

THE ALBERTA TEACHERS' ASSOCIATION

REPORT OF THE HEARING COMMITTEE
OF THE PROFESSIONAL CONDUCT COMMITTEE

IN THE MATTER OF CHARGES OF UNPROFESSIONAL
CONDUCT AGAINST DARCY ROBERT STEELE

The hearing committee of the Professional Conduct Committee of the Alberta Teachers' Association reports that charges of unprofessional conduct laid against Darcy Robert Steele of [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, June 25 and Tuesday, June 26, 2012.

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

CONSTITUTION/JURISDICTION

There were no objections to the constitution of the hearing committee or to its jurisdiction to hear the case.

CHARGES AND PLEA

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

1. Darcy Robert Steele is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that he, while a member of the Alberta Teachers' Association, between October 2009 and April 2010, yelled at one or more students and used inappropriate language with one or more students, thus failing to treat them with dignity and respect and in consideration of their circumstances.
2. Darcy Robert Steele is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that he, while a member of the Alberta Teachers' Association, between October 2009 and April 2010, kicked furniture such as to cause injury to one or more students, thus failing to treat them with dignity and respect and in consideration of their circumstances.
3. Darcy Robert Steele is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that he, while a member of the Alberta Teachers' Association, between October 2009 and April 2010, threw or batted objects in the direction of one or more

students, thus failing to treat them with dignity and respect and in consideration of their circumstances.

4. Darcy Robert Steele is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that he, while a member of the Alberta Teachers' Association, between October 2009 and April 2010, yelled at students, kicked furniture and threw objects such as to cause injury to students thus failing to maintain the honour and dignity of the profession.
5. Darcy Robert Steele is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that he, while a member of the Alberta Teachers' Association, on or about May 25, 2011, was convicted of criminal offences in that he committed an assault on [Name Redacted] and on [Name Redacted], on or about the 20th day of May 2011, contrary to section 266 of the *Criminal Code*, thus acting in a manner which harms or tends to harm the standing of teachers generally.

In the absence of Steele, the hearing committee directed a plea of not guilty to each charge.

The hearing committee heard an application by [redacted] to amend Charge 5 by correcting the year of the date, specifically that the year 2011 should read 2010 in both instances. The application for amendment was granted. The hearing committee considered Exhibit 6, page 12 of the investigation report, which stated the conviction date as May 25, 2010, and further considered that there was a reasonable likelihood that Steele would recall the events alleged in Charge 5, despite the typographical error in the charge. Further, Steele was in receipt of a copy of the report.

WITNESSES

The presenting officer called the following witnesses:

1. [Name redacted], assistant superintendent of [School Division Redacted]
2. [Name redacted], aunt of [Name redacted]
3. [Name redacted], student
4. [Name redacted], student
5. [Name redacted], student
6. [Name redacted], parent of [Name redacted] and [Subject Redacted] teacher
7. [Name redacted], principal of [School Redacted] during the 2009/10 and 2010/11 school years

