

THE TEACHING PROFESSION ACT AND AMENDING ACTS

IN THE MATTER OF a charge or complaint against
Michael Gerald Dunk

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 charge of unprofessional conduct laid against Michael Gerald Dunk by Provincial Executive Council, on Monday, May 11, 1992, 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 Michael Gerald Dunk from the Association, and
- (b) recommend to the Minister of Education that Michael Gerald Dunk's teaching certificate be cancelled.

DATED at the City of Edmonton, in the Province of Alberta,
Thursday, June 18, 1992.

THE ALBERTA TEACHERS' ASSOCIATION

Per: _____
President

Per: _____
Executive Secretary

/mo

REPORT OF THE DISCIPLINE COMMITTEE

IN THE MATTER OF a charge of unprofessional
conduct against Michael Gerald Dunk

The Discipline Committee of The Alberta Teachers' Association reports that a charge of unprofessional conduct laid against Michael Gerald Dunk of [Location Redacted] was 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 Barnett House, 11010 142 Street, Edmonton, Alberta, Canada on Monday, May 11, 1992. Discipline Committee members present were:

[Redacted] presented the case against the accused. There was no objection to the constitution or jurisdiction of the Discipline Committee.

The hearing was convened at 9:10 and recessed in order to give M Dunk 30 additional minutes to appear. The hearing reconvened at 9:40 and M Dunk was not present nor represented by Counsel. The Discipline Committee continued the hearing and entered a plea of not guilty on behalf of the accused to the following charge:

Michael Gerald Dunk is charged with unprofessional conduct contrary to the Discipline Bylaw 9(2) (f) of The Alberta Teachers' Association in that he, a member of The Alberta Teachers' Association on or about 1990 10 19 in or about the City of [Location Redacted], in the province of Alberta was convicted under Section 153(1)(a) of the Criminal Code of Canada on a charge that he on or about the 15th day of December, 1989 at or near the City of [Location Redacted] in the Province of Alberta being in a position of trust or authority towards a young person, did for a all purpose touch directly the body of the young person with his .

Witnesses

No witnesses were called.

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Evidence Adduced and Exhibits Filed:

1. M Dunk was a member of The Alberta Teachers' Association at the time of the alleged offence. (Exhibits 3a and 3b)
2. M Dunk was employed as a substitute teacher with the [School Division Redacted] at the time of the offence. (Exhibits 3a and 3b)
3. On the evening of the offence M Dunk acted as a teacher supervisor at a school dance. After leaving the dance, M Dunk supplied liquor to a group of children. This occurred in his residence. (Exhibit 5)
4. Later that evening, M Dunk instructed a [Age Redacted] old [gender redacted] student in oral sex and had [sexual] intercourse with [gender redacted]. M Dunk was [Age Redacted] at the time of the offence. (Exhibits 4 and 5)
5. M Dunk was charged and convicted in the Court of Queen's Bench of sexual exploitation under section 153(1)(a) of the Criminal Code of Canada. (Exhibit 4)
6. M Dunk was sentenced to a 12 month prison term for this indictable offence. (Exhibits 4 and 5)

Decision of the Discipline Committee:

Guilty as charged.

Reasons for Decision:

1. M Dunk was convicted of an indictable offence under the Criminal Code of Canada and is guilty of unprofessional conduct under section 9(2)(f) of the Discipline Bylaws.

Recommended Penalty:

1. That a recommendation be made to the Minister of Education that M Dunk's teaching certificate be cancelled; and,
2. That M Dunk be ineligible for membership in The Alberta Teachers' Association in the future.

Reasons for Recommended Penalty:

1. Teachers who are convicted of an indictable offence under the Criminal Code of Canada bring dishonor and disrepute to the profession.

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2. M Dunk showed a lack of sound judgment by his actions. He used his teaching position to exploit a young [gender redacted] student for sexual purposes.

3. Society has the right to expect that teachers will not sexually exploit children.

4. The Association will not tolerate this type of deplorable conduct by teachers since teachers are in a position of authority and trust.

5. M Dunk did not appear at the hearing. No communication from M Dunk was received by the committee.

DATED at the City of Edmonton, in the Province of Alberta,
Monday, May 11, 1992.

THE DISCIPLINE COMMITTEE
THE ALBERTA TEACHERS' ASSOCIATION

