

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

IN THE MATTER OF CHARGES OF UNPROFESSIONAL  
CONDUCT AGAINST TSE MING LIM

The hearing committee of the Professional Conduct Committee of the Alberta Teachers' Association reports that charges of unprofessional conduct laid against Tse Ming Lim of [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 Monday, May 27, 2013 at 0900.

Professional Conduct Committee members present as the hearing committee were [REDACTED]  
[REDACTED]  
[REDACTED] presented the case against the investigated member. The investigated member, Tse Ming Lim, was not present and was not represented by counsel at the hearing but had obtained advice from legal counsel who witnessed Lim's signature to Exhibits 4, 5 and 6, referenced hereafter.

CONSTITUTION/JURISDICTION

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

CHARGES AND PLEA

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

1. Tse Ming Lim is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that he, while a member of the Alberta Teachers' Association, during the period of July 1, 2011 to April 30, 2012, engaged in Facebook conversations of a personal, romantic and sexually explicit nature with a [Grade Redacted] student, (Student A), thus failing to treat the student with dignity and respect.
2. Tse Ming Lim is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that he, while a member of the Alberta Teachers' Association, during the period of July 1, 2011 to April 30, 2012, attended school events for the purpose of seeing and/or developing a romantic relationship with a [Grade Redacted] student, (Student A), thus failing to treat the student with dignity and respect.
3. Tse Ming Lim is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that he, while a member of the Alberta Teachers' Association, during the period of July 1, 2011 to April 30, 2012, engaged or attempted to engage in physical contact that was inappropriate to a teacher-student relationship with a [Grade Redacted] student, (Student A), thus failing to treat the student with dignity and respect.

4. Tse Ming Lim is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that he, while a member of the Alberta Teachers' Association, during the period of July 1, 2011 to April 30, 2012, encouraged [Grade Redacted] student, (Student B), via Facebook, to make inappropriate comments to [Gender Redacted] [Subject Redacted] teacher, [Name Redacted], thus failing to maintain the honour and dignity of the profession.

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

#### WITNESSES

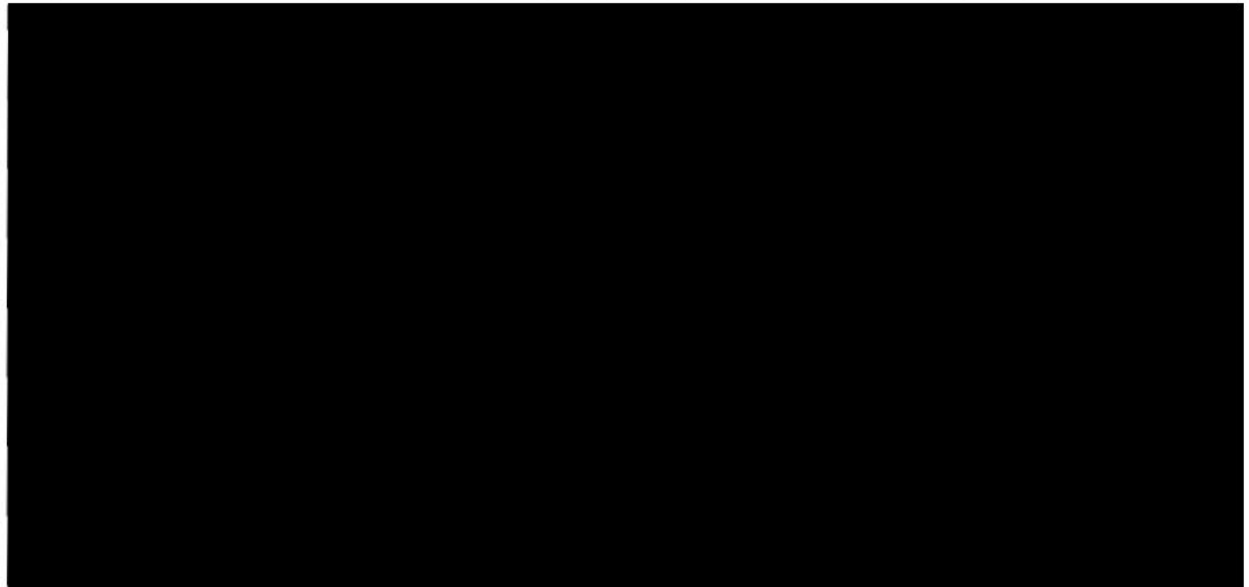
There were no witnesses called.

