

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

IN THE MATTER OF A CHARGE OF UNPROFESSIONAL
CONDUCT AGAINST KRISTEL LANG

The hearing committee of the Professional Conduct Committee of the Alberta Teachers' Association reports that a charge of unprofessional conduct laid against Kristel Lang of [REDACTED], [REDACTED] was duly investigated in accordance with the *Teaching Profession Act*. The hearing was held online, via video conference, on Monday, September 27, 2021, at 0900.

The participants were

1. Professional Conduct Committee members appointed as the hearing committee (chair), [REDACTED] and [REDACTED];
2. [REDACTED] as counsel to the hearing committee;
3. [REDACTED] as secretary;
4. [REDACTED] as recorder; and
5. [REDACTED] as presenting officer.

The investigated member, Kristel Lang, was not present and was not represented by counsel.

COMPOSITION/JURISDICTION

There was no objection to the composition or jurisdiction of the hearing committee to hear the case.

CHARGES AND PLEA

The following charge was read aloud by the secretary to the hearing committee:

1. Kristel Laura-Lee Lang is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that she, while a member of the Alberta Teachers' Association, on or about June 1, 2018 to June 24, 2018, both dates inclusive, transported a minor [REDACTED] student [REDACTED] to an adult [REDACTED] trailer so the student could have sex with the adult [REDACTED] contrary to section 23(1) of the *Teaching Profession Act*. Subsequently, Lang was convicted of a summary offence on May 29, 2019, to wit: between the 1st day of June, 2018, and the 24th day of June, 2018, both dates inclusive, at or near [REDACTED], [REDACTED], did, for a sexual purpose, unlawfully touch, indirectly, with a part of the body, a part of the body of [Student A], a person under the age of [REDACTED], contrary to section 151 of the Criminal Code of Canada.

The investigated member entered a plea of guilty to the charge, by written submission.

WITNESSES

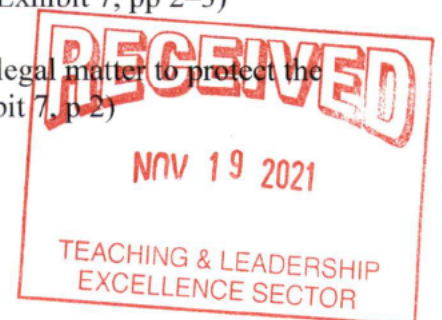
There were no witnesses.

EXHIBITS FILED

- Exhibit 1—Notice of hearing and Canada Post confirmation of delivery on May 31, 2021
Exhibit 2—Proof of Lang’s membership in the Alberta Teachers’ Association, dated March 22, 2021
Exhibit 3—Declaration of awareness of rights, signed by Lang, dated September 13, 2021
Exhibit 4—Request to Honourable [REDACTED] for copy of Agreed Statement of Facts in criminal proceedings, submitted by Investigating Officer on March 27, 2020
Exhibit 5—Order restricting access or publication of the identity of the victim pursuant to section 486.4 of the *Criminal Code*, signed by Justice of the [REDACTED]
Exhibit 6—Submission on plea, signed by Lang, dated September 13, 2021
Exhibit 7—Agreed statement of facts, signed by Lang and [REDACTED], dated September 13, 2021 and September 21, 2021, respectively
Exhibit 8—Joint submission on penalty, signed by Lang and [REDACTED], dated September 13, 2021 and September 21, 2021, respectively

EVIDENCE ADDUCED AND EXHIBITS FILED INDICATED

1. Lang was a member of the Alberta Teachers’ Association from December 1, 2010 to June 30, 2011; September 1, 2011 to June 30, 2012; September 1, 2012 to January 31, 2013; January 1, 2014 to June 30, 2014; September 1, 2014 to June 30, 2015; September 1, 2015 to March 31, 2016; September 1, 2016 to June 30, 2017; and September 1, 2017 to June 30, 2018. (Exhibit 2)
2. Lang was employed as a substitute teacher and/or a teacher on temporary/probationary contracts with the [REDACTED] and [REDACTED]. (Exhibit 7, p 2)
3. Lang was working as a substitute teacher with [REDACTED] at the time of the incidents giving rise to the allegations and therefore was an active member of the Alberta Teachers’ Association. (Exhibit 7, p 2)
4. On July 6, 2018, Lang was charged with multiple indictable offences and the charges were eventually reduced to one summary offence on May 29, 2019. (Exhibit 7, pp 2–3)
5. On July 6, 2018, a publication ban was ordered on the criminal legal matter to protect the student’s identity. This publication ban remains in effect. (Exhibit 7, p 2)



