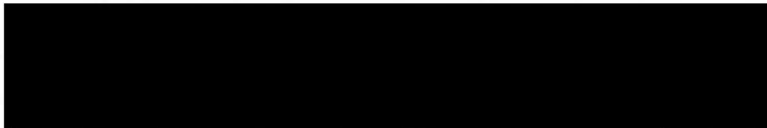


PRACTICE REVIEW HEARING COMMITTEE

HEARING DECISION IN THE MATTER OF RICHARD HARVEY

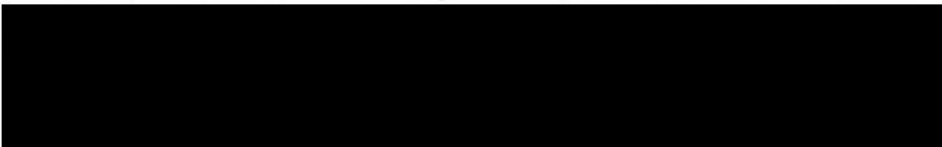
**HEARING HELD ON AUGUST 10, 2017
EDMONTON, ALBERTA**

The Practice Review Hearing Committee (Committee) established in accordance with section 7 of the *Practice Review of Teachers Regulation*, Alberta Regulation 11/2010 (*Regulation*), convened to hear a complaint about the alleged unprofessional conduct of Richard Harvey. The following were Members of the Committee:



The Hearing was held on Thursday, August 10, 2017 commencing at 2:00 p.m at the 44 Capital Boulevard Building, 10044 108 Street, Edmonton, Alberta. Proceedings were formally recorded by Court Reporter Alicia Makaruk.

In addition to the Committee and the Court Reporter, the following were present at the hearing:



MANDATE OF THE COMMITTEE

To hear the evidence presented with respect to the complaint about the alleged unprofessional conduct of Richard Harvey in order to determine whether Richard Harvey's actions constitute unprofessional conduct, as defined under section 24 of the *Regulation*, and, if so, to make recommendations under section 25 of the *Regulation*.

PRELIMINARY MATTERS

The Committee confirmed that Richard Harvey received the Notice of Hearing and that he advised he would not be attending the hearing.

The Associate Registrar confirmed that she had no objection to the composition of the Committee and that she was ready to proceed with the hearing.

FACTS

- Richard Harvey was issued a Permanent Professional Certificate from Alberta Education on July 8, 2009.
- Richard Harvey signed a Contract with The Board of Trustees of [School Division Redacted] to work as a Superintendent beginning August 1, 2006.
- On October 5, 2012 Richard Harvey was charged with the following indictable offences:

Count 1

On or between the 1st day of May, A.D. 2006 and the 31st day of December, A.D. 2010, at or near the [Location Redacted], in the Province of Alberta, did by deceit, falsehood or other fraudulent means defraud the [School Division Redacted] of money of value greater than five thousand dollars by submitting excessive expense claims contrary to Section 380(1)(a) of the *Criminal Code of Canada*.

Count 2

On or between the 1st day of May, A.D. 2006 and the 31st day of December, A.D. 2010, at or near the [Location Redacted], in the Province of Alberta, being an official, to wit: the Superintendent of the [School Division Redacted], did commit a breach of trust in connection with the duties of his office by submitting excessive expense claims contrary to Section 122 of the *Criminal Code of Canada*.

- Richard Harvey pled guilty to the Count 1 indictable offence. Count 2 was withdrawn by the Crown.
- On January 22, 2015 Richard Harvey received a Conditional Sentence Order for 12 months imprisonment, a Restitution Order in the amount of \$29,061.71 and a Victim Fine Surcharge of \$200.00.

COMMITTEE'S FINDINGS

After due deliberation and consideration of the evidence before it, and in accordance with section 24 of the *Regulation*, the Committee finds:

Richard Harvey is guilty of unprofessional conduct as his conduct was the basis for a conviction for an indictable offence under section 380(1)(a) of the *Criminal Code of Canada*.

COMMITTEE'S DECISION

On the basis of these findings, and in accordance with s. 25(1) of the *Regulation*, the Committee recommends to the Minister that the teaching certificate of Richard Harvey be cancelled.

[Redacted Signature]

Chair
Practice Review Hearing Committee

August 25, 2017
Date