

COPY

THE TEACHING PROFESSION ACT AND AMENDING ACTS

IN THE MATTER OF a charge or complaint against
STEPHEN BOLTON SYME

ORDER OF THE PROVINCIAL EXECUTIVE COUNCIL OF
THE ALBERTA TEACHERS' ASSOCIATION

The Discipline Committee of The Alberta Teachers' Association, pursuant to authorization in that behalf, did, after duly investigating the charges of unprofessional conduct laid against Stephen Bolton Syme by Provincial Executive Council, on Monday, June 13, 1994, find him guilty of unprofessional conduct. A report in writing of its findings and recommendations was made to the Provincial Executive Council of The Alberta Teachers' Association. After due consideration of the report and the recommendations made by the Discipline Committee, the Provincial Executive Council of The Alberta Teachers' Association does hereby:

- (a) expel Stephen Bolton Syme from the Association, and
- (b) recommend to the Minister of Education that Stephen Bolton Syme's teaching certificate be cancelled.

DATED at the City of Edmonton, in the Province of Alberta, Friday, September 23, 1994.

THE ALBERTA TEACHERS' ASSOCIATION

Per: _____
President

Per: _____
Executive Secretary

REPORT OF THE DISCIPLINE COMMITTEE

COPY

IN THE MATTER OF charges of unprofessional
conduct against Stephen Bolton Syme

The Discipline Committee of The Alberta Teachers' Association reports that charges of unprofessional conduct laid against Stephen Bolton Syme of [Location Redacted] were duly investigated in accordance with the *Teaching Profession Act* (RSA 1980, Chapter T-3) and the Discipline Bylaws of the said Association. The hearing was held in the Southern Alberta Regional Office of The Alberta Teachers' Association, 540 12 Avenue SW, Calgary, Alberta, Canada on Monday, 1994 06 13 at 0900 hours. Discipline Committee members present were:

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED]

[REDACTED] presented the case against the accused.

The accused was not present but was represented by counsel, [REDACTED] was assisted by [REDACTED]

The Committee was informed of a court order banning publication of the names of the victims.

A plea of "Guilty" to the following charges was entered on behalf of the accused.

1. Mr Stephen Bolton Syme is charged with unprofessional conduct contrary to the Discipline Bylaw 9(2)(f) of The Alberta Teachers' Association in that he, while a member of The Alberta Teachers' Association or within six months from the date he ceased to be an active member, on the 2nd day of September, AD, 1993 at or about the [REDACTED] was convicted of an indictable offence under part XIX of the Criminal Code of Canada to wit:

That between the 1st day of January, 1990, and the 31st day of October, 1991, both dates inclusive, at or near [Location Redacted], being in a position of trust or authority or in a relationship of dependency with [Name Redacted], a young person, did for a sexual purpose, unlawfully touch, directly or indirectly, with a part of the body or with an object, a part of

the body of [Name Redacted], contrary to Section 153(1)(A) of the Criminal Code of Canada.

2. Mr Stephen Bolton Syme is charged with unprofessional conduct contrary to the Discipline Bylaw 9(2)(f) of The Alberta Teachers' Association in that he, while a member of The Alberta Teachers Association or within six months from the date he ceased to be an active member, on the 2nd day of September, AD, 1993 at or about the [Redacted], was convicted of an indictable offence under part XIX of the Criminal Code of Canada to wit:

That between the 1st day of September 1991, and the 1st day of April, 1993, both dates inclusive, at or near [Location Redacted], being in a position of trust or authority or in a relationship of dependency with [Name Redacted], a young person, did for a sexual purpose, unlawfully touch, directly or indirectly, with a part of the body or with an object, a part of the body of [Name Redacted], contrary to Section 153(1)(A) of the Criminal Code of Canada.

3. Mr Stephen Bolton Syme is charged with unprofessional conduct contrary to Clause 4 of the Code of Professional Conduct of the Discipline Bylaws of The Alberta Teachers' Association in that he, while a member of The Alberta Teachers' Association, between the 1st day of January, 1990, and the 31st day of October, 1991, failed to treat a pupil, one [Name Redacted], with dignity and respect and was not considerate of [Gender Redacted] circumstances.

4. Mr Stephen Bolton Syme is charged with unprofessional conduct contrary to Clause 4 of the Code of Professional Conduct of the Discipline Bylaws of The Alberta Teachers' Association that he, while a member of The Alberta Teachers' Association, between the 1st day of September, 1991 and the 1st day of April, 1993, failed to treat a pupil, one [Name Redacted], with dignity and respect and was not considerate of [gender redacted] circumstances.

5. Mr Stephen Bolton Syme is charged with unprofessional conduct contrary to Clause 18 of the Code of Professional Conduct of the Discipline Bylaws of The Alberta Teachers' Association, between the dates of the 1st day of January, 1990, and the 1st day of April, 1993, failed to act in a manner so as to maintain the honor and dignity of the profession.

Constitution/Jurisdiction

There being no objection to the constitution of the Committee and no question of its jurisdiction to hear the case, the hearing proceeded.