EXHIBITS FILED

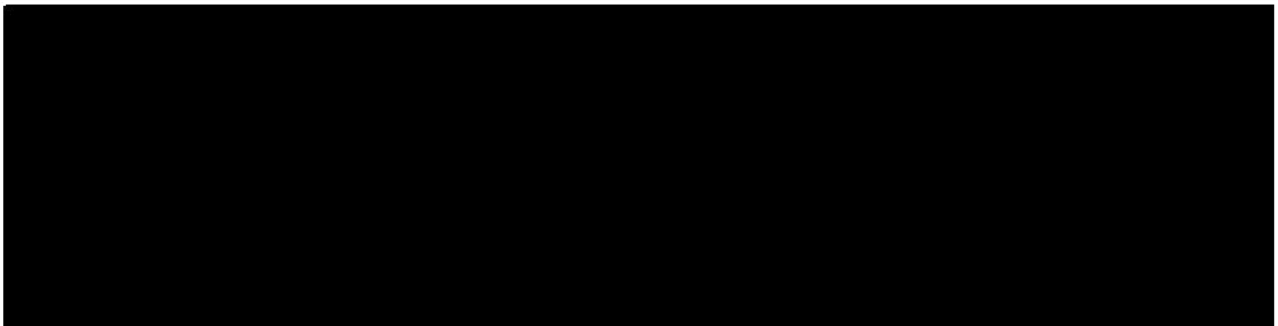
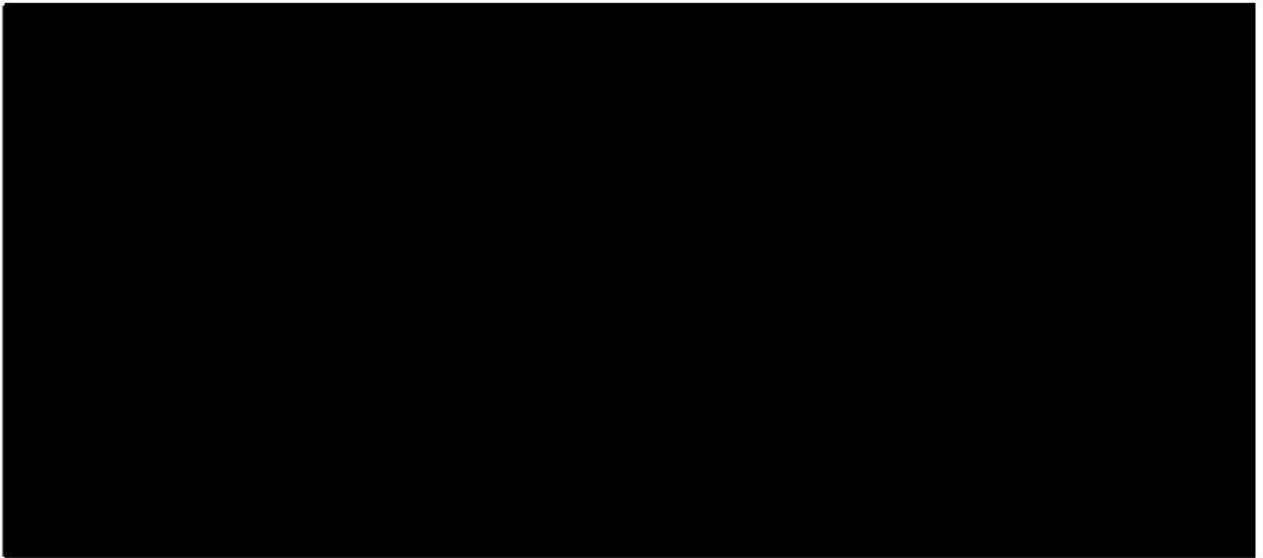
- Exhibit 1—Series of e-mails between Steele and [redacted] executive secretary of the Association, and [redacted], occurring between April 24, 2012 and June 22, 2012
- Exhibit 2—Letter from [redacted] to Steele, dated April 16, 2012

Report of the Hearing Committee of PCC re D R Steele, page 3

- Exhibit 3 Canada Post confirmation of delivery of notice of hearing, on May 14, 2012
- Exhibit 4—Notice of hearing
- Exhibit 5 Proof of Steele's membership in the Association from September 1, 2009 to June 30, 2010
- Exhibit 6—Page 12 of the investigation report re Steele, titled Allegation B: Convicted of a criminal offence
- Exhibit 7—Webpage printout of Association bylaws 3 and 4, relating to membership
- Exhibit 8—Letter from [REDACTED] dated August 16, 2011, and court document titled Information, certified and dated July 27, 2011
- Exhibit 9 E-mail from [Name redacted], human resources coordinator for [School Division Redacted], to [REDACTED] and e-mail from [Name redacted], deputy superintendent of the same school district, to [REDACTED] dated June 22, 2012 and June 25, 2012 respectively
- Exhibit 10—Binder of documents, divided by tabs 1-7
- Exhibit 11—E-mail from Steele to [REDACTED], dated June 2, 2012, and three blog items, dated December 28, 2009, January 23, 2010, and May 3, 2010
- Exhibit 12—A series of correspondence between [REDACTED] and Steele
- Exhibit 13—A series of correspondence between [REDACTED] and Steele
- Exhibit 14 A series of correspondence between [REDACTED] and Steele

