

In the matter of an employer's notice pursuant to Sections 35 and 36 of *The Registered Teachers Act*, 2015 and Megan Nicole Hall, Teacher Certificate #[XXXXXXX].

Saskatchewan Professional Teachers Regulatory Board (SPTRB)

Consensual Complaint Resolution Agreement

This agreement is made pursuant to clause 36(2)(b)(i) of *The Registered Teachers Act*, 2015 and the related bylaws and procedures.

Between:

MEGAN NICOLE HALL #[XXXXXXX]

and

THE PROFESSIONAL CONDUCT COMMITTEE OF THE SPTRB

1. HISTORY OF COMPLAINT, BACKGROUND AND RELEVANT FACTS

1.1 The Registered Teacher held Saskatchewan teacher's certificate number [XXXXXXX] and was registered with the Saskatchewan Professional Teachers Regulatory Board ("SPTRB") to teach in Saskatchewan at the time the notice regarding her professional conduct was received. For the remainder of this agreement M.H. will be referred to as "the Registered Teacher".

1.2 On September 11, 2019 the SPTRB received an Employer's Notice from [School Division XXXXX].

1.3 The Registered Teacher was employed as a teacher by [School Division XXXXX] in [XXXXX], Saskatchewan during the time of the alleged professional misconduct.

1.3.1 The concerns alleged professional misconduct contrary to section 33 of *the Registered Teachers Act*.

33 Professional misconduct is a question of fact, but any matter, conduct or thing, whether or not disgraceful or dishonourable, constitutes professional misconduct within the meaning of this Act if:

- (a) it is harmful to the best interests of students or other members of the public;*
- (b) it tends to harm the standing of the profession;*
- (c) it is a breach of this Act or the bylaws;*

and as defined in section 2.01 of the SPTRB Regulatory Bylaws:

(2) Without restricting the generality of section 33 of the Act, the following conduct on the part of a registered teacher is misconduct:

- (a) conduct which is harmful to the best interest of pupils or affects the ability of a registered teacher to teach;*
- (e) an act or omission that, in the circumstances, would reasonably be regarded by the profession as disgraceful, dishonourable or unprofessional;*

and failure to uphold the Standards of Professional Conduct as set out in Schedule J of the SPTRB Regulatory bylaws:

1. Registered Teachers base their relationship with learners on mutual trust and respect.

2. Registered Teachers have regard for the safety and academic, physical, emotional and spiritual well-being of learners.

3. Registered Teachers act with honesty and integrity.

4. Registered Teachers take responsibility for maintaining the quality of their practice.

5. Registered Teachers uphold public trust and confidence in the education

profession.

- 1.4 Facts were found to substantiate non-compliance with *The Registered Teachers Act, 2015* and the bylaws as set out in Section 1.6 as follows:
 - 1.4.1 During the 2018-2019 school year, the Registered Teacher taught grades 5 and 6 at the school.
 - 1.4.2 During the 2018-2019 school year, Student A was a grade 12 Student at the school where the Registered Teacher taught.
 - 1.4.3 During the 2018-2019 school year, the Registered Teacher coached the junior boys' basketball team with one other school staff member and Student A who assisted them. Student A was asked by both the Registered Teacher and the staff member to assist with coaching the basketball team.
 - 1.4.4 During the 2018-2019 school year, the Registered Teacher received verbal feedback from three colleagues, one being the school Principal, related to professional boundaries following an incident where the registered teacher mistakenly posted a Snapchat message with Student A's name with two hearts beside it. The Registered Teacher removed the post when she was made aware that the posting was not privately sent to the Registered Teacher's friend who had a crush on Student A.
 - 1.4.5 After school on June 21, 2019, the Registered Teacher received an invitation via Snapchat from Student A to join Student A and two other friends at a local licensed establishment. The Registered Teacher accepted the invitation and joined the students at the licensed establishment. The students present when the Registered Teacher arrived included Student A, a grade 11 student and a grade 12 student; all three students were under the legal drinking age in Saskatchewan.
 - 1.4.6 While at the licensed establishment for approximately 2 hours, the Registered Teacher consumed 2 alcoholic beverages and had something to eat with the students. Prior to leaving, the Registered Teacher paid for the bill including the food and alcoholic beverages that Student A and the other two students had.
 - 1.4.7 The Registered Teacher then drove Student A and the two other students to a private residence owned by the brother of one of the students. The Registered Teacher was invited into the residence.
 - 1.4.8 While at the residence, the Registered Teacher and the students consumed alcohol and socialized.
 - 1.4.9 Both the Registered Teacher and Student A became intoxicated.
 - 1.4.10 Eventually, Student A went to the downstairs of the residence and passed out. Student A, then at some point during the evening woke up, vomited and then passed out again, lying down on the couch.
 - 1.4.11 At some point during the evening and due to alcohol consumption, the

Registered Teacher blacked out and then passed out.

1.4.12 Subsequently, later in the evening a photo was taken which showed the Registered Teacher and Student A both clothed and passed out on the couch lying next to each other.

1.4.13 Upon waking in the morning, the Registered Teacher found herself lying next to Student A, realized the situation, and quickly left the residence. The Registered Teacher and Student A stated that nothing intimate or sexual occurred.

