



2022 TAAP 01
Decision issued: February 18, 2022
File No: [REDACTED]

IN THE MATTER OF THE *TEACHERS ACT*, SBC 2011, c. 19

AND

A CERTIFICATION APPEAL BY CHRISTOPHER JERALD MORGAN

DECISION OF THE PANEL

Dates and location of hearing: October 26, 28, 29, November 2, 16-19, 24 and 26, 2021 at the Teacher Regulation Branch
Panel: Michel Bourassa, Jim Iker, and Terence Berting
Appellant: Christopher Jerald Morgan
Counsel for the Commissioner: Maureen Boyd and Joanne Kim
Counsel for the Appellant: Self-represented

Introduction

- [1] This matter arises from a denial to certify under Part 6, Division 5 of the *Teachers Act* [SBC [2011]] Chapter 19 (the "Act") a decision of the Director of Certification (the "Director") who declined to issue a Certificate of Qualification to Christopher Jerald Morgan (the "Appellant").
- [2] This appeal is to determine the Appellant's eligibility for Certification. The matter is regularly and properly before us without any jurisdictional or procedural objections. The Panel is regularly constituted and is discharging its duties as required pursuant to the *Teachers Act* SBC 2011 c 19, sections 76 and section 30.

- [3] The case before the Panel is straightforward and factual; there are no specific legal issues *per se* as the legal and factual requirements needed for Certification have been previously and definitively litigated both in a variety of Hearings and by the Courts in British Columbia and other Provinces.
- [4] The question before the Panel is whether or not the Appellant Morgan has met the standards for Certification as set out in the *Teachers Act* s 30 (1)(c)(i)(A) and is of "good moral character" and "otherwise fit and proper" to be issued a certificate pursuant to s 30 (1)(c)(ii).
- [5] The requirement of "good moral character" and "fit and proper" is a common feature in British Columbia law, and across Canada. It predominates in the licensing of self-regulated professions such as teachers and lawyers, which allows one to work and practice that profession. The applicants must have good moral character determined as a fact of law. This places the burden of proof of good moral character on the applicant while such a proof, but not the law, necessitates that the Panel assess the beliefs and values of the applicant.
- [6] The efforts by the Appellant to qualify as a teacher in British Columbia now before this tribunal, had its genesis over 10 years ago.

Chronology:

- a) September 15, 2009 –Appellant submits a document to the University of British Columbia Okanagan (UBCO): "Why I want to be a Teacher."
- b) February – May 2010 - 1st Practicum. Result: "Fail"
- c) January 30 – May 4, 2012 - 2nd Practicum
- d) March 15, 2012 - Midterm Practicum Report
- e) May 10, 2012 - 2nd - Practicum Final Result "Fail"
- f) June 26, 2012 - Appellant files a complaint to UBCO Senate Appeals Committee (Senate) alleging discrimination and harassment against a Practicum Coordinator.
- g) August 2, 2012 - Appellant appeals 2nd Practicum "Fail" grade to Senate Appeal Committee
- h) February 27, 2014 - Senate appeal hearing; "Pass" granted

- i) August 17, 2015 - Appellant applies for Certification to Director
- j) November 16, 2016, UBCO lists graduates suitable for Certification, including Morgan
- k) March 11, 2019 - Application for Certification denied by Director
- l) March 30, 2020 - Application for reconsideration is denied
- m) April 24, 2020 - Appellant files Appeal to this Panel

Background

- [7] Throughout this lengthy period, we noted that the Appellant was successful in often reversing the onus of compliance and filings onto the various administrators and staff personnel to provide documents, answer questions and explain inconsistencies. He was able to obtain extensions, exceptions, and indulgences by demanding they supply necessary listed documents and to supply him with what he needed for his various applications rather than what was called for in the legislation and regulations for him to produce. The staff and administrators did all they could to assist him. The process was further delayed for six months to allow the Appellant's discrimination claim before the Equity Office of the UBCO Senate Appeal Committee (Senate) to run its course. The many complaints of delay by the Appellant were misdirected in that he was the author of many of them in failing to adhere to time limits, deadlines, content delivery and replies.
- [8] Throughout this whole period, there were many documents, almost all of which were produced electronically, that went back and forth between the Appellant and the various administrative staff and officers. The result was that there were no 'original' documents such as defined in the Oxford Dictionary:
- Original adj.** *That is the origin or source of something, from which something springs, proceeds, or is derived; primary.*
- [9] This procedure of exclusively using unsigned electronic communications made it difficult to determine what was, in fact, an 'original' document and what was a copy. It is common knowledge that electronic communications are easily modified and susceptible to seamless editing or manipulation. "Cut and Paste" is not intricate. This became important in this case

as there were many versions of some allegedly "original" documents and no one document - the original - was available as a benchmark or proof on its face. Some documents we received had been photocopied so many times as to be unreadable.

