



BRITISH COLUMBIA  
COMMISSIONER FOR  
TEACHER REGULATION

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

AND

IN THE MATTER CONCERNING  
DUANE OLIVER KIRKPATRICK  
[REDACTED]

CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

DUANE OLIVER KIRKPATRICK  
(“Kirkpatrick”)

**BACKGROUND and FACTS**

1. Kirkpatrick holds a valid Professional Certificate of Qualification, No. [REDACTED], issued by the Director of Certification (the “Director”) under the *Teachers Act* on February 20, 2020, and valid from that day.
2. At all material times, Kirkpatrick was employed as a high school teacher by School District No. 42 (Maple Ridge-Pitt Meadows) (the “District”) at a District school.
3. On May 30, 2022, the District made a report to the Commissioner regarding Kirkpatrick, under section 16 of the *School Act*.
4. The following events occurred in December 2021:
  - a. Student A, who was 17 years old, was a Grade 12 student at a District high school, but not at the school at which Kirkpatrick taught. Student A also worked part-time at a beer market and bistro (the “Bistro”).



- b. On December 18, 2021, Kirkpatrick was sitting at the counter of the Bistro, wearing a shirt bearing the logo of the school at which he worked. Student A was working behind the bar counter at times. Kirkpatrick and Student A had not met before this evening. Kirkpatrick engaged Student A in conversation, complimenting Student A on their hair. Student A told Kirkpatrick that Student A was 17 years old, was in Grade 12, and was in a hairstyling program affiliated with the District high school which Student A attended. Kirkpatrick told Student A the name of the school at which he taught, which led them to talking about their schools' rivalry. Kirkpatrick and Student A chatted for at least half an hour.
  - c. Student A's coworker approached Student A and said that Student A could leave early as the Bistro was slow. Student A mentioned that they would be going to Walmart to wait for their boyfriend to pick them up.
  - d. Student A then went to the nearby Walmart to do some shopping while waiting to be picked up. A short time later, Kirkpatrick appeared at the Walmart, in the same aisle as Student A. Kirkpatrick told Student A that he was there to pick up some toiletries, although he did not have a shopping basket and ultimately never purchased anything. Kirkpatrick encountered Student A there and approached her in the aisle. He and Student A then had a conversation in the aisle, during which Kirkpatrick touched Student A's shoulder and "flicked" Student A on the forehead. Kirkpatrick noticed that Student A looked concerned and uncomfortable after he had made physical contact with Student A. Kirkpatrick then asked Student A to look at candles which were located on another floor of the store. When looking at candles, Kirkpatrick reached over and pulled down Student A's facial mask, unhooking it from the ear, so that Student A could smell one. Kirkpatrick saw that Student A looked concerned as he did this. Kirkpatrick then asked Student A if Student A had a boyfriend.
  - e. Student A was very uncomfortable at this point but stayed in the store to wait for their boyfriend to arrive. Kirkpatrick stayed close to student A but did not purchase any items.. When Student A's partner indicated that he was waiting for Student A out front, Student A told Kirkpatrick that Student A had to leave. Kirkpatrick then asked for Student A's phone number. Student A told Kirkpatrick again that they were 17 years old and had a boyfriend.
5. On May 22, 2022, the District issued Kirkpatrick a letter of discipline and suspended him for ten days without pay. Kirkpatrick served the suspension from May 26, 2022, to June 8, 2022, inclusive. The District also required Kirkpatrick to attend a boundaries workshop. In March 2023, Kirkpatrick completed the course, *Reinforcing Respectful Professional Boundaries*, through the Justice Institute of B.C., in satisfaction of this requirement. The District also required Kirkpatrick to participate in ongoing monitoring



and check-ins with his administrator.

6. On October 19, 2022, the Commissioner ordered an investigation under section 47(1) of the *Teachers Act*.
7. On June 12, 2024, the Commissioner considered this matter and determined to propose a consent resolution agreement to Kirkpatrick, 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. Kirkpatrick 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. Kirkpatrick admits that the facts set out in paragraphs 1 to 6 of this Agreement are true.
11. Kirkpatrick admits that the conduct described in paragraph 4 of this Agreement constitutes professional misconduct and conduct unbecoming and is contrary to Standards #1 and #2 of the *Professional Standards for BC Educators*, June 2019.
12. Kirkpatrick agrees to a four-day suspension of his certificate of qualification under sections 53 and 64(b) of the *Teachers Act*, from October 7, 2025, to October 10, 2025, inclusive.
13. In determining that a four-day suspension is an appropriate consequence, the Commissioner considered the following factors:
  - a. Kirkpatrick was persistent in his conduct with Student A when it should have been apparent to him that it was unwelcome.
  - b. In pursuing a student for the purposes of a personal relationship, Kirkpatrick failed to treat the student with respect, made them feel unsafe, and failed to act as an appropriate role model.
  - c. Kirkpatrick has completed the course, *Reinforcing Respectful Professional Boundaries*, through the Justice Institute of B.C.

14. Kirkpatrick 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**

15. The Director will record the terms of this Agreement on the online registry of the Ministry of Education and Child Care, under section 79(d) of the *Teachers Act*.
16. Kirkpatrick 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: <https://teacherregulation.gov.bc.ca>
17. Notification of this Agreement will be made in accordance with section 55 of the *Teachers Act*.
18. A breach by Kirkpatrick of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
19. Kirkpatrick 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 Kirkpatrick has admitted to the conduct and matters set out in this Agreement.

20. Kirkpatrick 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 Maple Ridge, B.C.  
this 18 day of September, 2025.

  
Duane Oliver Kirkpatrick

Signed in New Westminster, B.C.  
this 23 day of September, 2025.

  
Donnaree Nygard, Commissioner