



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

AND

IN THE MATTER CONCERNING
OLIVIER SIMON ADRIEN GUY OUELLETTE

██████████
CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

OLIVIER SIMON ADRIEN GUY OUELLETTE
(“Ouellette”)

BACKGROUND and FACTS

1. Ouellette holds a valid Professional Certificate of Qualification, N^o ██████████ issued by the Director of Certification (the “Director”) under the *Teachers Act* on December 1, 2015 and is valid from December 1, 2015.
2. At all material times, Ouellette was employed as a high school teacher by School District No. 93 (Conseil Scolaire Francophone de la Colombie Britannique) (the “District”) at a District school (the “School”).
3. On January 16, 2018, the District made a report to the Commissioner regarding Ouellette, under section 16 of the *School Act*.
4. The following events occurred on September 26, 2017 when Ouellette was teaching a Grade 8 P.E. class:
 - a. A student in the class (Student A) was yelling in the locker room. Ouellette entered

- the locker room to find out what was happening.
- b. Ouellette asked Student A to step outside with him. Ouellette escorted Student A out of the building while gripping Student A's neck.
 - c. Following this incident, Student A reported feeling pain and asked the School secretary for ice to apply to his neck.
5. On December 20, 2017, the District issued Ouellette a letter of discipline, and suspended him without pay for ten days. In addition, the District directed Ouellette to complete an anger management course before the end of the 2017/2018 school year.
 6. On March 2, 2018 the Commissioner considered this matter and determined to propose a consent resolution agreement to Ouellette, 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. Ouellette 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. Ouellette admits that the facts set out in paragraphs 1 to 5 of this Agreement are true.
10. Ouellette admits that the conduct described in paragraph 4 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. Ouellette agrees to a one-day suspension of his certificate of qualification under sections 53 and 64(b) of the *Teachers Act*. The suspension will take effect on **November 21, 2018**.
12. In determining that a suspension is an appropriate consequence, the Commissioner considered the following factors:
 - a. The incident did not require Ouellette to make physical contact with Student A;
 - b. Student A suffered some physical discomfort as a result of the conduct; and
 - c. There is no prior history of discipline.

13. Ouellette 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

14. The Director will record the terms of this Agreement on the Teacher Regulation Branch's online registry under section 79(d) of the *Teachers Act*.
15. Ouellette 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.
16. Notification of this Agreement will be made in accordance with section 55 of the *Teachers Act*.
17. A breach by Ouellette of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
18. Ouellette acknowledges and understands that if the Commissioner has reason to believe that he has breached any term of this Agreement:
- a. the Commissioner may initiate an investigation under section 47(1)(b) of the *Teachers Act* into his conduct; and
 - b. the conduct and matters described in the "Background and Facts" to this Agreement are admissible in that inquiry as proof that Ouellette has admitted to the conduct and matters set out in this Agreement.
19. Ouellette acknowledges that he has voluntarily entered into this Agreement with the benefit of independent legal advice, and that he fully understands the terms and conditions set out in this Agreement.

Signed in Golden, B.C.
this 3 day of November, 2018.


Olivier Simon Adrien Guy Ouellette

Signed in Vancouver, B.C.
this 13 day of November, 2018.


Howard Kushner, Commissioner