



BRITISH COLUMBIA
COMMISSIONER FOR
TEACHER REGULATION

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

AND

IN THE MATTER CONCERNING
NICHOLAS MICHAEL GRAVES

██████████

CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

NICHOLAS MICHAEL GRAVES
(“Graves”)

BACKGROUND and FACTS

1. Graves holds a valid Professional Certificate of Qualification, No. ██████████. It was issued by the B.C. College of Teachers under the *Teaching Profession Act* on May 9, 2008, is valid from May 1, 2008 and continued under the *Teachers Act* as of January 9, 2012.
2. At all material times, Graves was employed as a principal at a certified British Columbia Offshore School in Korea (the “School”).
3. On May 5, 2017, the Commissioner received a complaint regarding Graves under section 39 of the *Teachers Act*.
4. The following events occurred:
 - a. On January 15, 2017, Graves logged into the School’s email system and changed settings so that emails from the managing director to the School’s owner were rerouted to him. Graves also changed the settings so that emails sent from the

School's admissions office (which was also used by the managing director) to the School's owner were rerouted to him.

- b. Some of the emails which were rerouted in this fashion related to Graves' contract negotiations and were not intended for him to see.
 - c. When asked about the rerouting of the emails, Graves was not initially honest about what he had done.
5. On January 17, 2017, Graves' contract with the School was terminated.
 6. On May 23, 2017 the Commissioner considered this matter and determined to propose a consent resolution agreement to Graves, in accordance with section 53(1)(a) of the *Teachers Act*.

DISPOSITION

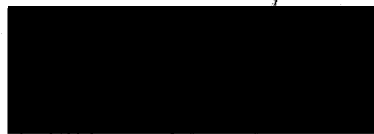
7. This Agreement is made under section 53 of the *Teachers Act*.
8. Graves understands and acknowledges that this Agreement is not effective until executed by the Commissioner, and that the date of execution by the Commissioner will be the effective date of this Agreement (the "Effective Date").
9. Graves admits that the facts set out in paragraphs 1 to 5 of this Agreement are true.
10. Graves admits that the conduct described in paragraph 4 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.
11. Graves 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.
12. Graves 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.

CONSEQUENCES OF THE AGREEMENT

13. The Director of Certification will record the terms of this Agreement on the Branch's online registry under section 79(d) of the *Teachers Act*.
14. Graves 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.

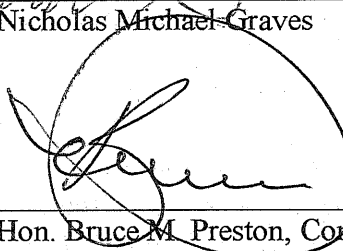
15. A breach by Graves of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
16. Graves acknowledges and understands that if the Commissioner has reason to believe that he has breached any term of this Agreement:
- a. the Commissioner 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 Graves has admitted to the conduct and matters set out in this Agreement.
17. Graves 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 Vancouver, B.C.
this 29 day of August, 2017.



Nicholas Michael Graves

Signed in Vancouver, B.C.
this 5 day of September, 2017.



Hon. Bruce M. Preston, Commissioner