



DISCIPLINE CASE SUMMARY

a. Christopher Stephen Myles Kempling (DOB: 1955/10/15)

b. Conduct Unbecoming a Member.

c. The hearing was held on April 15, 2002, at the College offices. The hearing on penalty, cost and publication was held on November 18, 2002 at the College offices. The report and recommendations of the Hearing Panel were presented to Council on January 23, 2003. A further oral hearing with the full Council on penalty and costs was held April 1, 2003. Council further considered this matter on April 3, 2003.

d. The citation alleged that Christopher Stephen Myles Kempling, between July 1997 and August 2000, made discriminatory and derogatory statements against homosexuals in a number of published writings.

e. The Hearing Panel found the respondent guilty of conduct unbecoming a member.

f. The following reasons were considered in the determination of penalty:

- The number, the context and the extended period of time of the respondent's writings and publications which contained derogatory and demeaning statements against homosexual people.
- It is the respondent's actions and not his beliefs that are incompatible with his role as a teacher in a school system that must function in an environment of tolerance and understanding.
- The respondent's actions disclose a failure to uphold values that are fundamental to the education system and Canadian society, values that include sexual equality and respect for persons of differing sexual orientation.
- Furthermore, the respondent used his status as a teacher to give authority and credibility to these views.
- The respondent's publication in the local newspaper caused considerable distress and division among the members of the community including the teaching community.

g. The Council determined that the respondent's professional teaching certificate be suspended for a period of one month from May 1, 2003. The respondent appealed the decision to the British Columbia Supreme Court and then further to the British Columbia Court of Appeal.

The British Columbia Court of Appeal affirmed the decision of the College relating to both verdict and penalty. On January 19, 2006, the Supreme Court of Canada dismissed the respondent's application for leave to appeal the Court of Appeal decision.