



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

AND

IN THE MATTER CONCERNING

DAVID JAMES ROMANI

[REDACTED]

CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

DAVID JAMES ROMANI
(“Romani”)

BACKGROUND and FACTS

1. Romani held an Interim Professional Certificate of Qualification, [REDACTED]. It was issued by the B.C. College of Teachers (the “College”) under the *Teaching Profession Act* on September 5, 1996 and was valid until August 31, 2004.
2. Romani holds a valid Professional Certificate of Qualification, [REDACTED]. It was issued by the College under the *Teaching Profession Act* on March 28, 2001, is valid from June 1, 2001, and was continued under the *Teachers Act* as of January 9, 2012.
3. At all material times, Romani was employed as a tech education teacher by School District No. 43 (Coquitlam) (the “District”) at a District high school (the “School”).
4. On January 25, 2019, the District made a report to the Commissioner regarding Romani, under section 16 of the *School Act*.

[REDACTED]

5. The following events occurred in November 2018:
 - a. Romani was absent from work without leave the afternoon of Thursday, November 22nd and all day on Friday, November 23, 2018, during which period he had been scheduled to teach four tech education classes: one on November 22nd and three on November 23rd.
 - b. Romani did not tell school administration he would be absent, nor did he enter his absence in the Coquitlam Automated Dispatch System as required. Romani did ask other teachers at the School to cover his tech classes during his absence.
 - c. Earlier in November, Romani had asked Teacher A to cover two of his classes: one on November 22nd and one on November 23rd.
 - d. Approximately one week before his absence, Romani asked Teacher B to cover one of his classes on November 23rd. Romani told Teacher B that he was taking that day off in order to attend a resiliency conference. The instructions left for Teacher B were that students were "working on projects and cutting boards".
 - e. Approximately one week before his absence, Romani asked Teacher C to cover one of his classes on November 23rd. Teacher C is an English teacher and is not certified to teach tech education or supervise the operation of power equipment. Romani also failed to leave Teacher C with adequate instructions.
 - f. Romani was dishonest during the District's investigation when he said that he was absent because he had been attending a professional development conference on resiliency. In fact, Romani was in Mexico, accompanying his partner on a corporate retreat for the banking industry.
6. On January 15, 2019, the District issued Romani a letter of discipline and suspended him for three days without pay. The District also set out its future expectations that Romani
 - a. enter all of his absences from work through the Coquitlam Automated Dispatch System;
 - b. ensure that his use of paid and unpaid leave provisions is justified and appropriate; and
 - c. obtain permission from school administration prior to making arrangements for internal coverage for any reason.
7. On May 3, 2019, the Commissioner considered this matter and determined to propose a consent resolution agreement to Romani, 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. Romani 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. Romani admits that the facts set out in paragraphs 1 to 6 of this Agreement are true.
11. Romani admits that the conduct described in paragraph 5 of this Agreement constitutes professional misconduct and is contrary to Standard #2 of the *Standards for the Education, Competence and Professional Conduct of Educators in British Columbia*, Fourth Edition, January 2012.
12. Romani 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.
13. In determining that a reprimand is an appropriate consequence, the Commissioner considered the following factors:
 - a. Romani's actions demonstrate a lack of integrity and judgment; and
 - b. Romani failed to appreciate that an unsafe classroom environment could occur as a consequence of not informing the school administration of his absence and arranging coverage for one of his classes by a teacher who was not certified to teach tech education.
14. Romani 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

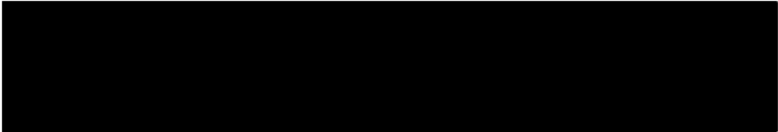
15. The Director of Certification will record the terms of this Agreement on the Teacher Regulation Branch's online registry under section 79(d) of the *Teachers Act*.
16. Romani acknowledges that this Agreement will be published in accordance with section 54 of the *Teachers Act*, which includes posting the Agreement, in full, on the following website: www.bcteacherregulation.ca.
17. A breach by Romani of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.

18. Romani 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 Romani has admitted to the conduct and matters set out in this Agreement.

19. Romani 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 Port Coquitlam, B.C.
this 6 day of JAN., 2020



DAVID JAMES ROMANI

Signed in Vancouver, B.C.
this 21 day of January, 2019


Howard L. Kushner, Commissioner