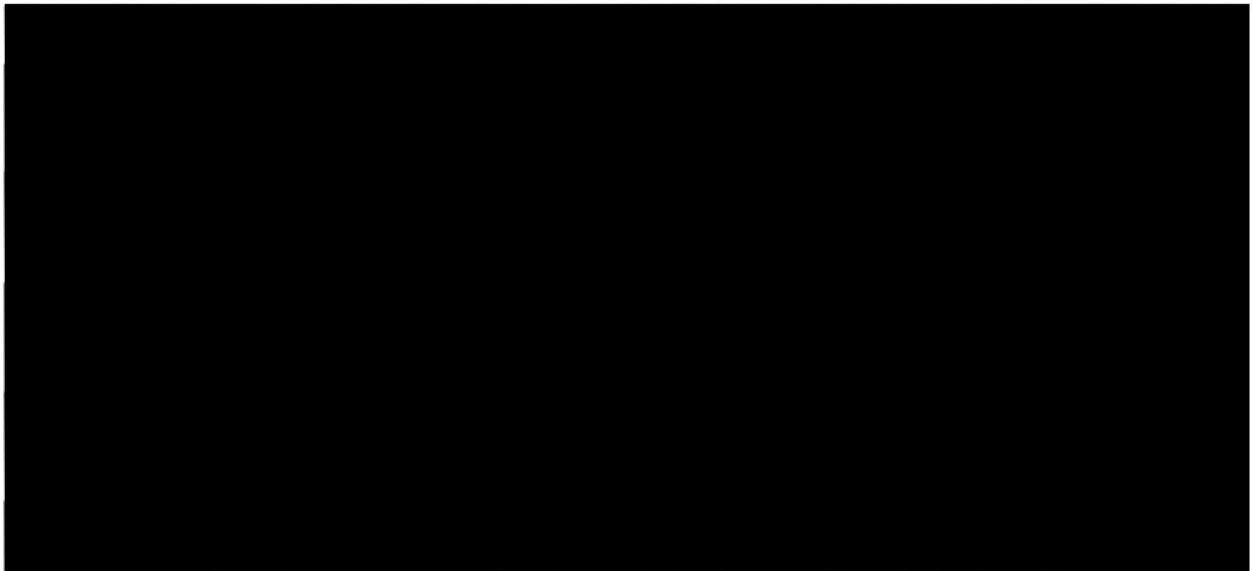
#### EXHIBITS FILED

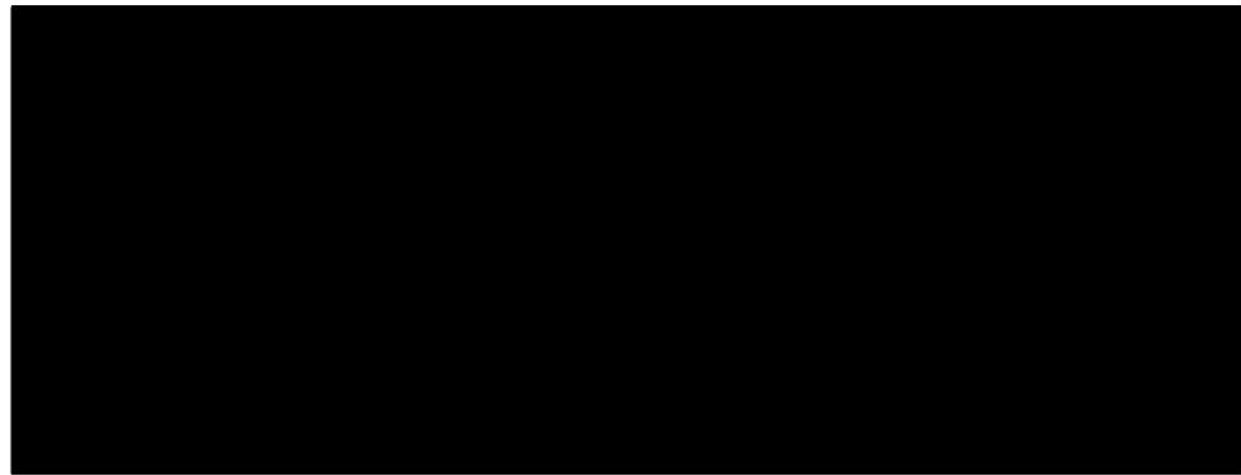
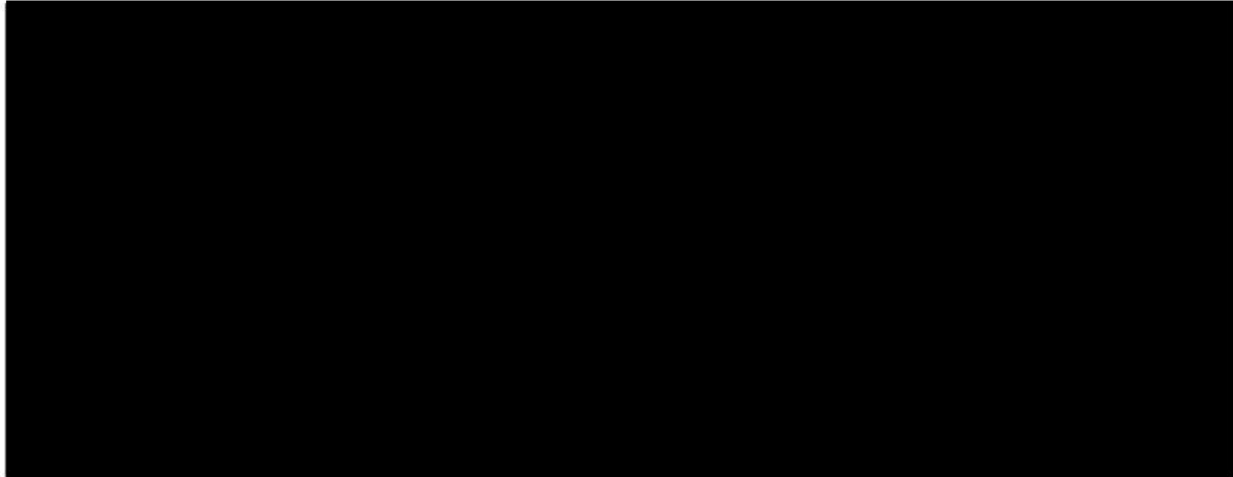
- Exhibit 1—Declaration of awareness of rights, signed by Lim, dated May 17, 2013
- Exhibit 2—Notice of hearing and Canada Post confirmation of delivery on April 9, 2013
- Exhibit 3—Proof of Lim's membership in the Association from July 01, 2011 to July 31, 2012, inclusive
- Exhibit 4—Submission on plea, signed by Lim, dated May 17, 2013
- Exhibit 5—Agreed statement of facts, signed by Lim and [REDACTED], dated May 17, 2013 and May 23, 2013, respectively
- Exhibit 6—Joint submission on penalty, signed by Lim and [REDACTED], dated May 17, 2013 and May 23, 2013 respectively

#### EVIDENCE ADDUCED AND EXHIBITS FILED INDICATED THAT:

1. Lim was an active member of the Association between July 1, 2011 and July 31, 2012. (Exhibit 3)
2. Lim began working as a teacher on September 1, 1997. (Exhibit 5)
3. Lim was a teacher at [School Redacted], employed by [School District Redacted], from July 2011 until July 2012. Prior to that, Lim was a high school teacher at [School redacted] from September 1999 to June 2011. (Exhibit 5)
4. On August 27, 2012, [Name Redacted], Head of School of [School redacted], filed a complaint about Lim with the Association, under section 24(1) of the *Teaching Profession Act*. (Exhibit 5)
5. In July 2011, soon after Lim's employment at [School redacted] ended, he sent a "friend request" on Facebook to a former student who will be referred to as Student A in this report. Over time, the volume of Lim's messages to Student A increased. (Exhibit 5)







DECISION OF THE HEARING COMMITTEE

- Charge 1—Guilty
- Charge 2—Guilty
- Charge 3—Guilty
- Charge 4—Guilty

REASONS FOR DECISION

Charge 1

1. Lim engaged in Facebook conversations with Student A that were intense, sexually charged, overly personal, inappropriately informal and romantic in nature. This made the student uncomfortable and exceeded the boundaries of an appropriate teacher–student relationship.

2. Through the Facebook messages, Lim exploited the teacher student relationship that had been established in his previous teaching assignment and placed Student A in an awkward and vulnerable position.
3. Lim indicated that he was aware his actions could make Student A uncomfortable and feel scared, but persisted. He asked [Gender Redacted] to keep the messages to [Gender Redacted] and to ensure [Gender Redacted] phone was locked.
4. By repeatedly sending messages to Student A that were personal, sexual and romantic in nature, Lim failed to treat Student A with dignity and respect and failed to be considerate of [Gender Redacted] circumstances.

