



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

AND

IN THE MATTER CONCERNING
DANIEL SHAEN DAVID ARTUR OLIVER

██████████
CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

DANIEL SHAEN DAVID ARTUR OLIVER
 (“Oliver”)

BACKGROUND and FACTS

1. Oliver holds a valid Professional Certificate of Qualification, No. ██████████. It was issued by the B.C. College of Teachers under the *Teaching Profession Act* on June 8, 2007, is valid from May 1, 2007 and continued under the *Teachers Act* as of January 9, 2012.
2. On June 22, 2016, Oliver signed an undertaking not to teach in any role which required a certificate of qualification, independent school teaching certificate or letter of permission until Case 01 and Case 02 had been finally resolved, or the Commissioner released him from the undertaking, whichever came first.
3. At all material times, Oliver was employed as an elementary school teacher by School District No. 70 (Alberni) (the “District”).
4. On June 15, 2016 the Commissioner initiated an investigation under s.47(1)(b) of the *Teachers Act* after learning that Oliver had been charged under the *Criminal Code*. This has been designated Case 01.

5. On June 15, 2016, the District made a report to the Commissioner regarding Oliver under s.16 of the *School Act*. This has been designated Case 02.
6. The following events occurred:
 - a. On January 31, 2017, Oliver was charged with one count of possession of child pornography, contrary to section 163.1(4) of the *Criminal Code*.
 - b. On February 16, 2017, Oliver pleaded guilty to possession of child pornography, contrary to section 163.1(4) of the *Criminal Code*.
 - c. On April 24, 2017, Oliver was sentenced to 6 months in jail, three years of probation on conditions, and a requirement that he comply with the provisions of the *Sexual Offender Information Registration Act* for a period of ten years.
7. On June 13, 2016, the District suspended Oliver with pay. On June 22, 2016 the District suspended Oliver without pay.
8. On June 16, 2016, the Commissioner combined Case 01 and Case 02.
9. On May 23, 2017 the Commissioner considered this matter and determined to propose a consent resolution agreement to Oliver in respect of both Case 01 and Case 02, in accordance with section 53(1)(a) of the *Teachers Act*.

DISPOSITION

10. This Agreement is made under section 53 of the *Teachers Act*.
11. Oliver 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”).
12. Oliver admits that the facts set out in paragraphs 1 to 7 of this Agreement are true.
13. Oliver admits that the conduct described in paragraph 6 of this Agreement constitutes professional misconduct and conduct unbecoming and is contrary to Standard #1 and #2 of the *Standards for the Education, Competence and Professional Conduct of Educators in British Columbia*, Fourth Edition, January 2012.
14. Oliver agrees to a cancellation of his certificate of qualification under sections 53 and 64(e) of the *Teachers Act*. The cancellation will take effect on the first business day following the Effective Date.
15. Oliver 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.

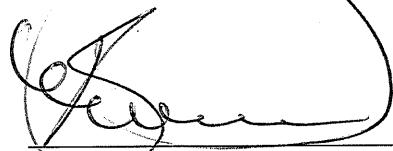
CONSEQUENCES OF THE AGREEMENT

16. 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*.
17. Oliver 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.
18. Notification of this Agreement will be made in accordance with section 55 of the *Teachers Act*.
19. If Oliver applies for a certificate of qualification, an independent school teaching certificate, or letter of permission at any point in the future, it is agreed, without limiting any other power of the Director to determine Oliver's fitness and suitability to be granted a certificate of qualification, independent school teaching certificate or letter of permission, that the Director may consider:
 - a. the facts set out and admitted in this Agreement;
 - b. any document or other evidence gathered or prepared by the Branch in any investigation of this matter; and
 - c. any evidence of breach by Oliver of one or more terms of this Agreement.
20. Oliver 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 Nanaimo, B.C.
this 19th day of September, 2017.


Daniel Shaen David Artur

Signed in Vancouver, B.C.
this 10 day of October, 2017.


Hon. Bruce M. Preston, Commissioner