[10] The Appellant completed and failed his 1st Practicum. Later he claimed that he was under severe stress and coercion and that the Student Teacher Sponsors were biased and out to get him. Under cross-examination he dropped the claim of coercion.

[11] The Appellant succeeded in obtaining permission for the opportunity to have a 2nd Practicum. Midway through his 2nd Practicum, the Appellant was assessed by his Student Teacher Sponsors to identify his weak areas and his strengths to help him improve and, as they testified, to support him. In due course, he failed that Practicum as well. He denied that he had failed, alleging that there was a verbal agreement by his Student Teacher Sponsors to award a "Pass" and issue a "Final Report" to that effect, and he claimed they did. The alleged "Final Report" with a "Pass" endorsement was not forthcoming.

[12] The Appellant then filed a written claim of harassment and bias allegations against the Practicum Coordinator in his 2nd Practicum. In due course, it was dismissed as unfounded. This groundless action against the Practicum Coordinator wherein the onus lies upon the subject to establish his innocence was an indicator of how far the Appellant was willing to go to obtain what he wanted.

[13] In objecting to the apparent result (Fail) of the 2nd Practicum, several important documents were brought to our attention: The signed Mid Term Evaluation from the 2nd Practicum, dated March 15, 2012; a related document purported to be an "Interim Final Report" and another "Final Report." On a cursory look, the documents appeared to be in order. On closer examination, it was abundantly clear that they had been blatantly edited, copied in whole or in part; some formatting had been modified, and indeed, in some instances, text added. Lastly, there was the most egregious falsity, a document alleging to be a "Final Report" (Handwritten) bearing the Student Teacher Sponsors' signatures that had been copied and pasted from the 2nd Practicum midterm assessment. Under cross-examination, the Appellant admitted that this critical document he had presented in response to a demand

for proof of a "Pass" in his 2nd Practicum and that he had been relying upon was false. He offered a variety of excuses or reasons how that document might have come into existence, but they were fanciful and incredible. The Appellant then argued that, nevertheless, there was in existence a "Final Report" reporting a "Pass" that was unsigned due to oversight, misfiling, or lost in a confusion of other documents.

[14] In contradistinction, the evidence, on oath, of the Student Teacher Sponsors and Faculty advisors who made the decisions and issued the originals of these documents was that the Appellant did not "Pass" either practicum. As well, they denied ever issuing an "Interim Final Report", nor changing their minds from "Fail" to "Pass" or verbally telling the Appellant that he would pass. We believe them without qualification.

[15] The Appellant then initiated a hearing by the UBCO Senate Committee on Student Appeal supported by a failure of a Student Teacher Sponsor to provide a "Letter of Concern" during the assessment process as required by regulations for a Student Teacher in difficulty. The Senate Committee determined that the scale or rubric for rating student teachers in Practicums was faulty and unfair to students. The Senate noted that there appeared to be some conflict in the facts and allegations presented concerning the Appellant's result – i.e., “Pass” or “Fail”, and then apparently reasoned that if the system was faulty, it followed that the Appellant's "Fail" mark must also be faulty and unfair. With little or no evidence, the Senate Appeal Committee decided that as the mark of "Fail" could not stand the only alternative was a "Pass" which they granted the Appellant.

[16] Appellant now initiated an appeal to the Director of Certification, which in due course was denied and is now before this Panel by way of appeal of that decision.

Hearing

[17] The burden of factual proof in establishing that the Appellant is of good moral character and otherwise fit and proper, on the balance of probabilities, was upon the Appellant. The Panel explained this at the beginning of the hearing.

