



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

AND

IN THE MATTER CONCERNING

PATRICK JAMES NELSON

██████████

CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

PATRICK JAMES NELSON  
(“Nelson”)

**BACKGROUND and FACTS**

1. Nelson holds a valid Professional Certificate of Qualification, No. ██████████, issued by the Director of Certification (the “Director”) under the *Teachers Act* on November 1, 2019, and valid from November 1, 2019.
2. At all material times, Nelson was employed as a secondary school teacher by School District No. 82 (Coast Mountains) (the “District”) at a District school (the “School”).
3. On March 20, 2022, the District made a report to the Commissioner regarding Nelson, under section 16 of the *School Act*.
4. The following events occurred on Wednesday, October 6, 2021:
  - a. The District and the local health authority had set up a Covid-19 vaccination clinic in the School cafeteria. Students who were legally able to make decisions for themselves were encouraged to attend the clinic in order to get vaccinated.

- b. Nelson left the class he was teaching unattended and made his way to the cafeteria where he angrily interrupted and disrupted the vaccination clinic with students present. Nelson addressed health authority staff in a raised and angry voice. Comments made by Nelson included the following:
- Health authority staff were guests at Nelson’s School.
  - The health authority had no legal right to immunize students without parental permission.
  - The vaccines were experimental, dangerous, and poisonous and should not be used.
  - Health authority staff were unethical in how they presented information on the vaccines and how they were offering the vaccines to students.
  - Health authority staff should be ashamed of themselves.
- c. Nelson’s tone and anger were such that a School staff member called for assistance from the School’s administration. Some students were upset and had to be removed from the cafeteria.
- d. One of the health authority nurses attempted to calm Nelson down. Nelson approached the nurse without wearing a mask over his nose and mouth (contrary to the District’s Covid-19 protocols) and proceeded to yell and point his finger in the nurse’s face. During this interaction, the nurse and Mr. Nelson were 8 to 10 centimeters apart which was not consistent with the District’s physical distancing safety protocols.
5. On March 3, 2022, the District issued Nelson a letter of discipline and suspended him without pay from March 7 to March 18, 2022, inclusive. The District also required Nelson to provide a written apology to the health clinic personnel and to attend a meeting with affected students and staff at the School. Finally, the District required him to complete the following courses, offered by the Justice Institute of B.C., by September 1, 2022: *Reinforcing Respectful Professional Boundaries* and *Human Relations*.
6. The District had previously issued a letter of discipline to Nelson on November 12, 2019, when he swore in front of his class in frustration. The District directed Nelson to complete the BCTF Boundaries Workshop and to meet with the School principal every two weeks until the end of the first semester of the 2019/2020 school year in order to discuss behaviour management strategies.
7. On June 15, 2022, the Commissioner considered this matter and determined to propose a

consent resolution agreement to Nelson, 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. Nelson 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. Nelson admits that the facts set out in paragraphs 1 to 6 of this Agreement are true.
11. Nelson admits that the conduct described in paragraph 4 of this Agreement constitutes professional misconduct and is contrary to Standards #1 and #2 of the *Professional Standards for BC Educators*, June 2019.
12. Nelson agrees to a reprimand under sections 53 and 64(a) of the *Teachers Act*.
13. Nelson also agrees under section 64(f) and (h) that by **June 30, 2023** (the “Condition Date”):
  - a. He will successfully complete the course *Conflict Resolution: An Introduction* offered by the ASCD on PD Online at pdo.ascd.org (the “Course”) and provide satisfactory proof of completion, including satisfactory responses to the reflections at the end of each of the Course’s six modulus, to the Commissioner, by the Condition Date.
  - b. If Nelson does not successfully complete the Course by the Condition Date, he will immediately advise the Commissioner in writing of the reason(s) he has not successfully completed it and set out the date by which he proposes to do so, at which time the Commissioner may extend the deadline to a later date (the “Extended Date”).
  - c. If Nelson 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 of Certification (the “Director”) to suspend Nelson’s certificate of qualification under section 64(f) of the *Teachers Act*, until such time as he has successfully completes the Course.
14. In determining that a reprimand and course requirement are appropriate consequences, the Commissioner considered the following factor:

- a. Nelson failed to model appropriate behaviour expected of an educator.
15. Nelson 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**

16. 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*.
17. Nelson 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).
18. Notification of this Agreement will be made in accordance with section 55 of the *Teachers Act*.
19. A breach by Nelson of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
20. Nelson 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 Nelson has admitted to the conduct and matters set out in this Agreement.

21. Nelson 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 Puerto Vallarta, Jalisco, Mexico

this 27th day of December, 2022



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Patrick James Nelson

Signed in Victoria, B.C.

this 9th day of January, ~~2022~~ 23



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Howard L. Kushner, Commissioner