EVIDENCE ADDUCED AND EXHIBITS FILED INDICATED THAT:

1. Steele was a member of the Association from September 1, 2009 to June 30, 2010. (Exhibits 5 and 7)
2. Steele's ten years of teaching experience included six years teaching in [Location Redacted]. (Exhibit 11)
3. Steele was employed by [School Division Redacted] and taught a [Grade Redacted] combined class at [School Redacted] in, Alberta during the 2009/10 school year.(Exhibit 10)
4. Steele was a substitute teacher with [School Division Redacted] during the spring of 2010. (Exhibit 9)
5. In October 6, 2009, Steele yelled at his class and kicked a desk, which resulted in a bruise injury to [Name redacted]. (Exhibit 10)
6. [Name redacted] testimony indicated that [Gender Redacted] cried as a result of the incident, was afraid of provoking Steele's anger further and did not understand why Steele was so angry.
7. [Name redacted] testified that [Name redacted] was reluctant to attend school for a period of time following the incident.

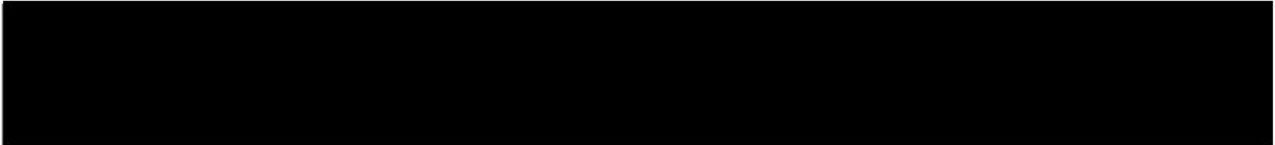
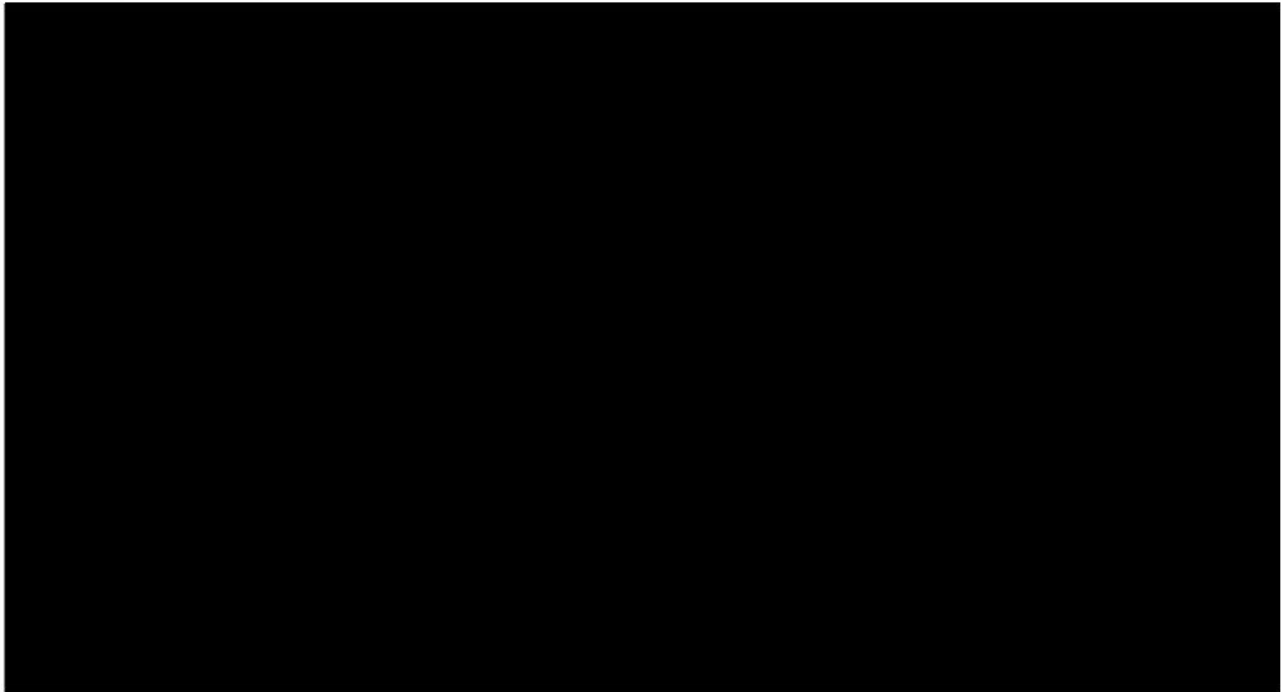
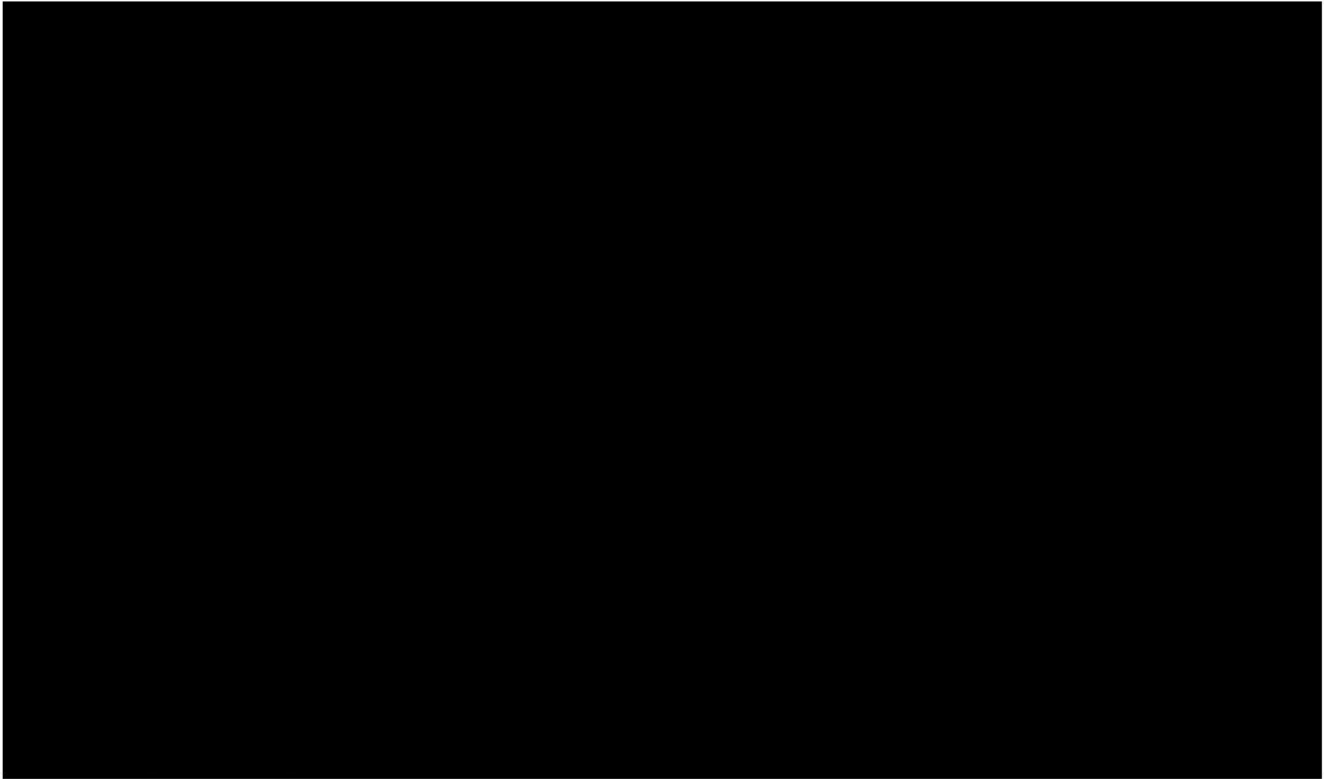


