [redacted] 2014 – discussion of drinking too much;
xiii. June [redacted] 2014 – discussion of drinking the same drink [redacted]
xiv. July [redacted] 2014 – discussion of rum;
xix. March 20, 2015 – discussion of drinking, and [redacted]; and
xxii. October [redacted] 2015 – sending student images of wine bottles and sharing them once [redacted] graduated.

1. Requesting, receiving, or sending a photo of a sexual nature from the student, on:

i. March [redacted] 2014 – receiving an image of the student in a black top and blue jeans, [redacted]
ii. May [redacted], 2013 – texting an image of his foot, and receiving an images of the student's bare feet is proven, for the following:
iii. June [redacted], 2014 – receiving an image from the student [redacted]
iv. June [redacted] 2014 – receiving an image of the student [redacted]
v. June [redacted], 2014 – sending a [redacted]
viii. July [redacted] 2014 – discussion of SnapChat, and response from the Teacher to student's comment [redacted];
ix. July [redacted] 2015 – receiving a photo from the student [redacted];
xi. October 11, 2015 – receiving [redacted]
xii. December 13, 2015 – requesting and receiving images [redacted]

7. March [redacted] 2014 – inviting the student in the classroom for a hug is proven;
xix. June [redacted] 2014 – prior to driving with the student alone, advising [redacted] to wait for a colleague who he did not trust was present, and then giving the approval for them to meet is proven; and

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xx. July 12, 2014 – driving to the [redacted] student to meet, and driving the student to and from [redacted] alone is proven.

1. June [redacted] 2014 – purchasing Gatorades, lollipops and chocolate bars to assist the student [redacted] while electronically corresponding night prior is proven despite no date in the Agreed Statement of Facts;
2. July [redacted] 2014 – meeting with the student's [redacted] who requested that the Teacher cease communication with the student. The [redacted] informed the Teacher that a line had been crossed upon driving the student for coffee over the [redacted] is proven despite no date in the Agreed Statement of Facts;
3. September [redacted] 2014 – discussing with the student the particulars of a complaint made to the Superintendent about their [redacted] and subsequently handwriting a note to instruct the student's responses to the internal investigation being conducted by the Superintendent after an anonymous letter informed the school district [redacted] is proven, as well on:
    1. December [redacted] ,2014 Advising the student to "double delete" conversation threads is proven;
    2. September [redacted], 2015 – requesting that the student advise him if they were to take any further action in supporting the complaints [redacted] is proven; and
    3. March [redacted] 2017 – accusing the student of harassment and of sending letters [redacted] to prevent him from coaching [redacted] is proven.

1. December [redacted] 2014 – commenting/disapproving of the student's personal relationship with [redacted] then [redacted] is proven; and
    2. January [redacted], 2015 – advising the student to break up with [redacted] is proven despite no date in the Agreed Statement of Facts.
1. March [redacted], and April [redacted], 2016 – implicating the student [redacted] while the student was enrolled in [redacted] as a student of his class, in approximately February of 2016. The student and [redacted] were contacted by the Teacher [redacted] is proven.

2. Continuing a relationship with the student [redacted], from 2016 – 2022 is proven, for the following:

    1. February [redacted] 2022 – re-connecting with the former student via text message and continuing [redacted] exchanges of sexually explicit images and videos from May [redacted] to June [redacted] 2022.

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Part Two – Unprofessional Conduct

[38] After having found the facts referenced above, the Committee considered whether the Teacher's actions constituted unprofessional conduct.

[39] In doing so, the Committee considered section 23 of the TPA, which reads:

> **Unprofessional conduct**
>
> **23(1)** Any conduct of a member that, in the opinion of a hearing committee,
>
> (a) is detrimental to the best interests of
>
> (i) students as defined in the *Education Act*,
>
> (ii) the public, or
>
> (iii) the teaching profession,
>
> (b) contravenes sections 16 to 65 or a bylaw made under section 8(f) or (g), or
>
> (c) harms or tends to harm the standing of teachers generally,
>
> whether or not that conduct is disgraceful or dishonourable, may be found by a hearing committee to constitute unprofessional conduct.

[40] The Teacher admits to the conduct in the allegations as agreed to in the Agreed Statement of Facts (collectively the "**Conduct**").

[41] Counsel for the Commissioner noted that the Conduct meets the definition of unprofessional conduct from the TPA, specifically:

(i) pursuant to section 23(1)(a), the Conduct was detrimental to the best interest of students, the public, and the teaching profession; and

(ii) pursuant to section 23(1)(c) of the TPA, the Conduct harms or tends to harm the standing of teachers generally.

[42] Considering the submissions of counsel for the Commissioner, the facts that were found, and the definition of unprofessional conduct, the Committee finds that the Teacher is guilty of unprofessional conduct regarding the proven allegations. The Teacher's conduct was detrimental to the best interests of students, the public and the teaching profession. The Committee finds that the Teacher's conduct in relation to the proven allegations was unprofessional conduct under section 23(1)(a) of the TPA.

[43] The Committee also found that the Conduct was unprofessional conduct under section 23(1)(c) of the TPA. Teachers are generally in a position of power over their students, and the Teacher's unprofessional conduct harms the trust students, parents and the public place in teachers.

