



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

AND

IN THE MATTER CONCERNING
MARTY ALBERT STRACHAN

[REDACTED]

CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

MARTY ALBERT STRACHAN
("Strachan")

BACKGROUND and FACTS

1. Strachan 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 January 26, 2005, is valid from September 1, 2004, and was continued under the *Teachers Act* as of January 9, 2012.
2. At all material times, Strachan was employed as a secondary school teacher by School District No. 82 (Coast Mountains) (the "District") at a District school (the "School").
3. On December 20, 2019, the District made a report to the Commissioner regarding Strachan, under section 16 of the *School Act*.
4. The following events occurred during the first week of school in September 2019 when Strachan was with his Grade 11 homeroom students:
 - a. When taking attendance, Strachan differentiated between two students with the same

[REDACTED]

- name by referring to Student A as the student who had “hooked up with five guys.”
- b. When reviewing the School’s Code of Conduct with the class, in the context of explaining the concept of “guilt by association”, Strachan mentioned President Clinton and the fact that Clinton had smoked marijuana but denied inhaling it. He also commented about Clinton receiving a “blow job”.
 - c. When reviewing the School’s dress code, Strachan called it a “mess” and made a comment to the effect that in the previous year, it was almost a competition to see who could wear the least amount of clothing.
5. On October 22, 2019, the District issued Strachan a letter of discipline and suspended him without pay for five days. Strachan served the suspension from October 28 until November 1, 2019, inclusive.
 6. The District had previously disciplined Strachan as follows:
 - a. On February 22, 2016, the District issued Strachan a letter of discipline, and on January 13, 2017, the District issued Strachan a letter of discipline and a two-day suspension, for failing to use appropriate language in the classroom and for failing to maintain appropriate boundaries with three students. He was required by the District to complete a boundaries course on both occasions, which he did.
 7. On February 14, 2020, the Commissioner considered this matter and determined to propose a consent resolution agreement to Strachan, 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. Strachan 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. Strachan admits that the facts set out in paragraphs 1 to 6 of this Agreement are true.
11. Strachan admits that the conduct described in paragraph 4 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.
12. Strachan agrees to a one-day suspension of his certificate of qualification under sections 53

and 64(b) of the *Teachers Act*. The suspension will be served on October 19, 2020.

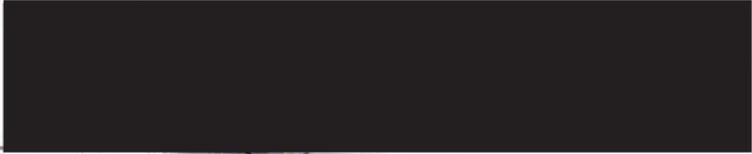
13. In determining that a one-day suspension is an appropriate consequence, the Commissioner considered the following factors:
 - a. Strachan failed to create a positive learning environment; and
 - b. Strachan had previously been warned about making inappropriate comments to students.
14. Strachan agrees 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 Ministry of Education's online registry under section 79(d) of the *Teachers Act*.
16. Strachan 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.
17. Notification of this Agreement will be made in accordance with section 55 of the *Teachers Act*.
18. Strachan 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 Strachan has admitted to the conduct and matters set out in this Agreement.

19. Strachan 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 HAZECTON, B.C.
this 1 day of October, 2020.


Marty Albert Strachan

Signed in Vancouver, B.C.
this 1 day of October, 2020.


Howard L. Kushner, Commissioner