6. Per the Agreed Statement of Facts presented at court, Lang pled guilty. In the hearing on May 29, 2019, the Agreed Statement of Fact between Her Majesty the Queen and Kristel Laura-Lee Lang was entered as Exhibit 1 for Docket No [REDACTED] as evidence. In this Agreement, Lang pled guilty to the following charge:

1. Between the 1st day of June, 2018, and the 24th day of June, 2018, both dates inclusive, at or near [REDACTED] did, for a sexual purpose, unlawfully touch, or indirectly, with a part of the body, a part of the body of Student A [unable to identify the minor in this case due to a publication ban], a person under the age of [REDACTED] contrary to section 151 of the *Criminal Code* of Canada.

The accused is pleading as a party to this offence pursuant to 21(1)(b).
(Exhibit 7, p 4)

7. The following facts were elicited from the Agreed Statement of Facts presented at court:

1. On June 24th, 2018 [REDACTED] contacted the [REDACTED] RCMP Detachment to file a report of sexual activity involving a minor. [REDACTED] provided a statement to the RCMP advising [REDACTED] had met a woman named Kristel Lang (Lang) on a dating application named [REDACTED]. Lang told [REDACTED] that she was a substitute teacher at a [REDACTED] school [REDACTED].
2. When [REDACTED] went to Lang's residence on June 23rd, 2018 Lang introduced a friend named [Student A].
3. Student A was one of Lang's students and was [REDACTED] years old at that time. Student A and Lang told [REDACTED] about a [REDACTED] named [REDACTED] who lived in [REDACTED] (sic) that was "falling" for Student A and that [REDACTED] was in a sexual relationship [REDACTED].
4. On June 26th, 2017 [sic should be 2018], Student A and [REDACTED] Mother [redacted mother's name] were interviewed. During that interview, it was confirmed that Lang was one of Student A's school teachers and they had met at school. Student A had developed a close relationship with Lang and they were "friends," however, Student A denied that there was any sexual component to their friendship.
5. On June 26th, 2018 an interview was conducted with Lang. Lang confirmed that she had an account on the dating application known as [REDACTED], and that she had met [REDACTED] on that platform. Lang confirmed that she often had Student A come and [REDACTED] and had developed a friendship with [REDACTED]. Lang denied that she had ever involved Student A in any sexual situations and stated that she did not discuss sex with Student A.

6. Student A's mother used a parental monitoring application to monitor Student A's messages and on June 27th, 2018 Student A's mother provided messages between Student A and Lang that had been intercepted on Student A's phone by the application.
7. The messages confirmed that Lang and Student A had several conversations about having sex, and meeting up with a [REDACTED] that lived in [REDACTED], [REDACTED].
8. In some of the messages, Lang stated that [REDACTED] wanted to see Student A again and that [REDACTED] was asking Lang for Student A's phone number. Student A states that [REDACTED] would not feel comfortable meeting [REDACTED] without Lang in the trailer or in a car right next to the trailer.
9. Lang states that she is "so glad I'm the go between."
10. On July 5th, 2018 a Provincial Court Judge in Alberta, authorized a warrant to enter Lang's residence to size [sic] and search for electronic devices.
11. On July 6th, 2018 the warrant was executed and Lang was taken into custody at that time and her electronic devices were seized.
12. Student A was reinterviewed and confirmed that Lang had been the intermediary between [REDACTED] and [REDACTED] and had set up the "meet" in [REDACTED] with [REDACTED]. Lang had driven [REDACTED] to [REDACTED] to [REDACTED] trailer and had left [REDACTED] alone in the trailer so [REDACTED] could have [REDACTED] with [REDACTED] had returned later and driven Student A back to [REDACTED] residence.

