



BRITISH COLUMBIA  
COMMISSIONER FOR  
TEACHER REGULATION

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

AND

IN THE MATTER CONCERNING

DALE RICHARD ABLETT



CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

DALE RICHARD ABLETT  
(“Ablett”)

**BACKGROUND and FACTS**

1. Ablett 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 October 6, 1997, is valid from September 1, 1997, and was continued under the *Teachers Act* as of January 9, 2012.
2. At all material times, Ablett 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 July 4, 2019, the District made a report to the Commissioner regarding Ablett, under section 16 of the *School Act*.
4. The following events occurred in the 2018/2019 school year when Ablett was teaching automotive and power mechanics at the School:
  - a. On December 11, 2018, four students in Ablett’s class spent approximately half an



hour “hanging out” in a vehicle during class time, listening to music. At one point, the vehicle was lifted on a hoist, approximately 7 feet into the air, with the students in it. Ablett was in the auto shop during this incident.

- b. Ablett failed to maintain a safe and clean learning environment by not ensuring that the floor space of the auto shop was clean and clear of potential dangers. Specifically, the auto shop was cluttered and messy with preventable hazards like chairs, hoses, and tires strewn on the floor.
  - c. Ablett failed to lock and secure doors to the auto shop, despite having been directed to do so. This resulted in students working on vehicles without proper supervision.
  - d. Ablett allowed the cutting machine to remain located between two vehicles, with no curtain or screen to prevent sparks from flying.
5. The District had previously raised concerns it had with Ablett as follows:
- a. In 2013, the School’s Occupational Health and Safety Committee inspected the auto shop and identified a number of concerns. One of the concerns, which was shared with Ablett, was that students were observed in vehicles up on hoists. Ablett was directed to ensure that students were not in cars when the vehicle hoist was being operated.
  - b. In May 2016, a member of the School’s Occupational Health and Safety Committee observed a student hanging off the side of a car which was five feet above the ground on a vehicle hoist. Ablett was told at that time that this was unsafe.
  - c. On November 30, 2016, the School principal provided Ablett with a memo about concerns he had with the maintenance of the auto shop. Specifically, the principal identified a potential safety hazard with tools and equipment lying around the room, and the storage of gasoline fueled engines without proper ventilation.
  - d. On January 20, 2017, the School principal issued Ablett a letter of expectation regarding ongoing health and safety concerns. Ablett was reminded to keep the auto shop free of tripping hazards, to store materials properly and to ensure compliance with the Workplace Hazardous Materials Information System.
  - e. On March 11, 2017, the School principal wrote Ablett about concerns he had with a lack of supervision of students in and around the auto shop.
  - f. On January 30, 2018, the School’s vice principal met with Ablett to review concerns about how the two shop classrooms were kept and the resultant safety concerns. Concerns raised with Ablett included the following:



- the clutter and general lack of cleanliness
  - the danger posed by hoses, extension cords and engine parts scattered about the room and on the ground
  - the fact that inside and outside doors leading to the shop were often left unlocked, giving students unimpeded access to the shop
  - the fact that there were many containers whose contents were unlabeled
- g. In March 2018, the School's vice principal directed Ablett to remove his two personal vehicle and jet ski from the shop and reminded him again to ensure that floor space is clean and clear of potential dangers, that containers are clearly labeled, and doors and bay doors are locked at all times, and that access to 2<sup>nd</sup> floor rooms are secured.
6. On June 19, 2019, the District issued Ablett a letter of discipline and suspended him for one day without pay. In addition, the district required Ablett to complete the following course through the Justice Institute of B.C.: *Creating a Positive Learning Environment*. Ablett was also directed to maintain a safe and clean learning environment in the auto shop.
7. On October 8, 2019, the Commissioner considered this matter and determined to propose a consent resolution agreement to Ablett, in accordance with section 53(1)(a) of the *Teachers Act*.

## CONSEQUENCES

8. This Agreement is made under section 53 of the *Teachers Act*.
9. Ablett 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. Ablett admits that the facts set out in paragraphs 1 to 6 of this Agreement are true.
11. Ablett 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. Ablett agrees to a 3-day suspension of his certificate of qualification under sections 53 and 64(b) of the *Teachers Act*. Ablett will serve his suspension on March 11, 12 and 22, 2021.

13. Ablett agrees under section 64(f) and (h) of the *Teachers Act* that by **April 1, 2021** (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 Ablett 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 Ablett 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 Ablett's certificate of qualification under section 64(f) of the *Teachers Act*, until such time as he successfully completes the Course.
14. In determining that a suspension and course requirement are appropriate consequences, the Commissioner considered the following factors:
- a. Ablett failed to use effective classroom management techniques;
  - b. Ablett failed to maintain a safe and clean learning environment for his students; and
  - c. Ablett had previously been advised about the importance and need to maintain a clean and safe learning environment.
15. Ablett 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.

#### **EFFECT OF THE AGREEMENT**


16. The Director will record the terms of this Agreement on the Ministry of Education's online registry under section 79(d) of the *Teachers Act*.
17. Ablett 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.teacherregulation.gov.bc.ca](http://www.teacherregulation.gov.bc.ca).
18. Notification of this Agreement will be made in accordance with section 55 of the *Teachers Act*.

19. A breach by Ablett of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
20. Ablett 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 Ablett has admitted to the conduct and matters set out in this Agreement.
21. Ablett acknowledges that he has voluntarily entered into this Agreement after being advised of his right to obtain independent legal advice, and that he fully understands the terms and conditions set out in this Agreement

Signed in Maple Ridge, B.C.  
this 19 day of NOVEMBER, 2020.

  
Dale Richard Ablett

Signed in Vancouver, B.C.  
this 24 day of November, 2020.

  
Howard L. Kushner, Commissioner