- [18] As the case unfolded, it quickly became apparent to the Panel that the Appellant's narrative differed substantially from that contained in the evidentiary documents (exhibits 1 & 2), including the comprehensive Investigation carried out by the Director and by the witnesses called by Counsel for the Director. It became evident that the credibility and integrity of the evidence, the witnesses and the Appellant would be the major issue in determining the questions of fact before us.
- [19] The Appellant testified first. His narrative was permeated with allegations of bias, underhanded dealings and conspiracies against him, unfairness, personal attacks, threats and that his Certification was merited as he had passed his 2nd Practicum. He testified on oath that the "Pass" result was verbally confirmed but for some reason, the 2nd Practicum Report was not signed. His evidence was often contradicted by the documents in evidence and seemed implausible. His allegations that the system was 'out to get him', that the Investigation was a 'witch hunt', that his Student Teacher Sponsors conspired to defeat him in his goals and other similar claims strained credulity.
- [20] The Appellant's evidence did not survive cross-examination. Every significant allegation made by him was either contradicted, discredited, or compromised by the questioning, the documentary exhibits and later, by the witnesses called by Counsel for the Director.
- [21] The Appellant's responses were often contradictory to other answers he had given and often incomprehensible. By way of example: In response to a simple question whether the signature "C J Morgan" on a document was his signature or not, he responded in the same breath: "I may have...Maybe I did... I suppose so... No, I don't remember.... A lot of people had access to my Email... I do not recognize this email".
- [22] It became clear in the evidence that document manipulation was present early in the Appellant's efforts to complete the requirements for Certification. For example, his daily teaching log that covered one month was a requirement for his Practicum. While an important exercise to his Student Teacher Sponsors, the Appellant described the Log as something of a necessity to "keep the content politically correct rather than a more personally accurate comment on events." The Log read more like a self-serving personal

diary than a description of his daily teaching efforts. More egregious were his actions in manipulating the log by cutting and pasting entries from one day to another. When asked on cross-examination about the similarity of specific entries, he replied that he never edited the logs, but when pressed, he dismissed the obvious replication of terms and comments as simply "Templates".

- [23] The Appellant's narrative and various allegations became more problematic. He testified that he was informally talking with one of his Student Teacher Sponsors who referred to the Appellant's difficulties during his 1st Practicum as something to the effect of 'maybe its karma.' The Appellant conflated this single comment into an attack on Christianity, an attempt to convert him to an "Asian religion," and an attack on the Appellant's own personal beliefs, all prompted by the Student Teacher Sponsor's alleged dislike of him.
- [24] The Appellant was asked about his prior teaching experience and related that he had been an assistant teacher for 3 years in Alberta. On cross-examination and closer inspection, the experience was in fact December of one year to June of the following year.
- [25] The criticisms of his Student Teacher Sponsors were numerous. To bolster the allegations that they conspired and that they had it 'out for him' he related a most unlikely scenario. He testified that a janitor, uninvited, approached him and, unsolicited, warned that a particular Student Teacher Sponsor would fail him as he had failed four student teachers in the past. This event was offered as support of his contention of bias.
- [26] The Appellant blamed all his troubles upon various persons and was quick to turn on anyone whom he considered against him. After failing him, his Student Teacher Sponsors became a "gang of old men" out to get him; One Sponsor was singled out for an accusation of bias and discrimination. The Appellant first described the University of British Columbia Equity Officer who would deal with the complaint as an ally, enthusiastic and eager to have a valid case to pursue. When she dismissed the claim, the Appellant turned on the Equity Officer castigating her personally for her errors as he saw them and described the outcome to the Investigator and to this Panel, that the matter was simply "dropped". This description is misleading.

- [27] The Appellant has consistently and throughout stated that he would do "all that it takes" and would readily raise the intensity of his efforts for Certification if certain officials did not respond positively to his demands. While one can admire the pursuit of justice, the Appellant's words seemed more akin to an ultimatum.
- [28] The Appellant at times displayed a degree of wilful blindness to proven facts or certain events which he would not or could not address. Some documents were transmitted to him in a secure format which generated a report back to the sender. One was deleted without being read; another was not opened. Both binders, Exhibits 1 and 2, which contained all relevant documents, were physically presented to him at the opening of the Hearing. The Appellant left the exhibits in the Hearing Room the same day. As the hearing became a virtual one, this necessitated the preparation of another set which, at the Panel's request, were couriered to him so that he could at least refer to the exhibits in his closing arguments.
- [29] The Appellant produced an email into evidence allegedly sent to one of his Student Teacher Sponsors on April 18, 2012, wherein the Appellant confirms an agreement between them about specific facts and circumstances surrounding his 2nd Practicum result - Essentially, agreeing that the Appellant's (erroneous) version of the events was correct. The Student Teacher Sponsor addressee testified under oath that he had never received that post, had never seen it, and had never agreed to what was written in it. The Panel preferred his evidence.
- [30] The Appellant was often disingenuous and or evasive on the most basic questions put to him, weighing answers very carefully, seemingly with a view to escape any possible adverse inference. His demeanour in responding was inconsistent with simple answers to simple questions. It often seemed that he was using wordplay to redirect questions or modify them; His responses were aggressive, restating the question in different ways and deliberately using arcane words to put off the questioner.
- [31] Early on, the Appellant prefaced much of his evidence with "before my diagnosis" of Adult Attention Deficit Disorder. This was an obvious attempt to qualify or explain away any evidence of weakness or error in his testimony, or to offer an explanation why he was being

