



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

AND

**IN THE MATTER CONCERNING
MELODY ANNE OLGA DREW**

██████████

CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

MELODY ANNE OLGA DREW
(“Drew”)

BACKGROUND and FACTS

1. Drew holds a valid Professional Certificate of Qualification No. ██████████. It was issued by the B.C. College of Teachers under the *Teaching Profession Act* on November 16, 2006, is valid from September 1, 2006 and continued under the *Teachers Act* as of January 9, 2012.
2. At all material times, Drew was employed as an elementary school teacher by School District No. 27 (Cariboo-Chilcotin) (the “District”) at a District school (the “School”).
3. On December 16, 2016, the District made a report to the Commissioner regarding Drew, under section 16 of the *School Act*. This has been designated Case 01.
4. On April 27, 2017, the Commissioner received a complaint about Drew under section 39 of the *Teachers Act*. This has been designated Case 02.
5. On May 18, 2017, the Commissioner Cases 01 and 02.
6. The following events occurred in 2016, when Drew was teaching at the School:
 - a. In 2016, Drew raised her voice in reprimanding her students in an inappropriate manner. She also grabbed and forcefully moved or redirected students by their

shoulders and arms. Sometimes the students were visibly upset. During these incidents, Drew appeared visibly angry and frustrated.

- b. On November 17, 2016, Drew grabbed and held a non-compliant female student in her Kindergarten/Grade 1 class by the wrist. When the student went to the ground in a tantrum, Drew lifted her off the gym floor by the wrist as the student was struggling, screaming and crying. Drew then restrained the upset student against the side of her body as they returned to the classroom. Once there, she forcefully physically directed and yelled at the student to sit in a chair outside the classroom for a “time out”.
 - c. Also on November 17, 2016, Drew ordered a male student in her Kindergarten/Grade 1 class to his desk for a time out. Instead of going to his desk, the student started going out into the hallway for his time out. Drew then grabbed him by his wrist and dragged him to his desk.
7. On April 7, 2016, the District issued Drew a letter of discipline and suspended her for one day. In addition to the one day suspension, the District recommended that Drew undergo counselling for sensitivity training.
 8. On November 24, 2016, the District suspended Drew with pay.
 9. On December 15, 2016, the District issued Drew a letter of discipline. The District suspended Drew for 30 days without pay, commencing December 14, 2016. In addition, the District has required Drew to participate in behavioural therapy to be approved by the District superintendent.
 10. The District had previously raised its concerns with Drew’s conduct. On January 28, 2015, the District issued Drew a letter of warning. The incident giving rise to the letter of warning involved a Grade 1 student who was overtired and crying when dropped off at the School by her mother. The student was difficult to settle and Drew instigated a time out in which the child remained emotional throughout. In its letter, the District reminded Drew that when she feels frustrated with a student’s behaviour, she needs to remove herself from the situation and contact her principal. Drew was also directed to develop and submit a plan of action on how she would change her behaviour so that she was using appropriate volume and tone when dealing with student behaviour.
 11. On May 18, 2017, the Commissioner considered Case 01 and Case 02 and determined to propose a consent resolution agreement to Drew in respect of both of them, in accordance with section 53(1)(a) of the *Teachers Act*.

DISPOSITION

12. This Agreement is made under section 53 of the *Teachers Act*.


13. Drew 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”).
14. Drew admits that the facts set out in paragraphs 1 to 10 of this Agreement are true.
15. Drew admits that the conduct described in paragraph 6 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.
16. Drew agrees to a one-week suspension of her certificate of qualification under sections 53 and 64(b) of the *Teachers Act*. The suspension will take effect from April 3, 2018 up to and including April 9, 2018.
17. Drew agrees under sections 53, 64(f) and 64(h) of the *Teachers Act* that by **April 1, 2018** (the “Condition Date”):
 - a. She will, at her own expense, successfully complete the course “Creating a Positive Learning Environment” through the Justice Institute of B.C. (the “Course”) and provide satisfactory proof of completion of the Course to the Commissioner by the Condition Date;
 - b. If Drew 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 done so, and set out the date by which she proposes to do so, at which time the Commissioner may extend the deadline (the “Extended Date”); and
 - c. If Drew 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 Drew’s certificate of qualification under section 64(f) of the *Teachers Act* until such time as she successfully completes the Course.
18. Drew further agrees that, under sections 53 and 64(h) of the *Teachers Act*, the Director will place a limitation on her certificate of qualification prohibiting her from teaching Kindergarten and Grade 1 for the next two school years (2018-2019 and 2019-2020) and that Drew will have peer mentorship during the 2018-2019 school year.
19. Drew 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

20. The Director will record the terms of this Agreement on the Branch’s online registry under section 79(d) of the *Teachers Act*.

21. Drew 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.
22. Notification of this Agreement will be made in accordance with section 55 of the *Teachers Act*.
23. A breach by Drew of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
24. Drew 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 Drew has admitted to the conduct and matters set out in this Agreement.
25. Drew 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 Williams Lake, B.C.
this 16th day of February, 2018.


Melody Anne Olga Drew

Signed in Vancouver, B.C.
this 1 day of March, 2018.


Elena Miller, Acting Commissioner