The Accused acknowledges the facts set out above in support of the guilty pleas and sentencing on the charge before this Honourable Court.

(Exhibit 7, pp 4-5)

8. Other information provided in the Agreed Statement of Facts presented at court was deemed confidential as part of the publication ban. It is illegal to publish information with the specific details of the case. (Exhibit 7, p 5)
9. The Agreed Statement of Facts submitted to the Court makes no reference to Lang touching Student A for a sexual purpose. She pled that she was a party to the offence. Section 21 (1) of the *Criminal Code* states: "Every one is a party to an offence who ... (b) does or omits to do anything for the purpose of aiding any person to commit [the offence]." In [REDACTED] interview with the crown prosecutor, the crown prosecutor stated that the charge was specific enough with the word "indirectly" to implicate Lang in the sexual activity with a person under the age of [REDACTED] years. (Exhibit 7, p 5)



10. On February 7, 2020, [REDACTED] issued the following sentence after Lang pled guilty on May 29, 2019 to the following charge:

Lang, Kristel, Laura-Lee

Was tried and convicted on an information alleging that:

Between the 1st day of June, 2018, and the 24th day of June, 2018, both dates inclusive, at or near [REDACTED], did, for a sexual purpose, unlawfully touch, indirectly, with a part of the body, a part of the body of [Student A], a person under the [REDACTED], contrary to section 151 of the *Criminal Code* of Canada.

Crown proceeds summarily

And it is ordered and adjudged pursuant to section 161(1) of the *Criminal Code* of Canada that from the date of this order or upon release from imprisonment, whichever is later, the offender is, for a period of 2 year(s) prohibited from:

- attending
 - a public park or public swimming area where persons [REDACTED] are present or can reasonably be expected to be present
 - a daycare centre
 - a schoolground
 - a playground
 - a community centre.
- seeking, obtaining or continuing any employment, whether or not the employment is remunerated, or becoming a volunteer in a capacity that involves being in a position of trust or authority towards persons [REDACTED]

This prohibition order is subject to the following conditions or exemptions:

- Having any contact, including communicating by any means, with a person who is under the age of [REDACTED] years, unless the offender does so under the supervision of a person whom the court considers appropriate.
 - Except of contacting [REDACTED] as allowed by [REDACTED]
- Using the internet or other digital network, unless the offender does so in accordance with the conditions set by the court.
 - Except for school or work purposes
- And for contact with her family and [REDACTED] as allowed by [REDACTED]

(Exhibit 7, pp 6–7)

11. There were other sanctions placed upon Lang's probation, including:

The court adjudged that the offender be imprisoned in any prison for the term of 90 day(s)[,] [s]entence to be served intermittently from Fridays at 7:00 p.m. to Sundays at 7:00 p.m. commencing February 14, 2020 and each week thereof[t]er until sentence is served in full.

And in addition thereto, that the said offender comply with the following conditions:

Now therefore the offender shall, for the period of 2.0 year(s) from the date of this order comply with the following conditions, namely, that the said offender shall[:] keep the peace and be of good behaviour, appear before the court when required to do so by the court and notify the court or probation officer in advance of any change of name or address and promptly notify the court or probation officer of any change to employment or occupation, and, in addition

1. Have no contact or communication whatsoever, either directly or indirectly, with: Student A.
2. Within two business days of now or of your release from custody, report in person to a probation officer at court probation office ... and after that first meeting;
 - Continue to report, as directed by your probation officer: that may be by telephone or in person, whatever your probation officer tells you. Including as to location.
3. Live where approved by your probation officer or at Any change in address must also be approved in writing, in advance, by your probation officer. You must provide written proof of your address to your probation officer, within one business day of it being requested of you.
4. Go for assessment and participate in and complete any counselling, treatment or programming directed by your probation officer, including:
 - [REDACTED]
5. Sign any release or waiver of information as directed, providing access to information required by your probation officer.
6. Provide your probation officer with proof in writing that you have followed through and completed any treatment or counselling you have been directed to take.

