



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

AND

IN THE MATTER CONCERNING
WOLFGANG EHEBALD

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

BETWEEN:

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

AND:

WOLFGANG EHEBALD
(“Ehebald”)

BACKGROUND and FACTS

1. Ehebald holds a valid Professional Certificate of Qualification, No. ██████████. It was issued by the B.C. College of Teachers under the *Teaching Profession Act* on October 21, 1992, is valid from September 1, 1992 and continued under the *Teachers Act* as of January 9, 2012.
2. At all material times, Ehebald was employed as a teacher on call with School District No. 39 (Vancouver) (the “District”), working at various elementary and secondary schools in the District.

File 02

3. On November 14, 2013, the District made a report to the Commissioner regarding Ehebald, under section 16(6) of the *School Act*, regarding his conduct while working on call on May 15, 2013 and September 16, 2013. The Teacher Regulation Branch (the “Branch”) opened File 02.

4. On May 15, 2013, Ehebald worked as a teacher on call at an elementary school where he worked in the "Low Incidence Resource Program", with special needs students who required constant supervision because from time to time their behaviour created a safety risk to themselves or others. Around lunch time, Ehebald agreed to supervise two students in the class while the Student Support Assistant ("SSA") took students to a different area. Ehebald did not properly supervise the two students but instead worked on a crossword puzzle. By failing to supervise these students, Ehebald created a risk of harm for them. When the SSA returned, she asked Ehebald for help with the students because she was concerned about their safety, but he initially continued to do the crossword puzzle.
5. On September 16, 2013, Ehebald worked as a teacher on call at an elementary school where he was assigned to work with several students in the intermediate remedial program, who required constant supervision because from time to time their behaviour created a safety risk to themselves or others. The day plan left by the regular teacher specifically stated that the students should not be left alone. Ehebald took two of the students to the gym, but left them unsupervised in the hallway by the gym when he returned to the classroom to get the key to the gym.
6. On November 4, 2013, the District disciplined Ehebald in respect of the conduct set out in paragraphs 4 and 5 by issuing a letter of discipline.

File 03

7. On January 31, 2014, the District made a report to the Commissioner regarding Ehebald, under section 16(2) of the *School Act*, regarding his conduct while working on call on October 24, 28 and 29, 2013. The Branch opened File 03.
8. On October 24, 28 and 29, 2013, Ehebald worked at a secondary school as a teacher on call in a grade 8/9 social development class for students with learning disabilities and other special needs. During these three days, Ehebald:
 - a. did not follow the teacher's day plan and did not provide adequate instruction to students.
 - b. read the newspaper during class time,
 - c. interacted with students in a negative manner which was not conducive to their learning,
 - d. made a derogatory comment to the SSA about the way that a student walked, and
 - e. made an unwelcome personal comment to a female SSA to the effect that she looked

good in the pants she was wearing.

9. When the District notified Ehebald that it was investigating his conduct, Ehebald attempted to speak by telephone with the SSAs at the secondary school to ask them about the complaint that he believed they had made.
10. On January 28, 2014, the District disciplined Ehebald in respect of the conduct in paragraphs 8 and 9 by suspending him without pay from the District's Teacher-on-Call list for five days from February 3, 2014 to February 7, 2014, inclusive.

File 04

11. On June 27, 2014, the District made a report to the Commissioner regarding Ehebald, under section 16(2) of the *School Act*, regarding his conduct while working on call on May 5, 2014. The Branch opened File 04.
12. On May 5, 2014, Ehebald worked as a teacher on call at a secondary school with students in a special needs modified program, when:
 - a. Ehebald did not follow the day plan left by the regular teacher and did not deliver adequate instruction to the students.
 - b. Ehebald read the newspaper during class time.
 - c. Ehebald worked at another school in the afternoon, and made several phone calls during instructional time to the classroom at the school where he worked in the morning in order to contact the regular teacher, which disrupted student instruction.
 - d. The next day, Ehebald met the regular teacher in the hallway and repeatedly asked this teacher not to complain to administration about Ehebald's work the day before.
13. On June 27, 2014, the District disciplined Ehebald in respect of the conduct in paragraph 12 by suspending him without pay for ten days from October 6 to 17, 2014, inclusive.
14. On April 29, 2015, the Commissioner issued a citation to Ehebald under section 56 of the *Teachers Act* (the "Citation") in respect of the conduct in Files 02, 03 and 04 set out in paragraphs 4, 5, 8, 9 and 12.