mistreated. In fact, he had been successfully treated for the condition over a period of a few months. The medical report, an exhibit, indicated that his condition was mild, responded to treatment and deemed no longer a factor. The Senate's Investigation arrived at the same conclusion.

- [32] The Appellant's references testified. The Panel found them to be honest, and straight forward, doing the best they could for a friend and with the information they had. None of them had witnessed the Appellant teach. None of his references had had any challenging experiences with him nor particularly extensive time with him. One witness testified that the Appellant told him that he failed his first Practicum due to "lies." Indeed, these witnesses did the best they could under the circumstances and established at least on one level the Appellant had several positive aspects to his character, which no one would deny. He was described variously as good with troubled youngsters, reliable and a hard worker; however, their testimony was limited to private personal interactions. None were related to teaching or the events that unfolded before the Panel.
- [33] Two Faculty Advisors and two Student Teacher Sponsors testified on behalf of the Director. All were impressive. They are all highly educated, with many years of experience in their profession, and had dealt extensively with the Appellant during the Practicums. They responded to all questions directly, calmly and without evasion or qualifications. Their evidence was internally consistent, and their recollections under oath carried a degree of certainty and reality. We found these witnesses to be credible, and we preferred their evidence where it conflicted with that of the Appellant.
- [34] When the Appellant petitioned the Director of Certification, a full investigation was ordered. In the Investigation, the Appellant was confronted by repeated requests from the Investigator to provide the signed 2nd Practicum Report bearing a "Pass" endorsement which the Appellant said he had. In many emails back and forth, the Appellant either ignored the request or offered a variety of reasons and excuses why the Investigator had not received it.

- [35] The Appellant testified that he was given an unrecorded or verbal "Pass" on his 2nd Practicum. The Teacher sponsors involved all testified emphatically they had not. The Appellant produced a copy of the last page of what presumably was the 2nd Practicum report which contained the following line: "Final Evaluation"... "Pass." The word/letters "Pass" were in a different font and size than any other printed words on the document and it was not aligned with other columns as one would expect. The signatures were those of his Student Teacher Sponsors and his own, dated March 15, 2012. We are satisfied that the document is false, that the "Pass" was inserted through document manipulation, and the signatures added by 'cut and paste' from the Mid Term Report.
- [36] The Appellant claimed that there was in existence a "Draft" Practicum Report and a "Final" Practicum Report. Some of the pages of such documents were produced by the Appellant to support that they had passed his 2nd Practicum and by chance, it had not been signed. This was consistent with his contention that all the Student Teacher Sponsors had verbally agreed to give him a passing grade. The words "Draft Final Report" and "Final Report" were written in sloppy handwriting at the top of the pages. None of the Student Teacher Sponsors who testified had ever seen or used any Practicum report that contained "Draft Report" or similar words. All denied giving a "Pass" to the Appellant verbally or otherwise.
- [37] The Appellant also tried to persuade the Teachers Regulation Branch and the Senate staff that there was a signed copy of the "Final Report – Pass" and that somehow it had been misplaced, misfiled, or lost through no fault of his. This was not believable.
- [38] Regardless of the forms and documents, manipulated or modified, in fact, the Appellant did not receive a "Pass" on his 2nd Practicum. That is clear and unambiguous from the sworn evidence of his Student Teacher Sponsors. There is abundant evidence of manipulation, if not forgery, of critical documents, especially the 2nd Practicum results, in its various versions: one, a "Fail"; one a "Pass" and one blank. In cross-examination it was strongly suggested by counsel for the Director that the Appellant was responsible for the obvious manipulations, particularly the signed version of the alleged "Final-Pass": Questioned: "You modified those documents, didn't you?" The reply from the Appellant was not a denial, but in a blunt and challenging tone: "You can't prove that".

