

THE ALBERTA TEACHERS' ASSOCIATION  
REPORT OF THE HEARING COMMITTEE  
OF THE PROFESSIONAL CONDUCT COMMITTEE  
IN THE MATTER OF CHARGES OF UNPROFESSIONAL  
CONDUCT AGAINST STEVEN BEGRAND

The hearing committee of the Professional Conduct Committee of the Alberta Teachers' Association reports that charges of unprofessional conduct laid against Steven Begrand of [Location Redacted], were duly investigated in accordance with the *Teaching Profession Act* (TPA). The hearing was held in Barnett House, 11010 142 Street NW, Edmonton, Alberta, Canada on Friday, February 5, 2010.

Professional Conduct Committee members present as the hearing committee were [REDACTED]  
[REDACTED]  
[REDACTED] presented the case against the investigated member. The investigated member was not present and was not represented by counsel.

CONSTITUTION/JURISDICTION

There were no objections to the constitution of the committee or its jurisdiction to hear the case.

CHARGES AND PLEA

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

1. Steven Begrand is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that he, while a member of the Alberta Teachers' Association, on or about June 2007, engaged in inappropriate electronic communication with a student.
2. Steven Begrand is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that he, while a member of the Alberta Teachers' Association, during the 2006/07 school year, began an inappropriate relationship with a student which became a sexual relationship during the summer following the student's graduation.
3. Steven Begrand is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that he, while a member of the Alberta Teachers' Association, during the 2007/08 school year, continued inappropriate electronic communication with a former student after graduation, based on the teacher-student relationship established while the student was in school.

The investigated member entered a plea of guilty to each of the charges by way of written submission (Exhibit 3).

WITNESSES

There were no witnesses called.

EXHIBITS

- Exhibit 1 Charges
- Exhibit 2 Notice of hearing and affidavit of service of notice of hearing
- Exhibit 3 Submission on Plea
- Exhibit 4 Agreed Statement of Facts
- Exhibit 5 Proof of membership
- Exhibit 6 Begrand's Declaration
- Exhibit 7 Joint Submission on Penalty

EVIDENCE ADDUCED AND EXHIBITS FILED INDICATED THAT

1. Begrand was a member of the Association from January 1, 2006 through August 31, 2008 (Exhibit 5).
2. Begrand began working as a teacher with [School Division Redacted] in September 2002. During the period of September 2006 through April 2008, Begrand was a teacher at [School Redacted] (Exhibit 4).
3. In May 2007, at a [Gender Redacted] student's [Name Redacted] invitation on Facebook, Begrand commenced electronic communication with the student which, by the end of June 2007, developed into inappropriate dialogue (Exhibit 4, Appendix A).
4. Begrand and the student exchanged messages digitally back and forth and this communication continued on an ongoing basis after the student graduated. The contact between Begrand and the student was still ongoing as of the date of the signing of the agreed statement of facts (Exhibit 4).
5. Begrand went for coffee with the student on the last day of classes in June 2007 (Exhibit 4).
6. Begrand continued the relationship with the student during July and August 2007 (Exhibit 4).
7. The student stated that by August 2007, [Gender Redacted] and Begrand began to have feelings for each other (Exhibit 4).
8. The student had [gender redacted] and [age redacted] birthday on [Date Redacted] (Exhibit 4).
9. Begrand's relationship with the student became sexual in late August, after [Gender Redacted][age redacted] birthday (Exhibit 4).

Report of the Hearing Committee of PCC, S Begrand, page 3

10. Sexually explicit messages were exchanged during the following school year by the now former student [Name Redacted] and Begrand while he was at school. (Exhibit 4, Appendix B).
11. On March 9, 2008, Begrand received an anonymous Facebook message informing him that others were aware of his relationship with [Name Redacted]. Comments were made on the impropriety of Begrand having a sexual relationship with [Gender Redacted]. The anonymous writer indicated a willingness to testify before the school board and that he/she wanted Begrand to lose his teaching license (Exhibit 4).
12. In another Facebook exchange, reference was made to "stop parking in front of [Gender Redacted] house..." (Exhibit 4).
13. On March 12, 2008, the superintendent received an anonymous letter alleging that Begrand was involved in a sexual relationship with a former student (Exhibit 4).
14. The school district investigated. During the course of an interview, Begrand was presented with evidence. He admitted he had made mistakes and said that "there may have been times that I have been guilty of saying things of a sexual nature, it has been both ways" (Exhibit 4).
15. Begrand admitted to using employer technology inappropriately to say things of a sexual nature and admitted that "a line had been crossed." He acknowledged that he was aware he had contravened district technology policy (Exhibit 4).
16. In April 2008, Begrand resigned effective June 30, 2008 (Exhibit 4).
17. Begrand is no longer teaching in the Province of Alberta (Exhibit 4).
18. Begrand was forthright and cooperative with the investigating officer. (Exhibit 4)

DECISION OF THE HEARING COMMITTEE

The committee found Begrand guilty of all three charges.

