

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

IN THE MATTER OF A CHARGE OF UNPROFESSIONAL
CONDUCT AGAINST DEBORAH DOONANCO

The hearing committee of the Professional Conduct Committee of the Alberta Teachers' Association reports that a charge of unprofessional conduct laid against Deborah Doonanco of [Location Redacted] was duly investigated in accordance with the *Teaching Profession Act* (TP A). The hearing was held online, via video conference, on Friday, June 25, 2021 at 0900.

The participants were

1. Professional Conduct Committee members appointed as the hearing committee, [REDACTED];
2. [REDACTED];
3. [REDACTED];
4. [REDACTED];
5. [REDACTED]

COMPOSITION/JURISDICTION

There were no objections to the composition or jurisdiction of the hearing committee.

PRELIMINARY MATTER

The investigated member, Deborah Doonanco, was not present and was not represented by counsel. At the outset of the hearing, the presenting officer, [REDACTED], indicated that attempts were made to contact Doonanco during the investigation, but she did not respond. A letter dated June 2, 2021 addressed to Doonanco was sent to her via registered mail, which enclosed the Notice of Hearing (Exhibit 1). The Canada Post confirmation of delivery shows the letter was delivered but no signature was available.

Pursuant to sections 40 and 64 of the TPA, a hearing committee may proceed in the absence of the investigated person, on proof of service of the Notice of Hearing via registered mail. Given that Doonanco did not participate in the investigation, and upon receiving proof of service, the hearing committee decided to proceed with the hearing in Doonanco's absence.

CHARGES AND PLEA

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

1. Deborah Doonanco is charged with unprofessional conduct pursuant to the *Teaching*

Profession Act in that she, while a member of the Alberta Teachers' Association, on or about May 25, 2014, engaged in conduct for which she, on August 31, 2020, was convicted of an indictable offence, to wit: "On or about the 25th day of May, 2014 at or near [REDACTED] [REDACTED] did unlawfully contravene section 236(A) of the Crimin

A plea of not guilty to the charge was entered on behalf of Doonanco.

WITNESSES

No witnesses were called.

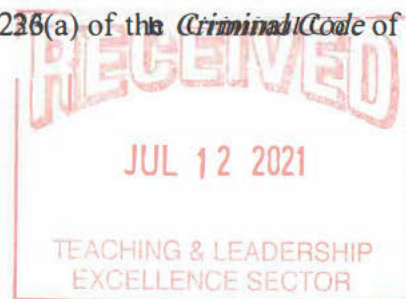
EXHIBITS FILED

- Exhibit 1 Notice of hearing dated June 2, 2021 and Canada Post confirmation of delivery on June 3, 2021
- Exhibit 2 Proof of Doonanco's membership in the Association from September 1, 1998 to May 31, 2014
- Exhibit 3 Agreed statement of facts between Doonanco and Her Majesty the Queen, dated July 14, 2020
- Exhibit 4 Conviction certificate dated December 11, 2020

EVIDENCE ADDUCED AND EXHIBITS FILED INDICATED

1. Doonanco was a member of the Alberta Teachers' Association from September 1, 1998 to May 31, 2014. (Exhibit 2)
2. Doonanco was working for then [school Divison Redacted] as a substitute teacher at the time of the incident giving rise to the criminal charges and eventual conviction. (Exhibit 2)
3. Doonanco pled guilty, with the consent of the Crown, and in accordance with section 606(4),
4. to the lesser offence of manslaughter contrary to Section 236(a) of the *Criminal Code* of Canada Exhibit 3)

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4. Doonanco pled guilty and was convicted under section 236(a) of the *Criminal Code* on August 31, 2020. (Exhibits 3 and 4)
5. On December 11, 2020, a certificate of conviction was issued by a judge confirming the guilty plea of August 31, 2020. (Exhibit 4)
6. Doonanco was sentenced to eight years in jail as a result of her conviction of manslaughter under the *Criminal Code*. (Exhibit 4)

