



## DISCIPLINE CASE SUMMARY

- a.** Kelvin Rex Neil (Certificate Issued: 1991.06.03; cancelled in 2004 for non-payment of fees)
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- b.** Professional misconduct
- c.** The hearing was held on October 23, 2007, at the College's offices in Vancouver, B.C. The report and recommendations of the Hearing Sub-Committee (the "Committee") were presented to Council on October 20, 2008, in accordance with section 22 of the *Teaching Profession Act*. This matter originated as a report under section 16 of the *School Act*.
- d.** On or about December 2003, while working as a teacher-on-call at a secondary school, Mr. Neil used profane and threatening words towards the students in his classroom.
- e.** The Committee was unanimous in its decision that Mr. Neil, while employed as a teacher-on-call on or about December 2003, became extremely angry, and, by his own admission, "lost it" when confronted with the disrespectful, taunting behaviour of a large group of students. Teachers are expected to know how to deal with difficult classroom management situations. The public needs to be assured that their children will be treated respectfully by the adults who are charged with their care.
- f.** The Committee considered the submission presented by College counsel on penalty, publication and costs. The Committee unanimously agreed that Mr. Neil receive a reprimand. The Committee found that his misconduct is at the less serious end of the scale and that a reprimand, in this instance, is sufficient to indicate to the member and to the public that this type of behaviour is unacceptable and a breach of the standard of care one would expect from an educator. With respect to costs, the Committee recommended that no costs be levied to Mr. Neil. Mr. Neil did not participate in the hearing process, but he also did not place any obstacles in the way of the proceedings. In the matter of publication, the Committee unanimously recommended that his name be published in accordance with sections 27.2 and 27.3 of the *Teaching Profession Act*.
- g.** Council considered the report and recommendations of the Committee and agreed to accept the recommendation and reasons as to penalty, costs and publication.