



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

AND

IN THE MATTER CONCERNING  
DANTE GIORGIO BERTUZZI LUCIANI



CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

DANTE GIORGIO BERTUZZI LUCIANI  
(“Luciani”)

**BACKGROUND and FACTS**

1. Luciani holds a valid Professional Certificate of Qualification, [REDACTED], issued by the Director of Certification (the “Director”) under the *Teachers Act* on July 25, 2017 and is valid from July 1, 2017.
2. At all material times, Luciani was employed as a high school teacher at Vancouver College, an independent school in Vancouver (the “School”).
3. In the spring of 2019, while Luciani was teaching a grade 11/12 class at the School, the following events occurred:
  - a. In January 2019, a student (the “Student”) made a complaint to the Commissioner, under the *Teachers Act*, about the assessment method used by Luciani in the class.



- b. In early April 2019, after Luciani was advised of the complaint, he had an “adult to adult” conversation with the Student, in which he told the Student that the Student had “gone too far” and that if the complaint negatively impacted Luciani’s employment, he would take legal action against the Student.
  - c. On or about April 5, 2019, Luciani called the Student’s mother and told her that if the complaint negatively impacted his employment or future employment prospects, he would take legal action against the Student. He also told the Student’s mother that the Student had wasted everyone’s time and that the Student needed “to get everyone out of this pickle now”.
4. On July 23, 2019, the Commissioner considered this matter and determined to propose a consent resolution agreement to Luciani, in accordance with section 53(1)(a) of the *Teachers Act*.

## CONSEQUENCES


5. This Agreement is made under section 53 of the *Teachers Act*.
6. Luciani 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”).
7. Luciani admits that the facts set out in paragraphs 1 to 3 of this Agreement are true.
8. Luciani admits that the conduct described in paragraph 3 of this Agreement constitutes professional misconduct and is contrary to Standard #1 and #2 of the *Standards for the Education, Competence and Professional Conduct of Educators in British Columbia*, Fourth Edition, January 2012.
9. Luciani 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.
10. In determining that a reprimand is an appropriate consequence, the Commissioner considered the following factors:
  - a. Luciani’s actions undermined the integrity of the professional regulatory process in the *Teachers Act*.


- b. Luciani threatened the possibility of legal action against the Student and repeated the threat to the Student's parent.
  - c. Luciani failed to act in the best interests of the Student and put his own personal considerations ahead of the Student's.
11. Luciani 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.
12. On the execution of this Agreement by the Commissioner on the Effective Date, no further action will be taken under sections 53 or 56 of the *Teachers Act* with respect to the matters contained in this Agreement, unless Luciani does not comply with one or more of the terms of this Agreement.

### **EFFECT OF THE AGREEMENT**

13. The Director of Certification will record the terms of this Agreement on the Ministry of Education's online registry under section 79(d) of the *Teachers Act*.
14. Luciani 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).
15. A breach by Luciani of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
16. Luciani 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 Luciani has admitted to the conduct and matters set out in this Agreement.

17. Luciani 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 Oakville, <sup>ON</sup>~~B.C.~~   
this 13 day of September, 2019. Dante Giorgio Bertuzzi Luciani

Signed in Vancouver, B.C.  
this 8 day of October, 2019.   
Howard L. Kushner, Commissioner

