



BRITISH COLUMBIA  
COMMISSIONER FOR  
TEACHER REGULATION

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

AND

IN THE MATTER CONCERNING

PERI MICHELLE LAVENDER

[REDACTED]

CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

PERI MICHELLE LAVENDER  
(“Lavender”)

#### BACKGROUND and FACTS

1. Lavender held an Interim Professional Certificate of Qualification, [REDACTED] It was issued by the B.C. College of Teachers under the *Teaching Profession Act* on September 13, 2007 and was valid from September 1, 2007 until June 30, 2012.
2. Lavender holds a valid Professional Certificate of Qualification, [REDACTED], issued by the Director of Certification (the “Director”) under the *Teachers Act* on June 22, 2012, and is valid from June 22, 2012.
3. At all material times, Lavender was employed as a middle school teacher by School District No. 64 (Gulf Islands) (the “District”) at a District school (the “School”).

#### Matter 1 [REDACTED]

4. On August 28, 2017, Parent A made a complaint to the Commissioner about Lavender under the *Teachers Act*. This has been designated Matter 1.

[REDACTED]

Matter 2 [REDACTED]

5. On September 6, 2017, Parent B made a complaint to the Commissioner about Lavender under the *Teachers Act*. This has been designated Matter 2.
6. On July 12, 2019, the Commissioner combined Matter 1 and Matter 2.
7. The following events occurred during the 2016/2017 school year when Lavender was teaching a Grade 8 class at the School:
  - a. During the course of the school year, the classroom was loud, chaotic and out of control, which negatively impacted the students' learning environment.
  - b. Lavender allowed students to use their iPads and phones in class for non-educational purposes. This was disruptive to some students who wanted to learn.
  - c. As a reward, Lavender would allow some students to leave the classroom to go to the skate park. Lavender failed to properly monitor students she allowed to go to the skate park.
  - d. Lavender had difficulty managing students who were disruptive in class. Lavender was inconsistent in setting out and applying rules in the classroom.
  - e. Despite attempts by Lavender to address disrespectful student behavior, a disrespectful tone permeated the classroom which negatively impacted student learning.
  - f. Lavender did not consistently set clear learning intentions or deadlines for students, causing some of them to grow anxious as they did not understand when their assignments were due or what was expected of them.
  - g. On September 27, 2016, Lavender distributed a questionnaire to her students as part of a lesson on health. The questionnaire included questions about smoking, alcohol consumption, drug use and sexual practices. Parents and students were concerned that the questions were not age-appropriate.
  - h. In May 2017, students who were members of the same baseball team engaged Lavender in conversation about playing baseball. When the students would not accept Lavender's statements that she was not good at playing baseball, Lavender responded: "If I was on your team, I would make Student B look like a superstar." Student B is special needs.
8. On July 12, 2019, the Commissioner considered this matter and determined to propose a

consent resolution agreement to Lavender, in accordance with section 53(1)(a) of the *Teachers Act*.

## CONSEQUENCES

9. This Agreement is made under section 53 of the *Teachers Act*.
10. Lavender 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”).
11. Lavender admits that the facts set out in paragraphs 1 to 7 of this Agreement are true.
12. Lavender admits that the conduct described in paragraph 7 of this Agreement constitutes professional misconduct and is contrary to Standards #1 and #5 of the *Standards for the Education, Competence and Professional Conduct of Educators in British Columbia*, Fourth Edition, January 2012.
13. Lavender agrees to a reprimand under sections 53 and 64(a) of the *Teachers Act*. The reprimand will take effect on the first business day following the Effective Date.
14. Lavender further agrees under section 64(f) and (h) of the *Teachers Act* that by March 31, 2022 (the “Condition Date”):
  - a. She 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 Lavender does not successfully complete the Course by the Condition Date, she will immediately advise the Commissioner in writing of the reason(s) she has not successfully completed it and set out the date by which she proposes to do so, at which time the Commissioner may extend the Condition Date to a later date (the “Extended Date”).
  - c. If Lavender 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 to suspend Lavender’s certificate of qualification under section 64(f) of the *Teachers Act*, until such time as she successfully completes the Course.
15. In determining that a reprimand and course requirement are appropriate consequences, the Commissioner considered the following factor:
  - a. Lavender, through both her actions and inactions, failed to establish a positive

learning environment.

16. Lavender 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

17. 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*.
18. Lavender 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).
19. A breach by Lavender of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
20. Lavender acknowledges and understands that if the Commissioner has reason to believe that she has breached any term of this Agreement:
- a. the Commissioner may initiate an investigation under section 47(1)(b) of the *Teachers Act* into her conduct; and
  - b. the conduct and matters described in the "Background and Facts" to this Agreement are admissible in that inquiry as proof that Lavender has admitted to the conduct and matters set out in this Agreement.
21. Lavender acknowledges that she 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 Salt Spring Island, B.C.  
this 8<sup>th</sup> day of March, 2021.

  
Peri Michelle Lavender

Signed in Vancouver, B.C.  
this 11 day of March, 2021.

  
Howard L. Kushner, Commissioner