



DISCIPLINE CASE SUMMARY

a. Scott Matthew Killin

- b.** Professional misconduct and conduct unbecoming a member of the College
- c.** The hearing was held August 9, 10, 11, 30, 31 and September 1, 2, 3, 2010, at the College's offices in Vancouver, BC. The hearing reconvened on September 27, 2010 to consider penalty, costs and publication. This matter originated as a report under section 16(1) of the *School Act*.
- d.** Mr. Killin was employed as a teacher-on-call (TOC) in the 2008-2009 school year when the incidents took place. Mr. Killin was found to have lied to school district officials during an investigation into his relationship with a female grade 12 student (the "Student"), which involved an inappropriate sexually intimate relationship with the Student.
- e.** The Hearing Sub-Committee (the "Panel") was unanimous in its decision that Mr. Killin was guilty of professional misconduct when he lied to school district officials during the investigation into his relationship with the Student during the 2008-2009 year. In addition, the Panel unanimously found Mr. Killin guilty of conduct unbecoming a member of the College in that he engaged in an inappropriate sexually intimate relationship with the Student. The Panel concluded from the facts that Mr. Killin's actions breached Standards 1 and 2 of the College's *Standards for the Education, Competence and Professional Conduct of Educators in British Columbia*. The apparent consensual nature of the relationship between Mr. Killin and the Student is not an excuse for its occurrence. Teachers cannot use their position of power to enter into a sexual relationship with their students as that is an abuse of the fiduciary duty that is imposed on teachers. Sexual activity between a teacher and a student, even one who is close to completion of her student status and who entered willingly into a relationship with a TOC in her school district, is entirely prohibited in the profession. It is the responsibility of the teacher to establish and protect his/her own professional boundaries with students. Neither the profession nor the community can accept that the obligation of a teacher is diminished because the student, sexually developed but likely immature in his/her understanding, is desirous of an inappropriate relationship.
- f.** The Panel unanimously determined that Mr. Killin's certificate of qualification be cancelled. The Panel noted that both parties agreed that cancellation was the appropriate penalty. With respect to costs, the Panel unanimously ordered that costs in the amount of \$20,000 be awarded to the College against Mr. Killin should he exercise his rights under the College Bylaws to apply for recertification.