



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

AND

IN THE MATTER CONCERNING

DAVID JAMES MUNRO

██████████

CONSENT RESOLUTION AGREEMENT

BETWEEN:

THE COMMISSIONER, APPOINTED UNDER THE *TEACHERS ACT*

(the “Commissioner”)

AND:

DAVID JAMES MUNRO

(“Munro”)

BACKGROUND and FACTS

1. Munro held a Standard Certificate of Qualification, No. ██████████. It was issued by the B.C. College of Teachers under the *Teaching Profession Act* on September 1, 2009 and was valid from September 1, 2009.
2. Munro holds a valid Professional Certificate of Qualification, No. ██████████. It was issued by the Director of Certification (the “Director”) under the *Teachers Act* on June 4, 2012 and is valid from June 4, 2012.
3. At all material times, Munro was employed as a teacher by School District No. 71 (Comox Valley) (the “District”) at a District school (the “School”).

██████████ – *Matter 1*

4. On June 15, 2017, the parents of one of Munro’s students at the School made a complaint to the Commissioner about him under the *Teachers Act*. This has been designated

Matter 1.

██████████ – Matter 2

5. On July 5, 2017, the District made a report to the Commissioner regarding Munro, under section 16 of the *School Act*. This has been designated Matter 2.
6. Matter 1 and Matter 2 relate to the same allegations of misconduct.
7. The following events occurred in the 2017/2018 school year when Munro was teaching a Grade 8 shop class:
 - a. When meeting with the parents of Student A at the beginning of the school year, he said “I don’t give a rat’s ass” to them more than once.
 - b. Munro was visibly frustrated with students and would frequently shout when speaking to them. Some students reported feeling afraid, intimidated and belittled by him.
 - c. Students did not know how to respond to Munro’s use of sarcasm, which caused some students embarrassment.
 - d. Munro told students to “RTFQ” and “RTFT” which students interpreted as meaning “read the fucking question” and “read the fucking test.”
 - e. Munro told Student B to “get your shit together or else I am not going to send you to Grade 9.”
 - f. Munro used foul language in class in front of his students.
 - g. Munro used a crude expression (“busting my balls”) with his students.
 - h. On June 13, 2017, Munro confronted Student A about their behaviour the previous day, telling Student A: “you were fucking around yesterday, you got fuck all done!” Student A reported feeling scared and repeatedly answered “OK” to which Munro said: “It’s not OK. I am buzzing right now. Because of this I might not let you go on the camping trip next week.”
8. On June 27, 2017, the District issued Munro a letter of discipline and suspended him for 5 days without pay.
9. The District had previously issued Munro a letter of expectation on December 17, 2009 after he used inappropriate language with his students. He was reminded of the District’s expectation that “classroom management and student interaction is always handled in a

respectful and professional manner while ensuring student safety.”

10. On February 19, 2019, the Commissioner considered Matter 1 and Matter 2, and determined to propose a consent resolution agreement to Munro in respect of them both, in accordance with section 53(1)(a) of the *Teachers Act*.

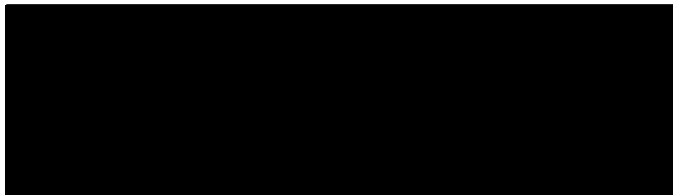
CONSEQUENCES

11. This Agreement is made under section 53 of the *Teachers Act*.
12. Munro 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. Munro admits that the facts set out in paragraphs 1 to 9 of this Agreement are true.
14. Munro admits that the conduct described in paragraph 7 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. Munro agrees to a 3-day suspension of his certificate of qualification under sections 53 and 64(b) of the *Teachers Act*. The suspension will take effect on September 3, 4 and 5, 2019.
16. In determining that a suspension and course requirement are appropriate consequences, the Commissioner considered the following factors:
 - a. Munro engaged in a series of inappropriate classroom interactions, including inappropriate language and sarcasm.
 - b. Munro created an environment in which students may have felt uncomfortable and fearful of being humiliated.
 - c. Munro failed to appreciate the need for different learning styles that were more age-appropriate.
 - d. Munro acknowledged the need for change and has taken active measures to prevent a similar situation from arising in the future.
17. Munro 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 will record the terms of this Agreement on the Teacher Regulation Branch’s online registry under section 79(d) of the *Teachers Act*.
- 19. Munro 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.bcteacherregulation.ca.
- 20. Notification of this Agreement will be made in accordance with section 55 of the *Teachers Act*.
- 21. A breach by Munro of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
- 22. Munro 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 Munro has admitted to the conduct and matters set out in this Agreement.
- 23. Munro 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 Combsland, B.C.
this 2 day of July, 2019.



David James Munro

Signed in Vancouver, B.C.
this 11 day of July, 2019.

Howard L. Kushner, Commissioner