Witnesses

Counsel for the defense submitted a request that witnesses not be called since sufficient evidence could be introduced without their testimony. The prosecution did not object. The Committee reserved decision until evidence had been entered by the prosecution. Following the introduction of evidence by the prosecution, the Committee ruled that the testimony of witnesses was not deemed necessary, the defense having admitted the facts set forth in the exhibits filed.

Evidence Adduced and Exhibits Filed Indicated That

1. S Syme was employed as a teacher by the [School Division Redacted] from 1986 02 until 1993 06 30. (Exhibit 5)
2. S Syme was a member of The Alberta Teachers' Association continuously from 1987 09 01 to 1993 08 31. (Exhibit 4)
3. While employed as a teacher at [School Redacted] in the spring of 1990, S Syme initiated an inappropriate relationship with Person A, a [Age and gender redacted] student of the defendant. The relationship included kissing, fondling and one incident of sexual intercourse. (Exhibit 8)
4. In 1991 10, Person A ended the relationship. (Exhibit 8)
5. In 1991 09, S Syme began teaching at [School Redacted]. S Syme initiated an inappropriate relationship with Person B, a [Age, Gender and grade redacted] student of the defendant. (Exhibit 8)
6. In the spring of 1992, S Syme and Person B first had sexual intercourse. This relationship continued until 1993 04. (Exhibit 8)
7. During both relationships, S Syme arranged for Person A and Person B to be employed at the [Location Redacted] where S Syme was also employed as a part-time waiter. In addition, S Syme employed Person B as a [Employment Redacted]. (Exhibit 8)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

12. On 1993 08 12, S Syme plead guilty to two separate charges under section 153(1)(A) of part XIX of the Criminal Code of Canada of unlawfully touching a young person for a sexual purpose. Both charges related to indictable offenses and involved the two [gender redacted] students who were between the [age redacted]. (Exhibits 6 and 7)

13. On 1993 09 02, S Syme was sentenced on both charges under the Criminal Code. He received a 20 month prison sentence and one year's probation. (Exhibits 6 and 7)

14. S Syme's criminal proceedings received media coverage in the [location redacted] area. S Syme was identified as a teacher. (Exhibits 10 and 11)

15. The prosecuting officer submitted a victim impact statement from Person B in which [gender redacted] claimed that [gender redacted] relationship with S Syme has had a negative effect on [gender redacted] relationships with friends and family and has damaged [gender redacted] reputation in the community. (Exhibit 13)

16. S Syme submitted a solemn declaration in which S Syme offered to:

- 1) surrender his teaching license and certificate;
- 2) surrender his Alberta Teachers' Association membership; and
- 3) not seek a job as a teacher in any private, separate or public school system in Alberta or any other jurisdiction. (Exhibit 3)

Recommended Penalty

The Discipline Committee recommends to Provincial Executive Council the following penalty:

Charge 1 - That S Syme's eligibility for membership in The Alberta Teachers' Association be cancelled and that a recommendation be made to the Minister of Education that S Syme's teaching certificate be cancelled.

Charge 2 - That S Syme's eligibility for membership in The Alberta Teachers' Association be cancelled and that a recommendation be made to the Minister of Education that S Syme's teaching certificate be cancelled.

Charge 3 - That S Syme's eligibility for membership in The Alberta Teachers' Association be cancelled and that a recommendation be made to the Minister of Education that S Syme's teaching certificate be cancelled.

Charge 4 - That S Syme's eligibility for membership in The Alberta Teachers' Association be cancelled and that a recommendation be made to the Minister of Education that S Syme's teaching certificate be cancelled.

Charge 5 - That S Syme's eligibility for membership in The Alberta Teachers' Association be cancelled and that a recommendation be made to the Minister of Education that S Syme's teaching certificate be cancelled.

Reasons for Recommended Penalty

1. A teacher should not be involved in sexual relationships with students. Society views such actions as repugnant and reprehensible. S Syme's actions showed disregard for societal expectations of teachers.
2. Society has a right to expect that teachers will act in a manner which maintains the trust relationship between teachers and their students. S Syme betrayed this trust.
3. S Syme showed a lack of sound judgement in his activities with two female students with whom he had a relationship of trust and authority. He used his teaching position to exploit these students for sexual purposes.
4. S Syme's activities were predatory and completely inappropriate.
5. S Syme's activities with Person B had a significant detrimental effect on [gender redacted].

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6. Teachers who engage in such deplorable activities create negative impacts on families, communities and the teaching profession.
7. The court proceedings resulted in negative publicity for the teaching profession in the Lethbridge media.
8. Teachers who are convicted of indictable offences under the Criminal Code bring dishonor and disrespect to the profession.
9. S Syme plead guilty and agreed to the recommended penalty.

DATED at the City of Calgary in the Province of Alberta, Monday, 1994 06 13.

THE DISCIPLINE COMMITTEE
THE ALBERTA TEACHERS' ASSOCIATION