[39] And the Appellant was correct in that assertion, it could not be proven by direct evidence. However, not all probative evidence must be direct evidence, not every allegation must be proven by first-hand or eyewitness evidence and not every decision has to be based on direct evidence. There is the recognized and important role of circumstantial evidence wherein facts may be proven with certainty and as solidly as direct evidence. Counsel for the Director could not prove that allegation through direct evidence; what she did, however, was to prove it through circumstantial evidence.

[40] In R v Villaroman 2016 SCC 33, [2016] 1 SCR, the Supreme Court of Canada made the clearest pronouncement of the difference between direct evidence and circumstantial evidence.

- **Direct evidence** is evidence which, if believed, proves a fact, or resolves a matter in issue. The only inference involved in direct evidence is that the testimony is true.
- **Circumstantial evidence** on the other hand finds its probative value in the inferences to be drawn from the facts. In other words, circumstantial evidence, if believed, allows a fact to be inferred. However, a jury must be cautioned about "jumping to conclusions" or "filling in the blanks" with circumstantial evidence.

[41] In R v Nguyen 1016 BCCA 133 the British Columbia Court of Appeal dealt extensively with the concept of circumstantial evidence drawing from the Supreme Court of Canada in the case of R v Villaroman:

Circumstantial evidence is evidence put forward to establish a fact that can be used to suggest an inference that other facts exist that would resolve the matter at issue.

In assessing circumstantial evidence, the courts direct us to examine the range of reasonable inferences that can be drawn from proven facts. The inferences must be reasonable and assessed logically and in the light of

human expertise and common sense. Other plausible theories which are inconsistent with guilt must be considered as well. Other plausible theories or reasonable possibilities must be based on logic and experience applied to the evidence or absence of evidence, not on speculation.

Circumstantial evidence finds its probative value in the inferences to be drawn from the facts. In other words, circumstantial evidence, if believed, allows a fact to be inferred. However, any jury must be cautioned about "jumping to conclusions" or "filling in the blanks" with circumstantial evidence. Circumstantial evidence must be reasonable logical and not speculative.

Circumstantial evidence may be used to prove motive, opportunity, means, capacity and skills, past offence conduct such as destruction of evidence, knowledge, and state of mind.

- [42] The Appellant had a proven past of resorting to manipulated documents to gain an advantage. In trying to deny this, the Appellant advanced several authors possibly responsible for the manipulated documents. The suggestions included his Lawyer from the Senate appeal, the lawyer's assistant, unknown persons who wanted to help him, any one of the "many" people that had access to his private email account, the Equity Office, and others, possibly administrative staff. These contentions are both implausible and unbelievable.
- [43] With the disclosure and sharing of all documents between the parties, the Appellant had ample opportunity to edit and modify any of them at his leisure and, with no actual "originals" available, a real chance of getting away with it. The editing, while not requiring great expertise or skill to accomplish, in this case, was simply poorly done, and the irregularities were immediately evident, which gave him away.
- [44] This circumstantial evidence justifies the reasonable and logical inference that the Appellant was responsible.

[45] In his opening statement, the Appellant stated that he did not expect to win his case. At the end of the hearing, he refused to listen to Counsel for the Director's closing submissions, muting his audio, thus abandoning any opportunity to answer or refute the Counsel's arguments.

Conclusions

[46] After careful consideration, the study of all exhibits, particularly the facts revealed in the Director's Investigation, and after hearing *viva voce* witnesses, we conclude, on the balance of probabilities, if not beyond, that the Appellant is the person who manipulated and falsified the numerous documents already referred to. In particular, the 2nd Practicum results even to the point forging them to achieve his goal of joining the teaching profession. Notwithstanding all the protestations, arguments and other documents between him and the Director, the wall he faced was the need to produce a signed 2nd Practicum with a "Pass" endorsement for his Certification. He did not have one. He could not get one from any of the authorities involved, so he created it. His argument that his Student Teacher Sponsors had verbally agreed to give him a "Pass" rating is untrue.

[47] From a broader perspective the Panel cannot lose sight of the tests to be applied by law.

[48] We recognise that the Appellant was granted a "Pass" by the Senate, confirmed by mail, received a Bachelor of Education degree, and was recommended for certification by UBCO. The Appellant's need to establish his good moral character and that he is fit and proper for membership became essential. From that perspective, it matters little if he passed or failed the practicums or how exactly the documentary evidence was compromised; it is the Appellant's overall conduct that comes into focus. Conduct or behaviour can reflect character, both during the proceedings and in the past. The test is "good moral character" and that he is "fit and proper" not whether he passed a Practicum or why not.