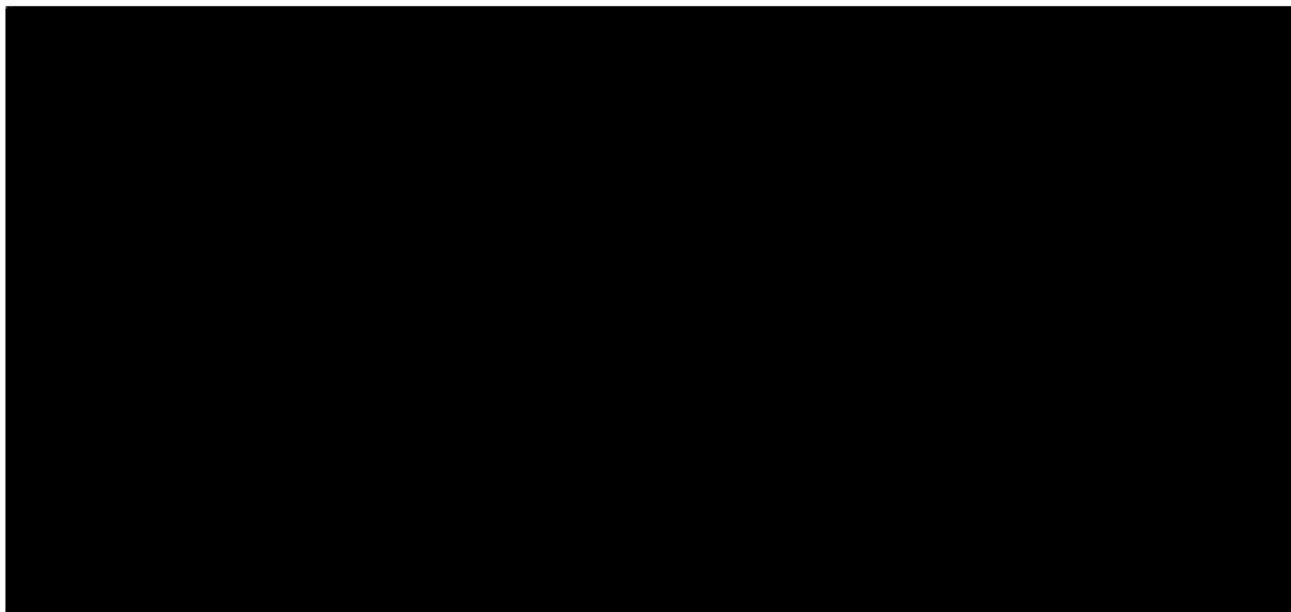
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]





DECISION OF THE HEARING COMMITTEE

The hearing committee found Steele guilty of each of the five charges.

REASONS FOR DECISION

Charge 1

1. Steele was found to be guilty of yelling and using inappropriate language because he yelled on a regular and consistent basis at his [Grade Redacted]students. His language was characterized by inappropriate volume, tone and frequency, as well as by obscenities.
2. Steele's use of language was found to frighten students and created a toxic classroom environment which affected his classroom and the school as a whole.
3. Steele's yelling and use of inappropriate language was demeaning to the students in his care, with the effect exacerbated by their age and lack of maturity. Steele violated the basic human dignity that should be accorded to all students by their teacher.
4. The hearing committee deemed that Steele's regular and consistent yelling at students constituted a form of abuse, used to intimidate students from his position of power.