REASONS FOR DECISION

Charge 1

1. Begrand engaged in inappropriate electronic communication with a student. Communication from a teacher to a student should be confined to matters pertinent to the role of teacher. The nature of Begrand's communication was familiar, juvenile and personal and falls outside the behaviour expected of a teacher.

Report of the Hearing Committee of PCC, S Begrand, page 4

2. Begrand failed to uphold the honour and dignity of the teaching profession when he engaged in inappropriate electronic communication with a student.

Charge 2

1. Evidence supports that an inappropriate relationship began when [Name Redacted] was a student and continued on an ongoing basis following the student's graduation.
2. Evidence did not support a significant break between the timing of the teacher-student relationship in school and the developing personal and sexual relationship after the graduation of [Name Redacted]
3. Teachers are expected and trusted to maintain clear boundaries between instructional and personal relationships. By continuing a relationship that started at school, Begrand did not respect these boundaries.
4. Begrand failed to uphold the honour and dignity of the teaching profession when he started an inappropriate relationship with a student at school and continued the relationship after the student graduated.
5. The subsequent public nature of the relationship brought unfavourable attention to Begrand as a teacher and therefore harms the standing of the teaching profession.
6. The escalation of the relationship between Begrand and [Name Redacted] to a personal and sexual relationship calls into question his integrity and intentions as a teacher and erodes public confidence in teachers.

Charge 3

1. A teacher's quality of professional service is adversely affected when the teacher uses school technology to engage in inappropriate electronic communication.
2. Begrand breached the trust of his employer when he knowingly contravened the district's technology policy.
3. Using school equipment, Begrand engaged in sexually explicit electronic communication with a former student, an activity which fails to maintain the high standard of behaviour expected of teachers.

PENALTY

The hearing committee imposes as penalty:

Charge 1—letter of reprimand

Charge 2—declaration of ineligibility for membership in the Alberta Teachers' Association for one year, effective the date of this hearing, February 5, 2010

Charge 3—letter of severe reprimand

REASONS FOR PENALTY

Charge 1

1. Electronic evidence from June 2007, retrieved during the investigation period, was limited. The evidence proved that there was inappropriate communication; however, the recovery of data was fragmented such that the extent of the inappropriateness of the communication could not be fully determined. Accordingly, while the committee was satisfied of Begrand's guilt on this charge, the penalty imposed could only reflect the evidence produced and could not be influenced by any speculation.
2. Begrand failed to uphold the honour and dignity of the teaching profession when he engaged in inappropriate electronic communication with a student.

Charge 2

1. Teachers are in a position of trust and authority and as such must always be seen by the public to be acting in the best interests of students. By engaging in an inappropriate relationship with a student, a relationship that started at school and continued on an ongoing basis after the student's graduation, Begrand acted in a manner detrimental to the public's view of the teaching profession.
2. Begrand failed to recognize his obligation to act in the best interests of students, the public or the teaching profession [TPA 23(1)(a)] when he engaged in inappropriate communication with a student which continued on an ongoing basis and developed into a sexual relationship. Factors such as the end of the school year and the student reaching the [Age redacted] before their relationship became sexual, did not absolve Begrand of his professional obligations under these circumstances. At most they were mitigating factors relative to penalty.
3. Begrand admitted that he was guilty of saying things of a sexual nature, but did not take full responsibility, when he purported to blame [Name Redacted] as well.
4. By his actions in relation to [Name Redacted], Begrand failed to maintain the honour and dignity of the profession.

Charge 3

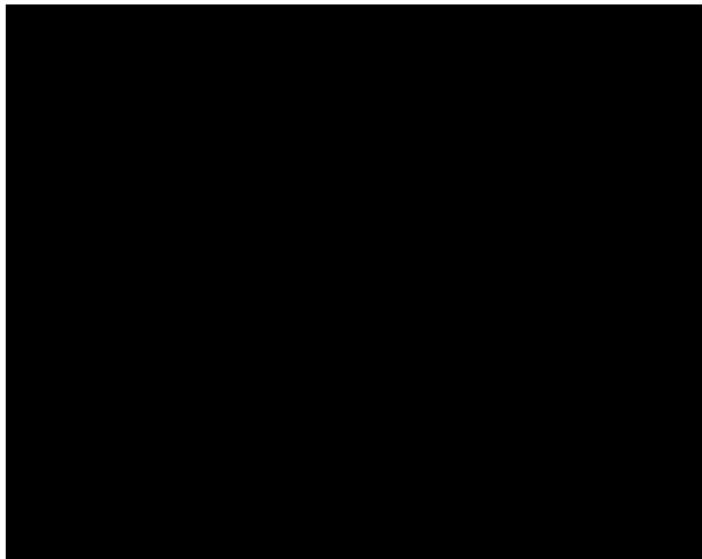
1. Begrand betrayed the trust of his employer when he used technology, in contravention of district policy, for inappropriate communication. This behaviour failed to maintain the honour and dignity of the profession.
2. Begrand's inappropriate electronic communication with [Name Redacted] continued a relationship that was established when [Gender Redacted] was a student in the school. Thus he failed to maintain the honour and dignity of the profession.
3. By using school property to engage in sexually explicit electronic communication, Begrand adversely affected the quality of his professional service and brought harm to the integrity of the profession.
4. By his actions, Begrand did not maintain the honour and dignity of the profession.