DECISION OF THE HEARING COMMITTEE

Charge 1—Guilty

REASONS FOR DECISION

1. Doonanco pled guilty to manslaughter in a court of law on August 31, 2020. (Exhibit 4)
2. Doonanco was convicted of an indictable offence under section 236(a) of the *Criminal Code* on August 31, 2020 and is therefore guilty of unprofessional conduct under section 23(2)(a) of the TPA. (Exhibit 4)
3. Section 23(2)(a) of the TPA states that if a member has been convicted of an indictable offence, the conduct of the member on which the conviction is based is deemed to constitute unprofessional conduct. Additionally, section 41(2)(a) of the TPA also provides that if a member has been convicted of an indictable offence, the hearing committee has no authority to find that the conduct of the member on which the conviction is based does not constitute unprofessional conduct.

SUBMISSION ON PENALTY

1. The hearing committee received an oral submission on penalty from the presenting officer.
2. ██████ noted that Doonanco had been convicted of an indictable offence. As such, Doonanco has been subject to expensive court processes and ultimately has paid a heavy price for her crime because she was incarcerated as a result.
3. ██████ noted Doonanco suffered psychological conditions and financial loss as a result of her circumstances.
4. ██████ noted that Doonanco had no previous charges of unprofessional conduct.

5. ██████ noted that as a result of the charges laid against her, Doonanco's employment was terminated by her school division.
6. ██████ noted that even though there were no previous incidents of unprofessional conduct on the part of Doonanco, the severity of the issue was very serious.
7. ██████ noted that teachers are held to a higher standard. Even though Doonanco's experiences were difficult, the penalty must deter other teachers from engaging in criminal acts and must protect the public's trust in the teaching profession.
8. ██████ referred to the lack of precedents for this case though she did draw the committee's attention to three similar cases, one from Alberta and two from British Columbia.
9. ██████ submitted it was essential the penalty be heavy because even though Doonanco's life circumstances were difficult, she used a firearm to end another person's life. As such, ██████ recommended the committee apply the following penalty:
 - a) A declaration that Doonanco be declared permanently ineligible for membership in the Alberta Teachers Association
 - b) A recommendation to the minister of education to cancel Doonanco's teaching certificate.

PENALTY

The hearing committee ordered the following penalty:

- a) A declaration that Doonanco be declared permanently ineligible for membership in the Alberta Teachers Association
- b) A recommendation to the minister of education to cancel Doonanco's teaching certificate.

REASONS FOR PENALTY

1. Doonanco pled guilty to an indictable offence and was sentenced to eight years in jail.
2. Teachers are held to a high standard by the public and the profession. Doonanco's actions fall grossly below those standards. Doonanco failed to uphold the honour and dignity of the profession and her actions had the potential to severely jeopardize the public's trust in the profession.
3. In discussing its reasons for penalty, the committee noted that Doonanco's circumstances were difficult; the exhibits showed Doonanco suffered from [Medical Information]. However, Doonanco picked up a firearm and used it to end a human life. Therefore, the committee reasoned the penalty must be severe in order to reflect the serious nature of the offence.
(Exhibit 3)

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4. Doonanco had retired from teaching, but she continued to substitute teach. In light of her continuing to teach during retirement, it is necessary to uphold the integrity of the profession and declare Doonanco ineligible for membership in the Alberta Teachers' Association and recommend cancellation of her certificate to the minister of education.
5. Doonanco's actions showed disregard for society's expectation of teachers. There is a need to deter this type of behaviour and make it known that it will not be accepted by the profession or the public. The Association and the public take these heinous actions very seriously and thus appropriate penalties must be imposed.
6. The committee reviewed precedent cases from Alberta and BC provided by Huizing, but noted the cases were dated and the facts were not relevant to this case. Further, the Alberta case involving vehicular manslaughter, where a professional conduct hearing committee imposed a suspension of membership and recommendation of suspension of the member's teaching certificate to the minister, was informed by the trial judge who noted the teacher "should have the opportunity to return to the teaching profession." Furthermore, the judge in that case recommended an early return to teaching would benefit the teacher and the public. This was not the case for Doonanco.

Dated at the City of Edmonton in the Province of Alberta, Tuesday, June 29, 2021.

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

