



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

AND

IN THE MATTER CONCERNING

LANCER KEVIN PRICE

██████████

CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

LANCER KEVIN PRICE
("Price")

BACKGROUND and FACTS

1. Price holds a valid Professional Certificate of Qualification, No. ██████████. It was issued by the B.C. College of Teachers under the *Teaching Profession Act* on June 9, 1997, is valid from September 1, 1997 and continued under the *Teachers Act* as of January 9, 2012.
2. At all material times, Price was employed as a teacher by School District No. 33 (Chilliwack) (the "District") at a District school (the "School").
3. On January 24, 2018, the District made a report to the Commissioner regarding Price, under section 16 of the *School Act*.
4. The following occurred at the School in 2017:
 - a. Price had a colleague ("Colleague A").
 - b. On three separate occasions, Price harassed Colleague A by touching Colleague A on

the buttocks.

- c. Colleague A reported feeling very uncomfortable by these incidents.
5. On December 20, 2017, the District issued Price a letter of discipline and suspended him without pay for 10 days. Price served his suspension from January 15-19 and January 22-26, 2018. In addition:
 - a. The District transferred Price from the School.
 - b. Price will not be permitted to hold the position of school or District counsellor for the remainder of his time as a District employee.
 - c. Price is required to actively participate in counselling aimed at assisting him in understanding the parameters of appropriate, professional workplace behaviour. Price must complete this counselling by June 30, 2018.
 6. The District had previously disciplined Price in 2009 following an investigation into allegations of sexual harassment. Specifically, on December 11, 2009, the District issued Price a letter of discipline after he was found to have repeatedly sexually harassed two of his teaching colleagues by making sexually suggestive comments and gestures to them. The District transferred Price to a different school and required him to participate in counselling.
 7. On February 27, 2018, the Commissioner considered this matter and determined to propose a consent resolution agreement to Price, 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. Price 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. Price admits that the facts set out in paragraphs 1 to 6 of this Agreement are true.
11. Price admits that the conduct described in paragraph 4 of this Agreement constitutes professional misconduct and is contrary to Standard #2 of the *Standards for the Education, Competence and Professional Conduct of Educators in British Columbia*, Fourth Edition, January 2012.

12. Price agrees to a five-day, retroactive suspension under sections 53 and 64(b) of the *Teachers Act*. The suspension was served on January 15-19, 2018.
13. In determining that a suspension is an appropriate remedy, the Commissioner considered the seriousness of the conduct, and the disciplinary actions of the District as set out in paragraphs 5 and 6 above.
14. Price 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. Price 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 Price of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
18. Price 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 Price has admitted to the conduct and matters set out in this Agreement.

19. Price 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 Chilliwack, B.C.
this 8 day of October, 2018.



Lancer Kevin Price

Signed in Vancouver, B.C.
this 30 day of October, 2018.

Howard L. Kushner
Howard L. Kushner, Commissioner