



DISCIPLINE CASE SUMMARY

a. David Bruce Aitchison

b. Professional misconduct

c. The hearing was held November 9, 10 and 12, 2009, at the College's offices in Vancouver, British Columbia. The hearing reconvened on June 11, 2010 to consider penalty, costs and publication. This matter originated as a report under section 16(1) of the *School Act*.

d. Mr. Aitchison was employed as a teacher-on-call (TOC) at a secondary school in February 2007 when the incidents took place. He was found to have engaged in an inappropriate conversation with a student that included swearing and comments of a sexual nature. In addition, he rubbed the arm of another student in a manner that was inappropriate.

e. The Hearing Sub-Committee (the "Committee") was unanimous in its decision that Mr. Aitchison engaged in an inappropriate conversation with a student that included swearing and comments of a sexual nature. In addition, the Committee found that while the touching did not include more than Mr. Aitchison rubbing the arm of a student, it was seen by the Committee to be of a nature that is too personal and familiar for the professional student-teacher relationship. The Committee concluded from the facts that the conduct outlined in the citation constituted professional misconduct because Mr. Aitchison's actions breached Standards 1 and 2 of the College's *Standards for the Education, Competence and Professional Conduct of Educators in British Columbia*. **Standard 1: Educators value and care for all students and act in their best interests.** The Committee found that Mr. Aitchison's conversation with a student that included comments about his marriage, his wife being an alcoholic and a number of sexual matters was inappropriate in that it clearly showed that the student was treated with no regard for her respect and dignity. **Standard 2: Educators are role models who act ethically and honestly.** The Committee found that the physical contact that Mr. Aitchison had with the student was inappropriate in that it compromised the emotional and physical safety of the student. Teachers and especially experienced TOCs such as Mr. Aitchison need to be aware of and respectful of students' personal boundaries during their interactions with them. The teaching community would regard Mr. Aitchison's comments and conduct as unprofessional as these actions would result in students feeling uncomfortable and unsafe.

f. The Committee unanimously determined that the appropriate penalty in this case is that Mr. Aitchison's certificate of qualification be suspended for a period of seven consecutive instructional days during the first semester of the 2010-2011 school year. In addition, the Committee ordered that Mr. Aitchison attend a Professional Boundaries workshop and provide the College with proof of completion of the workshop prior to returning to work. With respect to publication, the Committee ordered that Mr. Aitchison's name, along with a case summary of the Committee's findings, be published. In the matter of costs,



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the Committee acknowledged that the College incurred significant expense in proving its case against Mr. Aitchison. Regardless of the adverse finding against Mr. Aitchison, it was the view of the Committee that costs should not be a part of the penalty imposed as Mr. Aitchison did not impede the hearing process.