

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

IN THE MATTER OF CHARGES OF UNPROFESSIONAL
CONDUCT AGAINST RITA S JOHNSON

The hearing committee of the Professional Conduct Committee of The Alberta Teachers' Association reports that charges of unprofessional conduct laid against Rita S Johnson of [Location 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 Friday, June 23, 2000 at 0900.

Professional Conduct Committee members present as the hearing committee were [REDACTED]

[REDACTED] presented the case against the investigated member. The investigated member was present and not represented by counsel. This was confirmed.

CONSTITUTION/JURISDICTION

There was no objection to either the constitution or jurisdiction of the committee.

PLEA

The following charges were read by the secretary to the hearing committee.

1. Rita Sharon Johnson is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that she, while a member of The Alberta Teachers' Association, between the 2nd day of February and the 5th day of February 1999, did not act in a manner which maintains the honor and dignity of the profession when she did steal a credit card which was the property of [Name Redacted] a parent of a [Grade Redacted] student at the school where she taught, and did fraudulently personate [Name Redacted] to purchase merchandise worth approximately \$3,000.
2. Rita Sharon Johnson is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that she, while a member of The Alberta Teachers' Association, on August 22, 1999, did not act in a manner which maintains the honor and dignity of the profession when she did steal food and disposable cameras from the [REDACTED] store in [Location Redacted].

3. Rita Sharon Johnson is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that she, while a member of The Alberta Teachers' Association, on September 13, 1999, did not act in a manner which maintains the honor and dignity of the profession when she did steal women's clothing from the [REDACTED] store in [Location Redacted].

During the proceedings, the hearing committee concluded that it had concerns regarding its jurisdiction to rule on charges 2 and 3. The hearing committee recessed.

When the hearing reconvened on Monday, September 18, 2000, the hearing committee dismissed charges 2 and 3 as presented on Friday, June 23, 2000. The dismissal was based on jurisdictional grounds.

On Monday, September 18, 2000, M Hackman introduced revised charges 2 and 3 and confirmed that prior notice of the changes had been provided to the investigated member. These charges were read by the secretary to the hearing committee.

2. Rita Sharon Johnson is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that she, while a member of The Alberta Teachers' Association, did not act in a manner which maintains the honor and dignity of the profession when, on or about January 31, 2000, she plead guilty and was convicted of an offence under the Criminal Code of Canada, namely the theft of food and disposable cameras from the [REDACTED] store in [Location Redacted]
3. Rita Sharon Johnson is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that she, while a member of The Alberta Teachers' Association, did not act in a manner which maintains the honor and dignity of the profession when, on or about January 31, 2000, she plead guilty and was convicted of an offence under the Criminal Code of Canada, namely the theft of women's clothing from the [REDACTED] store in [Location Redacted].

The hearing committee accepted the revised charges 2 and 3. R Johnson had no objection.

In a sworn written submission, and orally, the investigated member entered pleas of "guilty" to each of the three charges. (Exhibits 3 and 7)

An agreed statement of facts was entered. (Exhibits 4 and 8)

WITNESSES

No witnesses were called.

EVIDENCE ADDUCED AND EXHIBITS FILED INDICATED THAT:

1. R Johnson was a member of The Alberta Teachers' Association during the 1998/99 school year. (Exhibits 3 and 4)
2. During the 1998/1999 school year, R Johnson was a teacher employed by [School Division Redacted] R Johnson's employment was terminated on May 20, 1999. (Exhibit 4)
3. R Johnson was employed as a substitute teacher by [School Division Redacted], effective October 7, 1999. (Exhibit 8)
4. R Johnson was a member of The Alberta Teachers' Association during the 1999/2000 school year, effective October 7, 1999. (Exhibits 7 and 8)
5. On February 2, 1999, R Johnson took, without permission, a credit card belonging to [Name Redacted], a parent, from the elementary wing of [School Redacted]. (Exhibits 4 and 8)
6. During the period February 3-5, 1999, R Johnson used [Name Redacted]'s credit card ten times. The approximate value of purchases on [Name Redacted]'s credit card was \$3,000. (Exhibits 4 and 8)
7. On February 9, 1999, R Johnson was confronted by RCMP at [School Redacted]. R Johnson confessed to having stolen [Name Redacted]'s credit card and to having fraudulently personated [Name Redacted] in order to purchase merchandise. As a result, R Johnson was charged with offences under the Criminal Code of Canada. (Exhibits 4 and 8)
8. Subsequently, R Johnson confessed to her school principal and the board of trustees of [School Division Redacted]. (Exhibits 4 and 8)
9. After being charged with these offences, R Johnson returned the merchandise to the RCMP, apologized to [Name Redacted] for having stolen [Gender Redacted] credit card and offered to make full restitution. (Exhibits 4 and 8)
10. On March 30, 1999, R Johnson plead guilty to two charges under the Criminal Code of Canada. R Johnson was given a conditional discharge and placed on probation for a period of 18 months. (Exhibits 4 and 8)
11. On August 22, 1999, R Johnson was arrested for shoplifting merchandise from the [Redacted] store in [Location Redacted]. (Exhibits 4 and 8)

12. On September 13, 1999, R Johnson stole merchandise from the Reitmans store in [Location Redacted]. On approximately October 20, 1999, she was arrested for stealing this merchandise. (Exhibits 4 and 8)
13. On January 31, 2000, R Johnson plead guilty to and was convicted of two summary offences under the Criminal Code of Canada. (Exhibits 4 and 8)

PENALTY

The hearing committee of the Professional Conduct Committee imposes the following penalty on Rita Sharon Johnson

1. that R Johnson be given a letter of severe reprimand;
2. that R Johnson's membership in The Alberta Teachers' Association be suspended;
3. that a recommendation be made to the minister of learning to suspend R Johnson's teaching certificate;
4. that R Johnson be involved in an active therapy and/or treatment program to address the psychological conditions contributing to her shoplifting; and
5. that reinstatement of membership in The Alberta Teachers' Association and recommendation for reinstatement of R Johnson's teaching certificate be dependent upon receipt of a letter from a psychiatrist stating that the psychological conditions contributing to her criminal behavior have been treated and that R Johnson is mentally and physically capable of returning to teaching.

REASONS FOR PENALTY

1. Society has an expectation that teachers will conduct themselves in a manner that maintains honor and dignity in the profession.
2. Parents expect that teachers will be trustworthy.
3. By engaging in criminal actions, R Johnson tarnished the image of the teaching profession.
4. R Johnson's actions received widespread community and media attention.
5. R Johnson expressed remorse and accepted responsibility for her actions.
6. R Johnson apologized for her actions.

7. R Johnson sought and obtained treatment for her chronic inability to deal with stress in a constructive and socially acceptable manner. The hearing committee views the actions and efforts of R Johnson in obtaining treatment as a mitigating circumstance.
8. R Johnson was helpful and cooperative in the investigation and prosecution stages.
9. R Johnson has paid for her actions personally, professionally and through loss of employment.

Dated at the City of Edmonton in the Province of Alberta, Monday, September 18, 2000.

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

