



BRITISH COLUMBIA
COMMISSIONER FOR
TEACHER REGULATION

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

AND

IN THE MATTER CONCERNING

ANITA LOUISE BELL

██████████

CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

ANITA LOUISE BELL
(“Bell”)

BACKGROUND and FACTS

1. Bell holds a valid Professional Certificate of Qualification, No. ██████████. It was issued by the B.C. College of Teachers under the *Teaching Profession Act* on August 8, 1988, is valid from September 1, 1988 and continued under the *Teachers Act* as of January 9, 2012.
2. At all material times, Bell was employed as an elementary school teacher by School District No. 43 (Coquitlam) (the “District”) at a District school (the “School”).
3. On January 11, 2018, the District made a report to the Commissioner regarding Bell, under section 16 of the *School Act*.
4. The following events occurred in September and October, 2017:
 - a. Student A was a 4-year old student in Bell’s Kindergarten class (the “Class”).
 - b. Student A would wet herself frequently at school. On many occasions, Bell did not notice that Student A had wet herself, nor did she put a clear and appropriate plan in

place to cue Student A or assist her in minimizing the number of accidents she had at school. Bell also never sought assistance from the School principal about how to manage Student A's accidents.

- c. When Bell spoke with Student A's parents in mid-September, they discussed Student A's toileting issues. In this conversation, Bell asked Student A's parents if they intended to have more children.
 - d. On September 29, 2017, the Class was supposed to attend an assembly in the School gym. Student A had another accident, so Bell told her to use the washroom in the classroom and then meet up with the rest of the Class in the gym.
 - e. Bell then escorted the Class to the gym, leaving Student A behind.
 - f. When Student A came out of the washroom, the classroom lights were off, and nobody was around. Student A did not know the way to the gym and reported feeling scared.
 - g. Once in the gym, Bell forgot about Student A. It took Bell at least 20 minutes to notice that Student A was not in attendance, at which time she went to the classroom to get her.
5. On October 30, 2017, the District issued Bell a letter of reprimand. The District also required her to complete the Justice Institute of B.C. course, "Foundations of Collaborative Conflict Resolution" in January, 2018.
 6. On February 27, 2018 the Commissioner considered this matter and determined to propose a consent resolution agreement to Bell, in accordance with section 53(1)(a) of the *Teachers Act*.

DISPOSITION

7. This Agreement is made under section 53 of the *Teachers Act*.
8. Bell 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").
9. Bell admits that the facts set out in paragraphs 1 to 5 of this Agreement are true.
10. Bell admits that the conduct described in paragraph 1 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.

11. Bell agrees to a reprimand under sections 53 and 64(a) of the *Teachers Act*. The reprimand will take effect on the first business day following the Effective Date.
12. Bell further agrees under section 64(f) and (h) of the *Teachers Act* that by **April 30, 2019** (the “Condition Date”):
 - a. She will successfully complete the course *Creating a Positive Learning Environment* through the Justice Institute of British Columbia (the “Course”) and provide satisfactory proof of completion to the Commissioner by the Condition Date.
 - b. If Bell does not successfully complete the Course by the Condition Date, she will immediately advise the Commissioner in writing of the reason(s) she has not successfully completed it and set out the date by which she proposes to do so, at which time the Commissioner may extend the Condition Date to a later date (the “Extended Date”).
 - c. If Bell fails to provide satisfactory proof of completion of the Course by the later of the Condition Date or the Extended Date, the Commissioner may require the Director of Certification (“the Director”) to suspend Bell’s certificate of qualification under section 64(f) of the *Teachers Act*, until such time as she successfully completes the Course.
13. In determining that a reprimand and a course requirement are appropriate consequences, the Commissioner considered the following factors:
 - a. Student A was of tender age and leaving her alone in the classroom created a significant safety risk;
 - b. Bell is an experienced Kindergarten teacher who knew better than to leave Student A alone in the classroom;
 - c. Bell expressed remorse for her actions; and
 - d. Bell has no disciplinary history with the Teacher Regulation Branch (“TRB”).
14. Bell 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 TRB’s online registry under section 79(d) of the *Teachers Act*.

16. Bell 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. A breach by Bell of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
18. Bell 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 Bell has admitted to the conduct and matters set out in this Agreement.
19. Bell acknowledges that she has voluntarily entered into this Agreement after being advised of her right to obtain independent legal advice, and that she fully understands the terms and conditions set out in this Agreement.

Signed in CogwHeam, B.C.
this 27 day of August, 2018.


Anita Louise Bell

Signed in Vancouver, B.C.
this 14 day of September, 2018.


Howard L. Kushner, Commissioner