Charge 2

1. Steele was found to be guilty of failing to treat students with respect and dignity in that he kicked furniture in an angry manner that intimidated students, thus showing a lack of regard for their circumstances.
2. Steele caused injury to students thus showing a lack of regard for their safety.
3. Socially appropriate responses are expected from teachers. Steele's angry outbursts and physical violence provided an unhealthy role model for his young students on how to deal with conflict.
4. Through his kicking of furniture, which led to injury, Steele further contributed to a chaotic environment. Students should be afforded a stable, safe environment for learning.

Charge 3

1. Steele was found guilty of failing to treat students with respect and dignity in that he threw or batted objects in the direction of one or more students because this behaviour contributed to an atmosphere of violence, intimidation and discomfort for students.
2. Under no circumstances is it appropriate to throw items at students as a means of discipline or as an expression of anger.
3. Steele showed a lack of regard for the circumstances of his students' safety and well-being through his creation of an unstable, unsafe and unpredictable learning environment.

Charge 4

1. Through his cumulative actions in yelling, kicking furniture and throwing objects in anger, Steele failed to maintain the honour and dignity of the profession.
2. Steele's remarkable lack of self-control and judgment in responding to student behaviour is uncharacteristic of professional behaviour.
3. The public and the profession expect that, generally, teachers will maintain positive classroom environments through a reasonable and rational approach, characterized by courtesy and respect for others.
4. Steele did not maintain the honour and dignity of the profession in that he did not actively engage in improving his classroom management methods when it was brought to his attention that they were inappropriate.

5. The fact that parents were upset enough to remove their children from the classroom tended to harm the reputation of teachers generally.
6. Steele's lack of appropriate classroom behaviour had a negative effect, not only on his students, but on those of other teachers as well who worked and lived in the community.

Charge 5

1. Teachers are expected to refrain from committing criminal acts. Steele's conviction of criminal assault reflected poorly on the profession and harmed its standing in the community.
2. The nature of the criminal conviction was particularly egregious because it had the effect of undermining the community's confidence in teachers and their ability to provide a safe environment for children.
3. The fact that one criminal assault was against a young child, who was under Steele's parental care, aggravates the effect of harming the reputation of teachers.
4. Teachers are in a position of trust and authority; they are generally expected by the public to uphold a high standard of behaviour.

PENALTY

The hearing committee imposed the following penalty to address all five charges:

1. Steele is declared ineligible for membership in the Alberta Teachers' Association for a period of two years.
2. A recommendation shall be made to the minister of education to suspend Steele's teaching certificate for a period of two years.
3. Steele is to pay a fine of \$4,000 within 90 days of his receipt of this report. Failure to comply will result in a declaration of ineligibility for membership in the Association.

REASONS FOR PENALTY

1. Steele, through his verbal and physical actions, harmed his students, showed a repeated lack of regard for their circumstances, created a negative environment and disrupted learning throughout the school.
2. Steele showed a lack of regard for the safety and well-being of his students and injured them on several occasions. He has demonstrated that he cannot be trusted to teach students at this time.

3. Steele exhibited disregard for his professional responsibilities when he failed to respond to the remedial coaching offered to him.
4. Steele caused his students and the community to lose trust in him because of his physical and verbal violence and in doing so, harmed the standing of the profession both within the community and generally.
5. Steele's criminal conviction of assault compounded the harm he inflicted upon the reputation of the profession.
6. The severity of the penalty reflects the hearing committee's concern that Steele's actions constituted a pattern of escalating violence and uncontrolled, angry behaviour that precludes him from active participation in the teaching profession.
7. Steele continues to deny responsibility for his actions and continues to exhibit uncontrolled and angry behaviour.
8. The deleterious effect that Steele's actions had on his students, the school, the community and the teaching profession as a whole was profoundly damaging. It is in the best interest of the profession to impose a sanction that may serve as a deterrent for others.

Dated at the City of Edmonton in the Province of Alberta, Wednesday, June 27, 2012

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

