



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

AND

IN THE MATTER CONCERNING

CHRISTIAN WILLIAM JOHN MICHEL  
[REDACTED]

CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

CHRISTIAN WILLIAM JOHN MICHEL  
(“Michel”)

**BACKGROUND and FACTS**

1. Michel 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 February 12, 2007, is valid from January 1, 2007, and was continued under the *Teachers Act* as of January 9, 2012.
2. At all material times, Michel was employed as a middle school teacher by School District No. 61 (Greater Victoria) (the "District") at a District school (the "School").
3. On February 26, 2020, the District made a report to the Commissioner regarding Michel, under section 16 of the *School Act*.

4. The following events occurred on February 25, 2020 when Michel was teaching a Grade 8 woodworking class at the School:
  - a. Student A, who was in Grade 8, asked to make a small table as part of a project. Michel approved the project, which required four small pieces of wood to be pushed through a planer. Student A had not operated the planer alone before.
  - b. Michel did not provide written or verbal instructions to Student A on safe use of the planer. Michel also did not tell Student A, who had long hair that reached the waist, that the hair had to be tied back.
  - c. Michel told Student A to put the four pieces of wood through the planer, and to just give each piece a push. He lined up the pieces of wood for Student A and then left to help another student.
  - d. Student A managed to get three pieces of wood through the planer, but the fourth became stuck. Student A signaled Michel for assistance. Michel pulled the wood from the back of the planer, and returned it to Student A, telling Student A to push it through the planer again. Michel did not turn off the power when pulling out the piece of wood. Michel then moved to another part of the shop to help another student.
  - e. Student A continued to have difficulties getting the fourth piece of wood through the planer. Student A moved to the back of the planer to remove the wood as Michel had just done. Student A did not know to turn off the power to the planer before retrieving the stuck piece of wood. Student A's hair then became caught in the machine and a large clump of Student A's hair was ripped from Student A's head. Student A required stitches as a result of this injury.
  - f. When Michel left with Student A to go to the office for assistance, he did not turn off the power supply to the wood shop, nor did he provide any instructions to the class.
5. A few days prior to the incident involving Student A, the District Facilities Machine Fitter ("Employee A") was in Michel's wood shop. While there, Employee A noticed a student with long hair operating a piece of machinery without their hair tied back. Employee A told Michel that this was unsafe as the student's hair might get caught. Michel handed the student a hair tie. The student did not tie their hair back but did continue to use the drill press.
6. On February 26, 2020, the District suspended Michel under section 15(5) of the *School Act*.

7. On June 30, 2020, Michel resigned from the District, effective that day.
8. The District had raised concerns with Michel about safety in his woodworking classes before the incident on February 25, 2020, as follows:
  - a. In December 2017, the School principal told Michel that he was very concerned about the number and types of injuries which had occurred since May 2017, because 8 students had been injured in Michel's woodworking class between May and December of 2017.
  - b. As a result of these injuries in Michel's class in 2017, an extensive safety investigation and risk hazard assessment of the workshop was conducted by the District's occupational health and safety manager (the "OHS Manager"). In an email shared with Michel on December 21, 2017, the OHS Manager wrote that she would not allow middle school students to work on their own projects. She noted that the School principal recommended that middle school students only work on their own projects with supervision.
  - c. In January 2018, the District met with Michel to reiterate concerns about the number of student injuries in his class between May and December 2017. As part of that discussion, the District arranged for Michel to observe another experienced woodshop teacher to see other approaches which might reduce the risk to student safety.
  - d. On May 31, 2018, the District concluded its investigation into the student injuries in Michel's class in 2017. Contributing factors identified in the report included the following:
    - Shop layout – congested and no safe zones
    - Equipment used by students too advanced for age/grade
    - No warning signs or order of operation documents to accompany shop tools and equipment
    - Inconsistent practice when instructing students on shop equipmentThe report also recommended that there be consistent practice regarding instruction, review and supervision of students on shop equipment.
  - e. On September 25, 2018, the School principal wrote Michel an email reminding him of additional corrective actions which Michel needed to take on an ongoing basis to ensure student safety in the woodshop. One of the items listed was: "before permitting students to use vertical sander, ensure wood is of adequate size and free of

visible defects”.

- f. On October 10, 2018, a Grade 6 student was injured in Michel’s woodshop class when using a piece of wood that was too small in a vertical sander. The Incident Investigation Report, which Michel signed, included the following recommended corrective action: “NOT allow grade 6 students to use vertical belt sander”.
9. On July 10, 2020, the Commissioner ordered an investigation under section 47(1) of the *Teachers Act*.
10. On June 23, 2021, the Commissioner considered this matter and determined to propose a consent resolution agreement to Michel, in accordance with section 53(1)(a) of the *Teachers Act*.

### CONSEQUENCES

11. This Agreement is made under section 53 of the *Teachers Act*.
12. Michel 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”).
13. Michel admits that the facts set out in paragraphs 1 to 8 of this Agreement are true.
14. Michel admits that the conduct described in paragraphs 4 and 5 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.
15. Michel agrees that the Director of Certification will place the following limitation on his certificate of qualification under sections 53 and 64(h) of the *Teachers Act*:
  - a. Michel is not authorized to, and will not, teach in any Applied Design, Skills and Technology Education classroom in the K-12 education system, which includes any classroom in which there is machinery with moving parts, regardless of whether it is in use while Michel is teaching the class (the “Limitation”).
  - b. This Limitation will take effect on the first business day following the Effective Date.
  - c. Michel may apply in writing to the Commissioner to vary or remove the Limitation, which may be varied or removed if Michel satisfactorily demonstrates to the Commissioner that Michel has completed suitable safety training and understands

how to protect students under his care from physical injury in Applied Design, Skills and Technology Education classes.

16. In determining that the Limitation is an appropriate consequence, the Commissioner considered the following factors:
  - a. Michel failed to ensure a safe learning environment for students; and
  - b. Michel had previously been made aware of the need to maintain a safe learning environment for his students.
17. Michel 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**

18. 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*.
19. Michel 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).
20. A breach by Michel of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
21. Michel 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 Michel has admitted to the conduct and matters set out in this Agreement.

22. Michel 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 Vancouver, B.C.  
this 4 day of July, 2022.



Christian William John Michel

Signed in Victoria, B.C.  
this 6th day of July, 2022.

  
Howard L. Kushner, Commissioner