(Exhibit 7, pp 7-8)

12. On February 7, 2020, [REDACTED] also required Lang, by order, to:
 1. Have bodily substances taken for forensic DNA analysis by the [REDACTED] Police Service investigative support section.
 2. Be listed as a sex offender for 10 years as per the *Sex Offender Information Registration Act*.(Exhibit 7, p 8)

13. This case was reported in the [REDACTED] with the headline “Teacher who Arranged Sexual Tryst Between Student and Adult Given Weekends-Only Sentence.” Lang, Student A and the communities involved were not identified in the article due to the publication ban. (Exhibit 7, p 8)

DECISION OF THE HEARING COMMITTEE

Charge 1—Guilty

REASONS FOR DECISION

1. Lang admitted that she contravened section 23(1) of the *Teaching Profession Act* by transporting a [REDACTED] to an adult male’s trailer so that the student could have sex with the adult male. This action was detrimental to the best interests of students, the public and the teaching profession, as well as harming and/or tending to harm the standing of teachers.

2. Lang was convicted of a summary offence on May 29, 2019:

Between the 1st day of June, 2018, and the 24th day of June, 2018, both dates inclusive, at or near [REDACTED], did, for a sexual purpose, unlawfully touch, indirectly, with a part of the body, a part of the body of [Student A], a person under the [REDACTED], contrary to section 151 of the *Criminal Code* of Canada.

3. The Agreed Statement of Facts entered into the criminal proceedings stated

[The student] confirmed that Lang had been the intermediary between [REDACTED] and had set up the “meet” in [REDACTED] Lang had driven [REDACTED] to [REDACTED] trailer and had left [REDACTED] alone in the trailer so [REDACTED] could have [REDACTED] with [REDACTED] She had returned later and driven Student A back to [REDACTED] residence.”

SUBMISSION ON PENALTY

██████████ and Lang, in their joint submission on penalty, recommended that the following penalty be imposed:

1. Permanent ineligibility as a member of the Alberta Teachers' Association and
2. Recommendation to the minister of education that Lang be permanently ineligible for a teaching certificate because she currently does not hold a teaching certificate.

PENALTY

The committee imposed the following penalty:

1. Permanent ineligibility as a member of the Alberta Teachers' Association and
2. Recommendation to the minister of education that Lang be permanently ineligible for a teaching certificate because she currently does not hold a teaching certificate.

REASONS FOR PENALTY

1. The nature of the charge is egregious.
2. Lang was an experienced teacher (eight years of substitute teaching) at the time of her actions of transporting an ██████████ student to a trailer to have ██████████ with an adult ██████████. Lang's experience should have provided her with the knowledge that transporting a student for the purpose of sexual ██████████ was not appropriate.
3. Lang's actions were detrimental to the best interests of a student, the public and the teaching profession as outlined in section 23(1)(a) (i, ii, iii) and (c) of the *Teaching Profession Act*. Lang breached the trust placed in her as a teacher, with a significant impact on the student and the student's family, the community, Lang's colleagues in the school and the teaching profession as a whole.
4. There is a need to promote deterrence in this case. Teachers need to understand that it is unacceptable for them to be friends with students and to act as intermediaries for any sexual relationships.
5. Parents and the public must trust that teachers are going to protect their children from sexual predation.



6. The committee deferred to the joint submission on penalty and agreed that the penalty was appropriate for the circumstances. [REDACTED] highlighted that Lang:
- has lost her career and her degree is worthless,
 - is registered as a sexual offender for ten years and was mandated to provide bodily fluids to the police,
 - served jail time (90 days) on weekends,
 - has a criminal record, and
 - had to move [REDACTED] due to the impact her actions have had on her life and the lives of [REDACTED]

Dated at the City of Edmonton in the Province of Alberta, November 17, 2021.

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

