

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

IN THE MATTER OF CHARGES OF UNPROFESSIONAL
CONDUCT AGAINST PETER SIOR DAVIES

The hearing committee of the Professional Conduct Committee of the Alberta Teachers' Association reports that charges of unprofessional conduct laid against Peter Sior Davies of [Location Redacted] were duly investigated in accordance with the *Teaching Profession Act*. The hearing was held in Barnett House, 110 10 142 Street NW, Edmonton, Alberta, Canada on Monday, November 21, 2011 at 0900.

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

[REDACTED] presented the case against the investigated member. The investigated member, Peter Davies, was not present and was not represented by counsel.

CONSTITUTION/JURISDICTION

There were no objections to the constitution or composition of the hearing committee.

PLEA

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

1. Peter Sior Davies 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 September 1990 to June 1992, engaged in a sexual relationship with a student, thereby failing to treat the student with dignity and respect.
2. Peter Sior Davies 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 September 1990 to June 1992, engaged in a sexual relationship with a student, thereby failing to maintain the honour and dignity of the profession.

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

WITNESSES

There were no witnesses called.

EXHIBITS FILED

1. Notice of Hearing and Canada Post confirmation of delivery, on October 21, 2011
2. Submission on plea, signed by Davies, dated October 31, 2011
3. Agreed statement of facts, signed by Davies and [REDACTED] dated October 31, 2011
4. Proof of Davies's membership in the Association from September 1, 1987 to September 30, 2010, inclusive
5. Declaration of awareness of rights, signed by Davies, dated October 31, 2011
6. Joint submission on penalty, signed by Davies and [REDACTED] dated October 31, 2011

EVIDENCE ADDUCED AND EXHIBITS FILED INDICATED THAT:

1. Davies was born [Date Redacted] and began working as a teacher, in 1987, for [School Division Redacted] 1987, which later became part of the current [School Division Redacted]. (Exhibit 3)
2. Davies taught at the former [School Redacted] in [Location Redacted] from 1987 to 1997. (Exhibit 3)
3. Davies's employment with [School Division Redacted] terminated on October 31, 2010. (Exhibit 3)
4. Davies was a member of the Alberta Teachers' Association from September 1, 1987 to October 31, 2010. (Exhibits 3 and 4)
5. In 1990, there was a [Grade Redacted] student at [School Redacted] who will be referred to as [Name Redacted] in this report.
6. Davies had met [Name Redacted] when [Gender Redacted] was in [Grade Redacted]. Davies taught [Subjects Redacted] to [Name Redacted] during [Gender redacted] [Grade Redacted] years. Davies did not teach [Name Redacted] during Gender Redacted [Grade Redacted] years. (Exhibit 3)
7. In the fall of 1990, the relationship between Davies and [Name Redacted] became sexual, including sexual intercourse. (Exhibit 3)

8. [REDACTED]

DECISION OF THE HEARING COMMITTEE

Charge 1 – guilty
Charge 2 – guilty

REASONS FOR DECISION

1. By his own admission, Davies confirmed that he had a sexual relationship with [REDACTED] while [REDACTED] was in [REDACTED] and [REDACTED], thus failing to treat the student with dignity and respect.
2. In a relationship between a teacher and a student, the parties are not on equal terms. The responsibility for maintaining boundaries falls solely on the teacher. By engaging in a sexual relationship with a student, Davies failed to uphold the honour and dignity of the profession.
3. Ultimately, the ongoing nature of the relationship between Davies [REDACTED] does not diminish the unprofessional nature of the actions that occurred between 1990 and 1992 while he was a teacher and [REDACTED] was a student.

PENALTY

The hearing committee declared Davies ineligible for Association membership and ordered that a recommendation be made to the minister of education to cancel Davies's teaching certificate.

REASONS FOR PENALTY

1. Society expects that teachers will establish professional relationships with students and maintain appropriate boundaries. By engaging in a sexual relationship with [REDACTED], Davies failed to maintain professional boundaries, failed to treat the student with dignity and respect and failed to uphold the honour and dignity of the profession.
2. Teachers must not engage in intimate relationships with students. Both the profession and society in general view such actions as repugnant and reprehensible. Davies violated the trust placed in him and showed disregard for societal expectations of teachers.
3. Davies and [REDACTED] were engaged in an inappropriate relationship while [REDACTED] was in Grade [REDACTED] and Grade [REDACTED]. The fact that the relationship continued after [REDACTED] graduated and is still ongoing is not mitigating and does not diminish the unprofessional conduct of Davies between 1990 and 1992.

Dated at the City of Edmonton in the Province of Alberta, Monday, November 21, 2011.

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

