



## DISCIPLINE CASE SUMMARY

- a. Frank Finney (DOB: 1942.09.15)

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- b. Professional misconduct
- c. The hearing was held on December 11, 2003, at the College's offices in Vancouver, BC. The report and recommendations of the Hearing Sub-Committee were presented to Council on May 7, 2004. This matter originated as a report under section 16 of the *School Act*.
- d. The respondent served as a principal of an elementary school while operating a private educational consulting business. The respondent admitted that he conducted private business on school time, claimed sick leave inappropriately and used school resources for the benefit of his business. He also acknowledged that he inadequately supervised students and that he instructed staff to conceal his actions.
- e. The Hearing Sub-Committee accepted the respondent's admission that his actions constituted professional misconduct. The Sub-Committee found that his behaviour fell below the standards of honesty, integrity and trust expected of a professional in his position and that his requests to support staff to conceal his activities constituted an abuse of authority. They noted that the respondent attempted to adjust expenses regarding the use of materials but this did not meet the standards expected of an administrator who has responsibility for the use of public funds.
- f. The Hearing Sub-Committee accepted the joint submission that in the circumstances, a two-month suspension was appropriate. They found that acts of dishonesty for personal gain by administrators warranted a suspension of this length.

The respondent submitted that his name should be withheld from publication because he had a medical condition that would be exacerbated by the stress of publication. The Sub-Committee adjourned the hearing so that the respondent could obtain further details regarding his medical condition. Medical confirmation was not received but the Hearing Sub-Committee did consider other documentation provided by the respondent. They determined that there was insufficient information and reason to mitigate against publication of the respondent's name when balanced against the College's duty to be transparent in dealing with discipline matters and the protection of the public.

Council considered the report of the Hearing Sub-Committee and accepted their recommendations relating to penalty and publication. Council also accepted the Hearing Sub-Committee's recommendation that no costs be assessed against the member due to his cooperation.