



## DISCIPLINE CASE SUMMARY

**a.** A Respondent (A-03-04)

---

**b.** Professional misconduct

- c.** The hearing was held on March 1, 2004, at the College's offices in Vancouver, B.C. The report and recommendations of the Hearing Sub-Committee (the "Committee") were presented to Council on June 18, 2004. This matter originated as a report under section 16 of the *School Act*.
- d.** The respondent admitted to using inappropriate language and conducting himself in an inappropriate manner with students in the classroom and over the Internet.

The respondent further admitted that his communications with students breached the student/teacher boundaries and that he touched a female student on the wrist and on the arm. The communications with students and his physical contact with a female student, although inappropriate, were not of a sexual nature.

In addition, the respondent admitted to secretly negotiating a change in a student's grade with another student.

- e.** The Committee accepted the respondent's admission of guilt and found him guilty of professional misconduct. It found that his language and physical contact with students was inappropriate and that his Internet communications crossed the professional boundaries expected between teacher and student.
- f.** The Committee considered the joint submission presented by counsel on penalty, publication and costs. The Committee considered the evidence, taking into account that the respondent had taken a number of remedial steps, and will continue to do so, to ensure that the conduct is not repeated. Also, the respondent has had an unblemished disciplinary record with the College and with his employers. It was agreed that the penalty be a reprimand. In regards to costs, the Committee found that the respondent cooperated fully and that costs not be assessed. In the matter of publication, the Committee concluded that there were no mitigating circumstances against publication of the respondent's name.

Council considered the report and recommendations of the Committee as well as counsel submissions. It was agreed that the respondent's name be published and no costs be assessed as the respondent cooperated fully in the process.

- g.** The Respondent appealed the decision of publication of his name to the British Columbia Supreme Court. The College consented to an order prohibiting publication of the Respondent's name.