

THE ALBERTA TEACHERS' ASSOCIATION  
DECISION AND REASONS FROM THE  
REPORT OF THE HEARING COMMITTEE  
OF THE PROFESSIONAL CONDUCT COMMITTEE  
IN THE MATTER OF CHARGES OF UNPROFESSIONAL  
CONDUCT AGAINST STEVEN MCKERRALL

The hearing committee of the Professional Conduct Committee of the Alberta Teachers' Association reports that charges of unprofessional conduct laid against Steven McKerrall of Fort Saskatchewan, Alberta (formerly of Three Hills, Alberta) were duly investigated in accordance with the *Teaching Profession Act*. The hearing was held in Barnett House, 11010 142 Street NW, Edmonton, Alberta, Canada on Wednesday, March 22, 2017 at 0900.

CHARGES AND PLEA

The following charges were read aloud by the secretary to the hearing committee:

1. Steven McKerrall is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that he, while a member of the Alberta Teachers' Association, on or about February 5, 2016, held an inappropriate Facebook conversation with a student, thus failing to treat the student with dignity and respect, contrary to article 4 of the Code of Professional Conduct.
2. Steven McKerrall is charged with unprofessional conduct pursuant to the *Teaching Profession Act* in that he, while a member of the Alberta Teachers' Association on or about February 5, 2016, held an inappropriate Facebook conversation with a student, thus failing to maintain the honour and dignity of the profession, contrary to article 18 of the Code of Professional Conduct.

McKerrall entered a plea of guilty to each of the charges, by written submission.

DECISION OF THE HEARING COMMITTEE

Charge 1—Guilty

Charge 2—Guilty

REASONS FOR DECISION

1. By his own admission, McKerrall engaged in an inappropriate Facebook conversation with Student A on February 5, 2016. McKerrall engaged Student A in a conversation regarding the possibility of furthering an inappropriate relationship between them.

2. During the Facebook conversation, McKerrall repeatedly pressed Student A for photographs of her toes, in a manner that was entirely self-serving and without regard for her refusal. The repeated requests were prolonged, made the student uncomfortable, and included the enticement of a “reward.” In this Facebook conversation, McKerrall failed to treat the student with dignity and respect and was not considerate of her circumstances.
3. The profession and the public expect that teachers will maintain appropriate boundaries with their students. McKerrall’s comments about his attraction to Student A, his compliments to her and his persistent requests for photographs of her toes far exceeded the boundaries of an appropriate teacher-student relationship.
4. The teacher is always solely responsible for maintaining the boundaries between teacher and student. McKerrall repeatedly ignored this responsibility, even after Student A explicitly referred to his obligations and indicated her discomfort. McKerrall failed to treat the student with dignity and respect and was not considerate of her circumstances.
5. Student A was made to feel uncomfortable, apologetic and as if she had to explain why she couldn’t have a relationship with McKerrall. Indeed, Student A clearly felt she had to ask her teacher not to be mad or upset about her answers to his overtures. McKerrall failed to treat the student with consideration for her circumstances.
6. McKerrall failed to uphold the honour and dignity of the profession when he, in a Facebook conversation, attempted to corrupt the student-teacher relationship into one that served his own gratification. The public and profession expect that teachers will not engage in conversations characterized by attempts to manipulate students for selfish purposes.
7. McKerrall initiated a Facebook conversation with a student that focussed on his sexual attraction to her and objectified her, thus failing to maintain the honour and integrity of the profession.
8. As a result of his Facebook conversation with Student A on February 5, 2016, other members of the profession, a parent, and the local RCMP became aware of McKerrall’s misconduct. McKerrall failed to uphold the honour and dignity of the profession and did so in a fashion that became public.

#### PENALTY

The committee imposed as penalty

1. a single letter of severe reprimand to address both charges,
2. a declaration of ineligibility for membership in the Alberta Teachers’ Association and
3. a recommendation to the minister of education that McKerrall’s teaching certificate be cancelled.

REASONS FOR PENALTY

1. A hearing committee should grant some deference to a joint submission on penalty unless it is unfit, unreasonable or contrary to the public interest. The committee determined that the penalty recommended by both parties was fit, reasonable and in the interests of students, the public, and the profession.
2. McKerrall's intention, to lure Student A into a personal and inappropriate relationship with him, was clear in the Facebook conversation. Although the intention to lure Student A was not fulfilled, McKerrall's intentions and attempts with regard to Student A warrant his removal from the profession.
3. The committee determined that McKerrall transgressed the relationship of trust inherent in an appropriate teacher-student relationship. This was a serious breach of professional obligation that warranted a severe and lasting penalty.
4. Society has a right to expect that teachers will not attempt to establish inappropriate relationships nor have inappropriate conversations with students. McKerrall's actions clearly violated these expectations.
5. During the conversation of February 5, 2016, McKerrall clearly and explicitly acknowledged he was aware of the inappropriateness of his actions, yet he continued with his line of attempted persuasion. His persistent and conscious disregard for the student's dignity necessitates the most severe penalty.
6. McKerrall aggravated the situation by initially denying his behaviour and providing a fabrication that was later not sustained. McKerrall refused to cooperate in the investigation and prevaricated in an effort to deflect blame. At no time, did McKerrall demonstrate remorse. His guilty pleas were noted though.
7. The profession will not tolerate teachers' attempts to lure students into inappropriate relationships. The penalty communicates the committee's intention to create a general deterrence to prevent similar behaviour in the profession.
8. The committee reviewed a substantial number of precedent cases, which had a range of contexts and penalties, including several with similar elements but not identical circumstances. In those cases, severe penalties were prescribed. This penalty reflects the egregious nature of McKerrall's behaviour and intentions. This penalty reflects the absolute intolerance of the profession and society for this kind of behaviour.

Dated at the City of Edmonton in the Province of Alberta, Thursday, March 30, 2017.