



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

AND

IN THE MATTER CONCERNING

MICHAEL SEDLAK



CONSENT RESOLUTION AGREEMENT

BETWEEN:

THE COMMISSIONER, APPOINTED UNDER THE *TEACHERS ACT*

(the “Commissioner”)

AND:

MICHAEL SEDLAK

(“Sedlak”)

BACKGROUND and FACTS

1. Sedlak holds a valid Professional Certificate of Qualification, No. [REDACTED]. It was issued by the B.C. College of Teachers under the *Teaching Profession Act* on September 7, 2000, is valid from September 1, 2000 and continued under the *Teachers Act* as of January 9, 2012.
2. At all material times, Sedlak was employed as a high school teacher by School District No. 42 (Maple Ridge – Pitt Meadows) (the “District”) at a District school (the “School”).
3. On May 27, 2017, the District made a report to the Commissioner regarding Sedlak, under section 16 of the *School Act*.
4. The following events occurred during the 2015/2016 school year when Sedlak was teaching Grade 9 English at the School:
 - a. Sedlak would frequently use nicknames when addressing students instead of their

given names. As an example, Sedlak would often add “erator” to the end of a student’s name so that the name “Bruce” would become “Brucerator”. After the class finished reading Farley Mowatt’s book *Never Cry Wolf*, Sedlak referred to male students in the class as “my moose” and “my caribou” and to female students as “my deer.” Students reported feeling awkward and uncomfortable with Sedlak’s use of nicknames.

- b. When students asked to go to the washroom, Sedlak would ask them “how much change do you have on you?” While Sedlak meant this as a joke and never took money from them, students described these comments as being “weird.”
 - c. Sedlak sometimes played Clash of the Clans on his iPhone during a portion of silent reading time (for less than a minute each time) in full view of his students.
5. On May 24, 2017, the District issued Sedlak a letter of discipline and suspended him for three days without pay. The District has also required that Sedlak have ongoing monitoring and regular check-ins by his administrators and that he work with school administrators on a professional growth plan to support his continued development.
 6. The District had previously raised its concerns with Sedlak’s conduct as follows:
 - a. On February 21, 2014, the District issued Sedlak a letter of expectation indicating that it was incumbent upon him as a teacher to interact with students in a manner that is not disrespectful, degrading, humiliating or embarrassing. He was directed to attend a workshop on maintaining professional boundaries with students (which he completed on April 3, 2014) and to enroll in the District Mentorship Program.
 - b. On May 12, 2014, the District issued Sedlak a letter of warning. Sedlak was advised of the District’s expectation that he maintain professional boundaries with students and that he ensure that his interactive approach with students is respectful and dignified.
 - c. On October 1, 2015, the District issued Sedlak a one-day suspension and required him to attend sessions on respecting boundaries and sensitivity training. In the letter the District made it clear that Sedlak needed to be more appropriate and professional when engaging with students.
 7. On July 19, 2016, the Commissioner signed a Consent Resolution Agreement with Sedlak which was based on the same facts which gave rise to the District’s May 12, 2014 letter of warning and October 1, 2015 letter of suspension. Under the terms of that agreement, Sedlak agreed to a reprimand under sections 53 and 64(a) of the *Teachers Act*.
 8. On July 5, 2017 the Commissioner considered this matter and determined to propose a

consent resolution agreement to Sedlak, in accordance with section 53(1)(a) of the *Teachers Act*.

DISPOSITION

9. This Agreement is made under section 53 of the *Teachers Act*.
10. Sedlak 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”).
11. Sedlak admits that the facts set out in paragraphs 1 to 7 of this Agreement are true.
12. Sedlak 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.
13. Sedlak 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.
14. Sedlak also agrees under section 64(f) and (h) that by **April 30, 2019** (the “Condition Date”):
 - a. He will successfully complete the course “Reinforcing Respectful Professional Boundaries” through the Justice Institute (the “Course”) and provide satisfactory proof of completion to the Commissioner by the Condition Date.
 - b. If Sedlak does not successfully complete the Course by the Condition Date, he will immediately advise the Commissioner in writing of the reason(s) he has not successfully completed it and set out the date by which he proposes to do so, at which time the Commissioner may extend the deadline to a later date (the “Extended Date”).
 - c. If Sedlak 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 to suspend Sedlak’s certificate of qualification under section 64(f) of the *Teachers Act*, until such time as he successfully completes the Course.
15. Sedlak 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

16. 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*.
17. Sedlak 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.
18. A breach by Sedlak of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
19. Sedlak 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 Sedlak has admitted to the conduct and matters set out in this Agreement.
20. Sedlak 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 Burnaby, B.C.
this 18 day of MARCH, 2018.


Michael Sedlak

Signed in Vancouver, B.C.
this 24 day of April, 2018.


Elena Miller, Acting Commissioner
Howard Kushner, Commissioner