[49] It has been repeatedly stated in the Courts and elsewhere that the teaching profession requires educators who will be role models in society, enjoying a unique standing in society

and that good character is essential in holding that position. A teacher is the cultivator of young impressionable minds; a role model of how to grow, live and comport oneself; a source of inspiration that may imbue a commitment to lifetime learning and open the door of opportunity to a productive future to these young students. This value, the final test for Certification, is succinctly expressed in the legislation: *Teachers Act* s 30 (1)(c)(ii).

[50] In *Casson v BC College of Teachers* 2000 BCSC 814, the Court in review, determined that the petitioner's act of falsely representing that she had successfully completed a 3-year credit course in English as required by the College, thereby deliberately misleading the College, was sufficient evidence to support a finding that she was not of good moral character nor fit and proper and denied accreditation.

[51] Some guidance in this assessment is provided in the case of *Peter Paul Vincent v The Law Society of Upper Canada* 22010 ONLSAP 0026. An Appeal Panel held a hearing respecting the denial of application licence to practice law wherein the same test of good moral character applied. The Appellant had misrepresented his past to the Society by withholding information about a previous criminal conviction. The Appeal Panel stated quoting from *Claude Hyman Armstrong v Law Society of Upper Canada* 2009 ONLSHP 29:

“Good character has been defined as a combination of qualities or features that distinguish one person from another. Good character connotes moral or ethical strength, distinguishable as an amalgam of virtuous attributes or traits which undoubtedly include, among other things, integrity, candour empathy and honesty.”

[52] The Appeal Panel itself listed the following factors to assist in determining good character:

- a) Nature and duration of the misconduct
- b) Whether the applicant is remorseful
- c) What rehabilitative efforts have been taken
- d) The appellants conduct since the proven misconduct and

e) The passage of time since the misconduct.

[53] The Society's concern was about the Appellant's good character and in considering "Good Character" the Appeal Panel quoted Madam Justice Marty Southin of the BCCA:

Good Character means those qualities which might reasonably be considered in the eyes of reasonable men and women to be relevant to the practice of law. Character comprises at least these qualities:

- 1) An appreciation of the difference between right and wrong.
- 2) The moral fibre to do which is right, no matter how uncomfortable the doing may be and not to do that which is wrong no matter what the consequences may be to himself.

[54] That appeal was denied.

Decision

[55] The planned, determined dishonesty of the Appellant's allegations and sworn testimony, his conduct including the execution of a scheme to essentially advance gross misrepresentations of fact to achieve his ends, the use of false and manipulated documents over a lengthy period constitute conduct incompatible with the concept of good moral character. The Appellant deliberately chose and maintained this path, never thinking or reflecting on what was morally right. The facts in this matter are far more egregious than the circumstances of the Casson case, referred to herein, and indeed, are without precedent.

[56] Regardless of arguments surrounding the methodology or validity of his Practicum assessments; the resulting "Fail" or "Pass" notations; the Senate Committee's ruling and its conclusions; the Appellant's other various claims and demands from entitlement to conspiracies and unfairness, we find that his conduct as revealed throughout the hearing and in his past efforts to achieve Certification, in and of themselves are the antithesis of

good moral character. Moreover, we find the Appellant's conduct in many instances to be vindictive, evasive, lacking in respect with a proclivity to blame others for his own failings. As a result of these findings, we need not address any issues surrounding the teaching certificate standards nor the effect to the Senate's "Pass".

[57] The Panel must determine if the Appellant has successfully proven he has met the standards for certification including that, on the balance of probabilities, he is of "good moral character" as defined by the law and as well, "fit and proper to be issued a Certificate". Given the facts that have been proven at this Hearing, and for the reasons we have noted, we are satisfied that the required threshold of proof to establish his good moral character and his fitness has not been met.

[58] The appeal is dismissed.

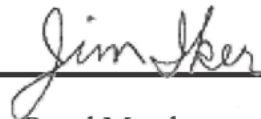
[59] Pursuant to s 77 (2) of the *Teachers Act* the Panel directs publication of this decision.

For the Panel

Date: February 18, 2022



Michel Bourassa, Panel Chair



Jim Iker, Panel Member



Terence Berting, Panel Member