



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

AND

IN THE MATTER CONCERNING

JUSTIN ROBERT MORGAN

██████████

CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

JUSTIN ROBERT MORGAN  
(“Morgan”)

#### **BACKGROUND and FACTS**

1. Morgan 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 28, 1994, is valid from September 1, 1994 and continued under the *Teachers Act* as of January 9, 2012.
2. At all material times, Morgan was employed as a high school teacher by School District No. 22 (Vernon) (the “District”) at a District school (the “School”).
3. On November 16, 2016, the District made a report to the Commissioner regarding Morgan, under section 16 of the *School Act*.
4. The following events occurred in September 2016 when Morgan taught Grade 8 Social Studies and Grade 12 Sociology at the School:
  - a. Morgan was visibly angry when teaching Grade 8 students, and raised his voice when addressing the class. Morgan would tell students to “shut up” and to “shut your mouth” if they were talking in class. Morgan described students who wore hats to school as “dickheads.” Morgan swore and used inappropriate language in class,

using words like “shit”, “ass”, “dickhead” and “prick”, and telling students to “stop bitching.” Some students reported feeling uncomfortable, anxious, intimidated and scared.

- b. Morgan was frustrated when teaching Grade 12 students and used inappropriate language in class including “shit”, “fuck”, “bullshit” and “bitch”. Some students reported feeling uncomfortable, intimidated and frustrated as a result and described the learning environment as being negative.
5. On November 15, 2016, the District issued Morgan a letter of discipline and suspended him without pay for ten days. The District also directed to take the course “Creating a Positive Learning Environment” offered by the Justice Institute of British Columbia (“JIBC”). Morgan completed the course in July 2017.
  6. The District had previously raised concerns with Morgan’s conduct as follows:
    - a. On June 21, 2006, the District suspended Morgan without pay for 7 days after he engaged in boundaries violations involving a Grade 12 student.
    - b. On May 13, 2009, the District suspended Morgan for 10 days without pay after he used the school computer for personal matters, used inappropriate language with his students on a number of occasions, and allowed students to use inappropriate language in his classroom. As a result of this incident, on July 2, 2009, the district provided Morgan with a letter setting out its expectations for the coming school year, including its expectation around the use of appropriate language.
  7. On February 15, 2017 the Commissioner considered this matter and determined to propose a consent resolution agreement to Morgan, 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. Morgan 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. Morgan admits that the facts set out in paragraphs 1 to 6 of this Agreement are true.
11. Morgan 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. Morgan 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. Morgan 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.

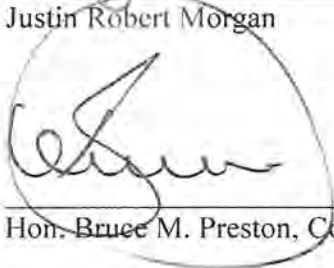
#### CONSEQUENCES OF THE AGREEMENT

14. 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*.
15. Morgan 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).
16. A breach by Morgan of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
17. Morgan 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 Morgan has admitted to the conduct and matters set out in this Agreement.
18. Morgan 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 Vernon, B.C.  
this 18 day of August, 2017.

  
Justin Robert Morgan

Signed in VANCOUVER, B.C.  
this 30 day of August, 2017.

  
Hon. Bruce M. Preston, Commissioner