



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

AND

IN THE MATTER CONCERNING

ALAN STEPHEN BERRY



CONSENT RESOLUTION SUMMARY

This summary is published under section 54(3) of the Teachers Act to protect the identity of a student who was harmed, abused or exploited by the teacher.

1. Berry held an Interim Professional Certificate, No. [REDACTED]. It was issued by the B.C. Department of Education on November 28, 1972 and was valid from September 1, 1972 until June 30, 1976.
2. Berry then held a non-expiring Professional Certificate of Qualification, No. [REDACTED]. It was issued by the B.C. Department of Education on February 27, 1973.
3. Berry next held an Interim Professional Certificate of Qualification. It was issued by the B.C. College of Teachers (the “College”) under the *Teaching Profession Act* on November 22, 2001, and was valid from September 1, 2001 until June 30, 2009.
4. Berry holds a valid Professional Certificate of Qualification, No. [REDACTED]. It was issued by the College under the *Teaching Profession Act* on June 15, 2009, is valid from May 1, 2009 and was continued under the *Teachers Act* as of January 9, 2012.
5. At all material times, Berry was employed as high school teacher by School District No. 65 (Gulf Islands) (the “District”) at a District school (the “School”).
6. On October 16, 2017, the District made a report to the Commissioner regarding Berry, under section 16 of the *School Act*.
7. The following events occurred between September and November, 2016:
 - a. Student A was a special needs student in Berry’s class at the School. Student A had

- an IEP and had been assessed by the District psychologist and speech language pathologist.
- b. Berry did not interact with Student A in a manner which was consistent with the District psychologist's recommendations.
 - c. Berry was dismissive of Student A's well-documented diagnoses, and challenged Student A's parents about the cause of Student A's behaviour in class on more than one occasion.
 - d. Berry made disparaging statements to the Education Assistant about Student A. These comments were made in front of Student A.
 - e. When Berry was asked by the School's vice principal to use positive strategies when interacting with Student A, Berry responded that he did not have the time to do so.
8. In August, 2018, Berry completed the Justice Institute of B.C. course, *Building Your Communication Toolbox*.
 9. On February 21, 2019, Berry entered into a consent resolution agreement with the Commissioner in which he agreed that his conduct described in paragraph 7 above constitutes professional misconduct and is contrary to Standards #1, #3 and #4 of the *Standards for the Education, Competence and Professional Conduct of Educators in British Columbia*, Fourth Edition, January 2012.
 10. Berry agreed to a reprimand under sections 53 and 64(a) of the *Teachers Act*.