



IN THE MATTER OF THE *TEACHERS ACT*, SBC 2011 c. 19

AND

IN THE MATTER CONCERNING

DENISE MARIE ALLARD



CONSENT RESOLUTION AGREEMENT

BETWEEN:

THE COMMISSIONER, APPOINTED UNDER THE *TEACHERS ACT*
(the “Commissioner”)

AND:

DENISE MARIE ALLARD
(“Allard”)

BACKGROUND and FACTS

1. Allard held an Interim Professional Certificate, restricting to teaching in French only, No. [REDACTED]. It was issued by the B.C. College of Teachers (the “College”) under the *Teaching Profession Act* on November 22, 1989, and was valid from September 1, 1989 until August 31, 1991.
2. Allard holds a valid Professional Certificate of Qualification, restricted to teaching in French Immersion only, No. [REDACTED]. It was issued by the College under the *Teaching Profession Act* on July 17, 1995, is valid from September 1, 1995 and was continued under the *Teachers Act* as of January 9, 2012.
3. At all material times, Allard was employed as a teacher on call (“TOC”) by School District 72 (Campbell River) at a District secondary school (the “School”).
4. On September 26, 2018, the District made a report to the Commissioner regarding Allard, under section 16 of the *Teachers Act*.

5. The following events occurred on September 21, 2017, when Allard was the TOC for a Grade 10-12 robotics class at the School:
 - a. While Allard was supervising the class, Student A held Student B in a chokehold, which caused Student B to lose consciousness and fall to the floor. Allard did not see this occurring.
 - b. Student B approached Allard, and told her that he had lost consciousness and that he was hurt. He also showed her a lump which was developing on his head.
 - c. When Student B indicated he wanted to go to the office to get ice, Allard suggested that someone accompany him, but Student B said he would go alone. At no time did Allard insist that Student B be accompanied to the office even though she knew he had lost consciousness.
 - d. Allard did not call the front office to advise School administration that Student B was on his way in order to ensure that he arrived safely.
 - e. After Student B left the classroom, Student A told Allard that he wanted to accompany him to the office. Allard denied him permission to do so. Student A then left the classroom without Allard's permission.
 - f. Shortly after Student A left the classroom, another student told Allard that Student A had been responsible for Student B's injury. Allard did not call the office to alert School administration to this fact.
 - g. While at the office, Student B exhibited significant disorientation and was later taken to the hospital where it was confirmed that he had suffered a concussion.
 - h. At the end of the day, Allard left a note for the regular teacher of the robotics class. In her note she wrote: "Hi [teacher], all went well – thanks – Good class – only [Student C] was absent."
6. On February 9, 2018, the District removed Allard from the TOC list.
7. On October 19, 2018 the Commissioner considered this matter and determined to propose a consent resolution agreement to Allard, in accordance with section 53(1)(a) of the *Teachers Act*.

DISPOSITION

8. This Agreement is made under section 53 of the *Teachers Act*.
9. Allard understands and acknowledges that this Agreement is not effective until executed

by the Commissioner, and that the date of execution by the Commissioner will be the effective date of this Agreement (the “Effective Date”).

10. Allard admits that the facts set out in paragraphs 1 to 6 of this Agreement are true.
11. Allard admits that the conduct described in paragraph 5 of this Agreement constitutes professional misconduct and is contrary to Standard #1 of the *Standards for the Education, Competence and Professional Conduct of Educators in British Columbia*, Fourth Edition, January 2012.
12. Allard agrees to a 7-day suspension of her certificate of qualification under sections 53 and 64(b) of the *Teachers Act*. The suspension will take effect on November 26, 2018.
13. In determining that a suspension is an appropriate consequence, the Commissioner considered the following factors:
 - a. Student B sustained a serious injury and Allard failed to take appropriate steps in light of that fact; and
 - b. Allard lacked insight into her behaviour and failed to acknowledge responsibility for what occurred.
14. Allard agrees not to make any statement orally or in writing which contradicts, disputes or calls into question the terms of this Agreement or the admissions made in it.

CONSEQUENCES OF THE AGREEMENT

15. The Director of Certification will record the terms of this Agreement on the Teacher Regulation Branch’s online registry under section 79(d) of the *Teachers Act*.
16. Allard acknowledges that this Agreement will be published in accordance with section 54 of the *Teachers Act*, which includes posting the Agreement, in full, on the following website: www.bcteacherregulation.ca.
17. Notification of this Agreement will be made in accordance with section 55 of the *Teachers Act*.
18. A breach by Allard of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
19. Allard acknowledges and understands that if the Commissioner has reason to believe that she has breached any term of this Agreement:
 - a. the Commissioner may initiate an investigation under section 47(1)(b) of the

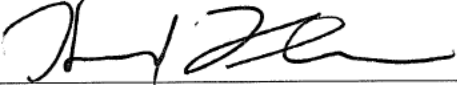
Teachers Act into her conduct; and

- b. the conduct and matters described in the “Background and Facts” to this Agreement are admissible in that inquiry as proof that Allard has admitted to the conduct and matters set out in this Agreement.
20. Allard acknowledges that she has voluntarily entered into this Agreement with the benefit of independent legal advice, and that she fully understands the terms and conditions set out in this Agreement.

Signed in Campbell River, B.C.
this 11th day of November, 2018.


Denise Marie Allard

Signed in Vancouver, B.C.
this 23 day of November, 2018.


Howard L. Kushner, Commissioner