1.5 Facts were found to substantiate non-compliance with *The Registered Teachers Act, 2015* and the bylaws as set out in Section 1.6 via:

1.5.1 The Registered Teacher's written response and interview statement.

1.5.2 Interview statements of other witnesses.

1.5.3 Information and data gathered from the school division.

1.6 This agreement relates to non-compliance with *The Registered Teachers Act, 2015* and the bylaws and raises issues regarding professional misconduct as defined in the Act:

33 Professional misconduct is a question of fact, but any matter, conduct or thing, whether or not disgraceful or dishonourable, constitutes professional misconduct within the meaning of this Act if:

(a) it is harmful to the best interests of students or other members of the public;

(b) it tends to harm the standing of the profession;

(c) it is a breach of this Act or the bylaws;

1.6.1 and as defined in the SPTRB Regulatory Bylaws:

2.01(2) Without restricting the generality of section 33 of the Act, the following conduct on the part of a registered teacher is misconduct:

(a) conduct which is harmful to the best interest of pupils or affects the ability of a registered teacher to teach;

(e) an act or omission that, in the circumstances, would reasonably be regarded by the profession as disgraceful, dishonourable or unprofessional;

1.6.2 and as set out in the Standards of Professional Conduct, Schedule J of the SPTRB Regulatory Bylaws:

1. Registered Teachers base their relationship with learners on mutual trust and respect.

2. Registered Teachers have regard for the safety and academic, physical, emotional and spiritual well-being of learners.

3. Registered Teachers act with honesty and integrity.

4. Registered Teachers take responsibility for maintaining the quality of their practice.

5. Registered Teachers uphold public trust and confidence in the education profession.

2. ISSUES FOR RESOLUTION

- 2.1 The Registered Teacher is willing to enter into this agreement to ensure professional conduct. The Registered Teacher acknowledges that she is guilty of the facts stated in Section 1.4 and that she violated the sections of the Act and bylaws and failed to meet the Standards of Conduct stated in Section 1.6 of the agreement.

3. TERMS, CONDITIONS, RESTRICTIONS AND PENALTY

- 3.1 This agreement takes effect on the date of signing and will remain in effect until such time as the agreement is completed.
- 3.2 The Registered Teacher will receive and accept a reprimand.
- 3.3 The Registered Teacher's SK teaching certificate will be suspended for the period of September 1, 2020 to August 31, 2021 (inclusive).
- 3.4 The Registered Teacher will successfully complete, at her expense, one (1) course related to establishing and maintaining appropriate professional boundaries.
- 3.4.1 The course must be pre-approved by the Registrar.
- 3.4.2 The course must be completed after signing of the agreement and prior to the Registered Teacher's teaching certificate being reinstated, with proof of successful completion provided to the Registrar.

4. COMPLIANCE WITH AGREEMENT AND STATUS OF COMPLIANCE

- 4.1 Upon this agreement taking effect and for so long as the Registered Teacher complies with this agreement, the Professional Conduct Committee will take no further action with respect to the complaint and the conduct described in Part 1.
- 4.2 A breach of the agreement will result in the Registered Teacher being referred back to the Professional Conduct Committee for review and further action that may include referral to the Discipline Committee. This agreement may be filed in a subsequent discipline hearing as proof of the facts and admission of guilt.
- 4.3 A breach by the Registered Teacher of this agreement may be professional misconduct. The Registered Teacher acknowledges and understands that if the PCC has reason to believe that the Registered Teacher has breached the agreement, the PCC may initiate a hearing before the Discipline Committee.

5. TRANSPARENCY AND NOTIFICATION

- 5.1 Notification of this agreement shall be in accordance with subsection 36(5) of *The Registered Teachers Act* 2015, SPTRB Bylaws and policies that may exist from time to time.
- 5.2 The existence of the Consensual Complaint Resolution Agreement with the Registered Teacher shall be recorded on the Register.
- 5.3 The Professional Conduct Committee and the Registrar of the SPTRB shall receive and keep a signed copy of the agreement for their records.
- 5.4 The SPTRB shall notify Canadian teaching regulatory bodies and any other regulatory body deemed appropriate.
- 5.5 The Consensual Complaint Resolution Agreement shall be published on the SPTRB website.

6. CONCLUSION OF TERMS, CONDITIONS, RESTRICTIONS AND PENALTY

- 6.1 The PCC reserves the right to negotiate an extension of the terms, conditions and restrictions of this agreement, if the facts warrant it.
- 6.2 Once the Registrar is satisfied that the Registered Teacher has completed all the terms, conditions and restrictions he shall inform the PCC and the Registered Teacher that:
 - 6.2.1 the Registered Teacher's compliance with the agreement has been satisfactory;
 - 6.2.2 the Registered Teacher no longer has terms, conditions and restrictions on her certificate or registration.

7. SIGNATURES

- 7.1 The Registered Teacher acknowledges that she has voluntarily entered into this agreement and is aware of her rights and responsibilities. The Registered Teacher is aware of her right to legal counsel and has chosen to exercise that right. The Registered Teacher accepts this Consensual Complaint Resolution Agreement:

original signed
MEGAN HALL

REGISTERED TEACHER

Date: September 14, 2020

original signed
Witness

Date: September 14, 2020

8. APPROVAL BY PROFESSIONAL CONDUCT COMMITTEE

8.1 The Professional Conduct Committee of the SPTRB approves this Consensual Complaint Resolution Agreement:

original signed

Acting Chair
SPTRB Professional Conduct Committee

Date: September 15, 2020

original signed

Witness

Date: September 15, 2020