[44] The Teacher engaged in extremely serious unprofessional conduct, involving the emotional, psychological and sexual exploitation of a student. This is at the higher end of

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the spectrum of unprofessional conduct and involves egregious breaches of professional boundaries in the profession of teaching. The Teacher was in a position of power of [redacted] and abused the trust placed in him by a [redacted] student. Such conduct harms students and undermines the trust placed by students and the public in the profession of teaching.

[45] In addition, [redacted] expressed concern to the Teacher in 2014 and despite these expressed concerns, the Teacher continued with the pattern of unprofessional conduct repeatedly and over a period of years. This further undermines the standing of teachers generally.

Part Three – Orders of the Committee

[46] When a Committee finds that the conduct of a teacher is unprofessional conduct, the Committee may make orders pursuant to section 42 of the TPA.

[47] The options available to the Committee under section 42 are as follows:

> **Orders of hearing committee**
>
> **42(1)** If a hearing committee finds that the conduct of an investigated person constitutes unprofessional conduct, the hearing committee may do any one or more of the following:
>
> …
>
> (c) recommend that the Minister cancel or suspend one or more certificates issued to the investigated person under the *Education Act;*
>
> (d) make any further or other order it considers appropriate.

[48] The parties put forth the following Joint Recommendation on Penalty:

a. In light of the circumstances and the Agreed Statement of Facts, the Commissioner and the Teacher jointly submit to the Committee pursuant to section 42 of the TPA:

   (i) cancellation of the Teacher's membership in the Association; and

   (ii) recommendation to the Minister that the Teacher's teaching certificate be cancelled.

[49] The Committee considered the submissions on penalty by counsel for the Commissioner and the appropriate orders to be made in the circumstances of this case.

[50] The Committee noted the proposed sanction of cancellation of the Teacher's membership in the Association under section 42(1)(a) of the TPA, is no longer a valid penalty the Committee can order, per section 3 of the *Educational Act Transitional Regulation*:

> **Transitional – hearings**
>
> …
>
> **(3)** A hearing committee established in accordance with subsection (1) shall not make an order under section 42(1)(a) or (b) or (2) of the former *Teaching Profession Act*.

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The Committee asked counsel for the Commissioner to speak to the first proposed sanction. Counsel for the Commissioner requested a brief adjournment to discuss with the Commissioner.

[51] The Committee reconvened, and counsel for the Commissioner acknowledged there was no authority for the first proposed sanction. Counsel for the Commissioner submitted that the Commissioner would withdraw the first sanction and recommend proceeding with only the second sanction.

[52] The Committee agreed that it had no authority to order the first proposed sanction. The Committee then considered the following factors in determining whether the second proposed sanction was an appropriate order. Cancellation of a teaching certificate is the most serious penalty that can be imposed on a teacher. The conduct at issue here involves egregious breaches of the trust placed in a teacher and cancellation of the Teacher's certificate is appropriate and warranted. The Teacher's conduct had a severe impact on the student. Any lesser penalty would bring the administration of justice into disrepute. There were many aggravating factors, and the penalty is appropriate considering the *Jaswal* factors.

[53] Teachers and the public must know that such conduct will not be tolerated in the profession of teaching. The conduct in this case justifies cancellation of the Teacher's teaching certificate. In particular, the Teacher's conduct involved prolonged inappropriate activity, this was an aggravating factor, as it was not merely a one-time lapse in judgment. The Teacher knew or ought to have known at any point in the interactions that the conduct was wrong and yet the Teacher carried on with the conduct for an extended period of time. The Teacher's prolonged interactions with the student suggests a high risk of repeating the unprofessional conduct.

[54] The Committee also considered that there was no remorse expressed by the Teacher. The Committee considered the lack of responsibility the Teacher took in his communications with D.S. The Committee also considered the Teacher's absence in the hearing, and the nature of his communications with counsel for the Commissioner and the Governance Secretariat regarding his absence (Exhibits 5 and 6) in which there appeared to be no remorse expressed.

[55] Given the above, the Committee recommends to the Minister pursuant to section 42(1)(c) of the TPA that the Minister:

(i) cancel the certificate of the Teacher.

CONCLUSION

[56] Therefore, the Committee recommends the following penalty to the Minister, pursuant to section 42(1)(c) of the TP: to cancel the Teacher's permanent professional certificate in Alberta.

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Alberta Government

Dated this 24th day of June 2025.

[redacted]

[redacted] Chair, Public Member
Professional Conduct and Competency Hearing Committee

[redacted]

[redacted] Teacher Leader
Professional Conduct and Competency Hearing Committee

[redacted]

[redacted] Teacher Leader
Professional Conduct and Competency Hearing Committee

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OPTION TO APPEAL – NOTICE TO THE TEACHER & THE COMMISSIONER

The Teacher and the Commissioner have thirty (30) days of receipt of this decision to submit a notice of appeal to the Practice Review Appeal Committee, in accordance with section 49 of the TPA.

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

The appeal must be addressed to:

Barry Litun, Chair
Professional Conduct &
Competency General Panel
44 Capital Blvd.
10044 – 108 Street
Edmonton, Alberta
T5J 5E6

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

Classification: Protected B