Charge 2

5. Lim attended a [Event Redacted] school-related event and messaged Student A prior to this event for the purposes of seeing Student A and developing a romantic and sexual relationship with [Gender redacted].
6. Lim took advantage of Student A's participation at these school events to further his pursuit of [Gender redacted] and to advance the intimate nature of the relationship.
7. By attending events at Student A's school, Lim created a private encounter with Student A which made Student A feel nervous, uncomfortable and tense.
8. Lim invited Student A to his apartment. Given the nature of Lim's continuing messages to Student A, Lim's invitation was entirely inappropriate for a teacher student relationship.
9. By his actions, Lim demonstrated a lack of regard for Student A's feelings and failed to treat [Gender redacted] with dignity and respect.

Charge 3

10. Lim repeatedly indicated his intention to engage in physical contact with Student A, by way of messages to [Gender redacted] expressing his desire to hold hands, kiss, hug, caress, cuddle or stroke Student A.
11. Lim should have expected that his repeated mention of a pillow surrogate for Student A would make [Gender redacted] intensely uncomfortable. By disregarding the possible impact of his statements on Student A, he failed to treat [Gender redacted] with dignity and respect and failed to be considerate of [Gender redacted] circumstances.
12. Lim hugged Student A for an inappropriately long time, grabbed [Gender redacted] hand and rubbed [Gender redacted] back, in a private setting in the school, creating discomfort and anxiety for Student A.

13. Teachers are in a position of trust and authority and must act in the best interests of students at all times. Lim's messages to Student A, and his physical contact with [Gender redacted] exceeded the civility and friendliness that is reasonably expected of a teacher acting professionally toward a former student.

#### Charge 4

14. Lim encouraged Student B to believe that Student B was the object of another teacher's interest and instructed Student B to communicate with the teacher, [Name Redacted], for the purpose of initiating an inappropriate relationship.
15. By his actions, Lim created confusion for Student B about the nature of Student B's relationship with [Name Redacted], and thus exploited the [Name redacted] circumstances. [Name redacted] also risked putting the teacher, [Name Redacted], in an embarrassing and difficult position.
16. Lim's actions both reflected poorly on him and had the potential effect of creating doubt about [Name redacted] professionalism in Student B's mind; thus, he failed to maintain the honour and dignity of the profession.

#### PENALTY

The hearing committee considered a joint submission on penalty which included a recommendation for three years of ineligibility for membership in the Association and a recommendation to the minister of education for a three-year suspension of Lim's teaching certificate.

After considering the joint submission carefully and at length, the hearing committee imposed as penalty

1. a declaration that Lim is ineligible for membership in the Alberta Teachers' Association and
2. a recommendation to the minister of education that Lim's teaching certificate be cancelled.

#### REASONS FOR PENALTY

1. The public expects that teachers will behave in a manner that shows respect for students and their circumstances and maintains their dignity. In his communication with Student A and Student B, Lim failed repeatedly to fulfil this duty.
2. In a relationship between a teacher and students, the responsibility for maintaining proper boundaries falls solely on the teacher. Lim failed to observe proper boundaries on numerous occasions with both students, even after Student B identified these to Lim.
3. The committee noted Lim's use of generationally-aligned tone, language, punctuation and content in his communications with Student A and saw it as designed to seduce and entice [Gender REDACTED] into a sexual relationship with him.

4. The committee determined that Lim's inappropriate communication and conduct related to Student A escalated quickly from initiation of the relationship to inappropriate touching in a matter of days, accompanied by repeated urgings to maintain secrecy regarding his messages. The repeated calls for secrecy indicate that Lim knew, at the time, that what he was doing was wrong.
5. The committee determined Lim's communication and behaviour with Student A indicated a pattern of grooming behaviour, which escalated and intensified in a short period of time.
6. The committee ascertained that certain elements of Lim's messaging and behaviour constituted a pattern of deliberate actions, which were both harmful to two students and reflected poorly on the profession. The grievous nature of his actions precludes Lim from teaching again.
7. Apart from the fact of the guilty pleas, the committee noted that no evidence was presented that Lim had demonstrated remorse for the injury he caused to Student A and Student B, nor was any evidence provided that he had taken steps to address and learn from his actions. In the absence of such evidence, the committee concluded it would be prudent to ensure that Lim will not be in a teaching position again.

Dated at the City of Edmonton in the Province of Alberta, Monday, May 27, 2013.

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

