



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

AND

IN THE MATTER CONCERNING

FREDERICK DALE GAULT



CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

FREDERICK DALE GAULT
(“Gault”)

BACKGROUND and FACTS

1. Gault 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 June 3, 1991, is valid from January 1, 1988 and continued under the *Teachers Act* as of January 9, 2012.
2. At all material times, Gault was employed as a high school teacher by School District No. 39 (Vancouver) (the “District”) at a District school (the “School”).
3. On March 7, 2016, the District made a report to the Commissioner regarding Gault, under section 16 of the *School Act*.
4. The following events occurred in 2015:
 - a. The School conducted periodic safety drills, including a “Code Red” drill to prepare for a situation where disabling or life-threatening violence is either occurring or threatened within the school. The District’s and the School’s Code Red lockdown

procedures require teachers to:

- i. shut and secure the classroom door, and turn off the lights;
 - ii. ask for silence;
 - iii. gather students on the floor and out of sight of anyone at the door;
 - iv. close windows, blinds or drapes and cover door glass;
 - v. get behind heavy furniture or move into interior rooms; and
 - vi. not open the classroom door, regardless of who they may think is on the other side.
- b. The School's Code Red drill had been initially scheduled for November 25th, but was rescheduled to December 15th. Teachers were given notice on multiple occasions, in multiple ways, of the changed date, as well as the time of the drill.
- c. Gault had scheduled his Grade 11 English class to sit an exam on December 15th. Although he knew the Code Red drill would take place during that period, he proceeded with administering the exam.
- d. Gault did not follow District policy during the Code Red drill as evidenced by the following:
- i. When the Code Red drill started, Gault told his class that they should keep on writing their tests.
 - ii. The lower half of the classroom windows were not adequately covered, so people could see students through the window beside the door.
 - iii. Students were in their desks working on their tests, and not taking cover or crouching, away from where they could be seen.
 - iv. When a Vancouver Police Department officer attempted to open the classroom door, waited and then knocked, Gault unlocked the door. After opening the door, Gault and the police officer had a brief conversation about the Code Red Drill and Gault closed the classroom door.
5. On March 7, 2016, the District issued Gault a letter of discipline.

6. On April 21, 2016 the Commissioner considered this matter and determined to propose a consent resolution agreement to Gault, 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. Gault 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. Gault admits that the facts set out in paragraphs 1 to 5 of this Agreement are true.
10. Gault 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. Gault 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.
12. Gault 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

13. 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*.
14. Gault 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.
15. A breach by Gault of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
16. Gault 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 Gault has admitted to the conduct and matters set out in this Agreement.

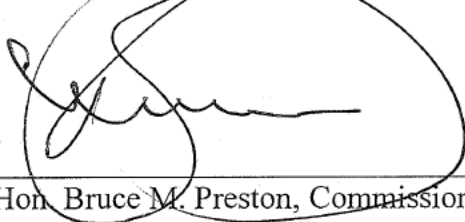
17. Gault acknowledges that he has voluntarily entered into this Agreement with the benefit of independent legal advice, and that he/she fully understands the terms and conditions set out in this Agreement.

Signed in VANCOUVER, B.C.
this 14 day of SEPTEMBER, 2016.

Signed in VANCOUVER, B.C.
this 28 day of SEPTEMBER, 2016.



Frederick Dale Gault



Hon. Bruce M. Preston, Commissioner