



DISCIPLINE CASE SUMMARY

a. Russell Lance Read

b. Professional misconduct and conduct unbecoming a member of the College.

c. The hearing was held May 26-30, 2008, in relation to four Citations, at the College's offices in Vancouver, B.C. The penalty phase of the hearing was held on March 23, 2009. The report and recommendations of the Hearing Sub-Committee (the "Committee") were presented to Council on October 8, 2009, in accordance with section 22 of the *Teaching Profession Act*. This matter originated as a report under section 16 of the *School Act*.

d. With respect to the incidents in 2002, Mr. Read was employed as a middle school teacher when he sent an email to a female grade twelve student, in which he referred to her and another grade twelve female student, as "grade 12 babes". The email also included an inappropriate remark and intensely personal information concerning several other students. As a result of this incident, the school district investigated Mr. Read, and he responded by preparing a petition or declaration asking students to sign in support of him relative to the investigation against him. Further, Mr. Read attended a grade twelve female student's workplace to provide her with pamphlets and information on a religion known as Wicca. In addition, in May 2002, Mr. Read interacted with a female student after having been instructed not to do so by the school's vice-principal. This arose from the student's complaint that Mr. Read had previously interacted with her in an inappropriate manner. In 2004, Mr. Read told an inappropriate joke with sexual content to his two grade eight computer classes. An investigation by the school district ensued as a result of the inappropriate joke containing the sexual innuendo, and subsequently, Mr. Read communicated his displeasure to the students of these classes in having been reported to the school principal. Further, in February 2004, Mr. Read suggested to a grade eight female student to conduct an internet search using words that were, or were similar to, the words "hot chicks", where she was to retrieve photographs for a website that she was constructing concerning herself. Mr. Read entered into a Statement of Agreed Facts and Admissions and admitted that his above-noted conduct constituted professional misconduct.

In or about the period between January 1979 and December 1983, while working as a teacher at a band school, Mr. Read was found to have given a young female the drug, amyl nitrate, and encouraged her recreational use of it. The incident did not occur in the school setting and the young female was not a student of Mr. Read's. In a second incident, Mr. Read was alleged to have touched this young female on the thigh for sexual purposes, while in his vehicle. In addition, Mr. Read was found to have engaged in a sexual encounter with this young female, while she was a minor.

e. The Committee unanimously accepted the facts and admissions made by Mr. Read in the Agreed Statement of Facts and Admissions. Mr. Read's admission of guilt with respect



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to the incidents that occurred in 2002 and 2004 constituted professional misconduct. With respect to the incidents that took place between 1979 and 1983, the Committee unanimously agreed that Mr. Read did supply the drug, amyl nitrate, to a minor child for unauthorized non-medical use, which falls clearly outside the scope of the standard of behaviour expected of teachers in their role outside of the classroom. Therefore, the Committee found Mr. Read guilty of conduct unbecoming a member of the College. With respect to the second incident, the Committee found that Mr. Read did not touch the young female on her thigh for sexual purposes while in his vehicle. However, the Committee did find that Mr. Read did engage in a sexual encounter with the young female. Notwithstanding that she was not a student of his nor was a student at the school at the time of the incident, the young female clearly known to Mr. Read to be a minor and a person who would not be able to consent to a relationship with an adult male. Mr. Read's actions were deemed inappropriate and fell outside of the ethical behaviour expected of teachers in their role outside of their classroom. The Committee found Mr. Read guilty of conduct unbecoming a member.

- f. The Committee further considered the submissions presented by counsel on penalty, publication and costs. The Committee unanimously agreed that Mr. Read be issued an indefinite suspension, with a ten-year bar to further re-application with the College. Mr. Read's Certificate of Qualification was cancelled in 2006 for non-payment of fees. In making their decision, the Committee considered both the more recent and historical events and noted that all of the behaviour, when considered in its entirety, required a very serious response by the College. The Committee further agreed that no costs be assessed to Mr. Read. It was the Committee's view that costs should not be used as a penalty, or a threat in cases which are difficult or expensive to prove. In addition, Mr. Read did not obstruct or impede the proceedings. With respect to publication, the Committee unanimously agreed that a summary of the circumstances of the decision and the action taken be published. That Mr. Read's name be published as the College must be transparent in order to fulfill its mandate to the public. By agreeing to abide by the *Standards for the Education, Competence and Professional Conduct of Educators in BC*, an educator enters into a contract with the public in which parents can confidently send their children into an educator's care.
- g. College Council considered the report and recommendations of the Committee and agreed to accept the recommendation and reasons as to penalty, costs and publication.