



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

AND

IN THE MATTER CONCERNING  
MATTHEW NORMAN LETTINGTON



CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

MATTHEW NORMAN LETTINGTON  
(“Lettington”)

**BACKGROUND and FACTS**

1. Lettington 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 January 11, 2006, is valid from January 1, 2006 and continued under the *Teachers Act* as of January 9, 2012.
2. At all material times, Lettington was employed as a high school teacher by School District No. 68 (Nanaimo) (the “District”).
3. On September 29, 2015, the Commissioner initiated an investigation into Lettington’s conduct under section 47(1)(b) of the *Teachers Act*.
4. The following events occurred during the 2014/2015 school year when Lettington was teaching at a District school:
  - a. In October or November 2014, a student in Lettington’s Grade 12 photography class asked him why the paintbrushes were dirty. Lettington responded and used a derogatory and demeaning term about the abilities of other students.

- b. In November 2014, a female student in his Grade 12 Photography class told Lettington that she might not be in a class on a certain day. Lettington asked her “Why? Is it a boyfriend?” When the student said that it was because of a cousin, Lettington asked “Is it a kissing cousin?” and when the student looked confused, he did not offer an explanation for what that term means. The student reported that this made her feel “weird and awkward.”
  - c. In explaining a “selfie” project to his Grade 12 Photography class, Lettington showed sample images from social media and made a point of saying that girls like to get their bust in the picture after which he began laughing nervously. At least one student reported feeling uncomfortable as a result.
  - d. Lettington posted one photograph of a student on his Facebook page where her face was not obscured, although she was wearing sunglasses. He posted another photograph of a student without her face being obscured on his Instagram. He did not have parental consent to publish these photographs, which is required by District policy in cases where a student is identifiable.
  - e. During a Grade 12 Film Studies class, Lettington took a photo of a student with the student’s consent. He then manipulated the photograph and sent the altered image to one of the student’s classmates via private Instagram message. He then engaged in an exchange with the classmate writing “Is he mad?” and “Oh god. You’re pissed.”
5. The District has previously disciplined Lettington as follows:
- a. on March 2, 2009 when he was suspended for 20 days due to inappropriate interactions and communications with students. The District required him to complete a course on relationship and boundaries issues.
  - b. On June 27, 2016, the District issued Lettington a letter of discipline, and suspended him for five days without pay. Lettington served his suspension June 24-30, 2016. In its letter, the District also directed Lettington as follows:
    - He was told to avoid any and all behaviour which could be perceived as “grooming” behaviour;
    - He was told not to have any communications with students using any technology other than his District email account;
    - He was told not to communicate with students using an alias of any kind;
    - He was told not to take any photographs or form any images whatsoever of students; and

- He was told he was not to sponsor or participate in any school clubs, teams or other extra-curricular activities.
6. On August 13, 2013, the Commissioner signed a Consent Resolution Agreement with Lettington which was based on the same facts which gave rise to the District's March 2, 2009 letter of discipline. Under the terms of that agreement, Lettington agreed to a 30-day suspension of his certificate of qualification commencing September 3, 2013.
  7. On November 10, 2016 the Commissioner determined to propose a consent resolution agreement to Lettington 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. Lettington 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. Lettington admits that the facts set out in paragraphs 1 to 6 of this Agreement are true.
11. Lettington 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.
12. Lettington agrees to a reprimand under sections 53 and 64(a) of the *Teachers Act*. The reprimand will take effect on the first day following the Effective Date.
13. Lettington agrees under section 64(f) and (h) of the *Teachers Act* that by **April 1, 2018** (the "Condition Date"):
  - a. He will successfully complete the course *Creating a Positive Learning Environment* through the Justice Institute of British Columbia (the "Course") and provide satisfactory proof of completion to the Commissioner by the Condition Date.
  - b. If Lettington 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 Condition Date to a later date (the "Extended Date").
  - c. If Lettington 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 ("the Director") to suspend Lettington's certificate of

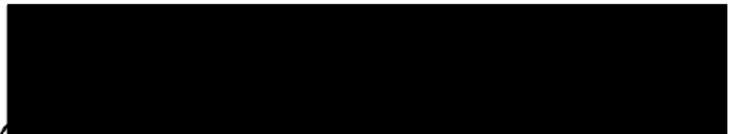
qualification under section 64(f) of the *Teachers Act*, until such time as he successfully completes the Course.

14. Lettington 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. Lettington 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](http://www.bcteacherregulation.ca).
17. A breach by Lettington of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
18. Lettington acknowledges and understands that if the Commissioner has reason to believe that he has breached any term of this Agreement:
- the Commissioner may initiate an investigation under section 47(1)(b) of the *Teachers Act* into his conduct; and
  - the conduct and matters described in the "Background and Facts" to this Agreement are admissible in that inquiry as proof that Lettington has admitted to the conduct and matters set out in this Agreement.
19. Lettington 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 Nanaimo, B.C.  
this 12 day of September, 2017.



Matthew Norman Lettington

Signed in Vancouver, B.C.  
this 3 day of October, 2017.

  
Hon. Bruce M. Preston, Commissioner