File 05

15. On December 9, 2015, the District made a report to the Commissioner regarding Ehebald, under section 16(3) of the *School Act*, regarding his conduct while working on call on November 6, 2015. The Branch opened File 05.
16. On November 6, 2015, Ehebald worked as a teacher on call at an elementary school.
 - a. In the morning, all of the intermediate level classes went on a field trip. Ehebald was instructed to stay in the library and supervise the one student who did not go on the field trip. Ehebald had minimal interaction with this student. The student went to the Teacher-Librarian for assistance, although she was busy working with primary students. The Teacher-Librarian interacted with the student to assign him some school work. Ehebald sat at a table next to the student's table and had minimal interaction with him. Once the student was finished the assignment, he started to read. Ehebald used this time to read a dictionary.
 - b. The student left the library after he received permission from the Teacher-Librarian to go to his locker and go to the washroom.
 - c. A few minutes after, the intermediate students returned from the field trip. The student did not return to the library, so Ehebald assumed he had returned to his classroom.
 - d. Another teacher came into the library to direct the student back to class. When she did not see him, she asked Ehebald where he was, to which Ehebald responded that the student was not there and said words to the effect of "I think he's in the bathroom". She went to the bathroom to locate the student but he was not there. She came back and directed Ehebald to go upstairs and check if the student was in his class because it was a student safety issue. Ehebald went upstairs, although he did not know what grade or classroom the student was in.
 - e. In the afternoon, Ehebald was assigned to work with two teachers who were team teaching the grade 6 and 7 classes for art. The students were working on a "scratch painting" project. Ehebald used this time to make his own drawing.
17. On December 9, 2015, the District disciplined Ehebald in respect of the conduct in paragraph 16 by removing him from the Teacher On Call list and terminating his employment.

18. Prior to the discipline referred to in the preceding paragraphs of this Agreement, the District had issued letters of expectation to Ehebald on February 1, 2001, February 23, 2001, April 18, 2007, November 7, 2007, and May 26, 2010.
19. On February 2, 2016, the Commissioner considered the matters in Files 02, 03, 04 and 05 and determined to propose a consent resolution agreement to Ehebald, in accordance with section 53(1)(a) of the *Teachers Act*.

DISPOSITION

20. This Agreement is made under section 53 of the *Teachers Act*.
21. Ehebald 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").
22. Ehebald admits that the facts set out in paragraphs 1 to 18 of this Agreement are true.
23. Ehebald admits that the conduct described in paragraphs 4, 5, 8, 9, 12 and 16 of this Agreement constitutes professional misconduct and is contrary to Standards #1, 2, 3 and 5 of the *Standards for the Education, Competence and Professional Conduct of Educators in British Columbia*, Fourth Edition, January 2012.
24. Ehebald agrees to a suspension of his certificate of qualification for a period of three months under sections 53 and 64(b) of the *Teachers Act*. The suspension will start on September 1, 2016 and end on November 30, 2016, inclusive.
25. Ehebald 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.

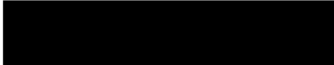
CONSEQUENCES OF THE AGREEMENT

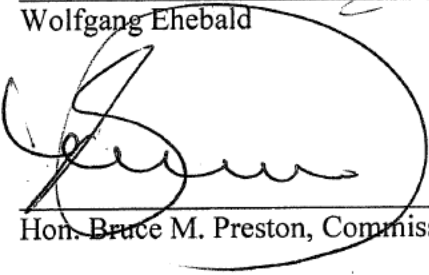
26. The Director of Certification will record the terms of this Agreement on the Branch's online registry under section 79(d) of the *Teachers Act*.
27. Notification of this Agreement will be made in accordance with section 55 of the *Teachers Act*.
28. Ehebald acknowledges that this Agreement will be published in accordance with section 54 of the *Teachers Act*, which includes posting the Agreement, in full, on the following website: www.bcteacherregulation.ca.

29. On the execution of this Agreement by the Commissioner on the Effective Date, no further action will be taken under sections 53 or 56 of the *Teachers Act* with respect to the matters contained in this Agreement and the Citation, unless Ehebald does not comply with one or more of the terms of this Agreement.
30. A breach by Ehebald of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
31. Ehebald 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 Ehebald has admitted to the conduct and matters set out in this Agreement.
32. Ehebald 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 Vancouver, B.C.
this 6 day of May, 2016.

Signed in Vancouver, B.C.
this 11 day of May, 2016.


Wolfgang Ehebald


Hon. Bruce M. Preston, Commissioner