Related to all Charges

1. Begrand was generally forthright and cooperative throughout the investigation.
2. Begrand has not been employed as a teacher since the 2007/2008 school year.

Dated at the City of Edmonton in the Province of Alberta, Friday, February 5, 2010.

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



THE ALBERTA TEACHERS' ASSOCIATION  
REPORT OF THE PROFESSIONAL CONDUCT APPEAL COMMITTEE  
IN THE MATTER OF AN APPEAL BY PROVINCIAL EXECUTIVE COUNCIL  
OF THE DECISION OF THE HEARING COMMITTEE OF THE PROFESSIONAL  
CONDUCT COMMITTEE WITH RESPECT TO CHARGES  
OF UNPROFESSIONAL CONDUCT AGAINST STEVEN BEGRAND

The Professional Conduct Appeal Committee reports that the appeal by Provincial Executive Council of the decision of the hearing committee of the Professional Conduct Committee with respect to charges of unprofessional conduct against Steven Begrand was heard in accordance with the *Teaching Profession Act*. The appeal hearing was held at Barnett House, 11010 142 Street NW, Edmonton, Alberta, Canada on Monday, May 31, 2010 at 0900.

Professional Conduct Appeal Committee members present were [REDACTED]

[REDACTED] represented the appellant, Provincial Executive Council. The respondent, Steven Begrand, was present and was not represented by legal counsel.

SUBMISSION OF THE APPELLANT

The appellant did not question the decision of the hearing committee in regard to guilt or innocence. The appellant restricted its appeal to the penalty ordered for Charge 2. The appellant argued that the penalty for Charge 2, to declare Begrand ineligible for membership in the Association, is too lenient in that it should also include a recommendation to the minister of education to suspend Begrand's teaching certificate for an equivalent period of time.

On behalf of the appellant, [REDACTED] argued that since in its determination of guilt the hearing committee found there was a connection between the student-teacher relationship and the sexual relationship that followed, that finding should also be applied in the determination of penalty. In particular, Hackman submitted that:

1. Section 23 of the *Teaching Profession Act* identifies that unprofessional conduct is conduct which is not in the best interests of the profession, the public and students. The penalty only considered the interests of the profession and did not consider the harm to the student, future students or the public.
2. The hearing committee did not appropriately consider the precedent cases cited. Despite the fact that the joint submission on penalty did not include suspension of certificate and the presenting officer presented argument on why a suspension of membership was sufficient, all five precedent cases cited addressed both membership and certification.
3. If the teacher's behaviour warrants suspension or cancellation of membership then it also warrants suspension or cancellation of certificate.

4. The presenting officer's submission that suspension of membership without suspension of certification is appropriate in this case takes too narrow a view of the Association's obligation. The suspension of membership does not protect Alberta students who do not attend public or separate schools, ie those in private or federal schools, or students outside of Alberta. The public and the minister rely on the Association to protect all students.
5. Suspension or cancellation of membership without equivalent action on the teaching certificate would be a dangerous precedent because it would not adequately deter such behaviour in the future.

#### SUBMISSION OF THE RESPONDENT

The respondent submitted, through both written and oral submissions, that the penalty for Charge 2 was appropriate and should be upheld, based in part on the following:

1. The respondent signed the agreed statement of facts believing that the penalty stated in the joint submission on penalty, ie suspension of membership, was consistent with precedent and would be the outcome of the original hearing.
2. The respondent cooperated fully with the investigating officer.
3. The respondent believed that, considering the length of the investigation, the stress caused to him, the loss of his employment and the separation from his wife and family, the penalty was sufficient.
4. The mitigating factors identified in the report of the hearing committee, including the end of the school year and the student reaching the [Age Redacted], should be considered in finding the penalty sufficient.

#### DECISION OF THE COMMITTEE

The committee allowed the appeal. The penalty for Charge 2 was amended to include, in addition to the declaration of ineligibility for membership in the Association, a recommendation to the minister of education to suspend Begrand's teaching certificate for a period of one year, effective February 5, 2010.

#### REASONS FOR DECISION

The penalty applied in this case was not reasonable for the following reasons:

1. The hearing committee found that an inappropriate relationship began while the student was in school and continued after graduation. Having made that finding, the hearing committee had to consider certification as well as membership.



**Report of the Hearing Committee of PCAC, Begrand, page 3**

- 2. The Association has an obligation under section 23 not only to protect the interests of the profession but also to protect students and the public. The public has the right to expect that teachers will act in a manner that establishes and maintains a trust relationship between them and their students. The withdrawal of membership without recommending equivalent action on the teaching certificate does not meet the Association's obligation and is not in keeping with the precedent cases.**
- 3. The suspension of certification is necessary to protect all students whereas a suspension of membership alone does not fulfil this obligation.**

**Dated at the City of Edmonton in the Province of Alberta, Monday, May 31, 2010.**

**THE PROFESSIONAL CONDUCT APPEAL COMMITTEE  
OF THE ALBERTA TEACHERS' ASSOCIATION**

