



BRITISH COLUMBIA  
COMMISSIONER FOR  
TEACHER REGULATION

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

AND

IN THE MATTER CONCERNING

DANIEL LEE

██████████

CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

DANIEL LEE  
(“Lee”)

**BACKGROUND and FACTS**

1. Lee holds a valid Professional Certificate of Qualification, No. ██████████. It was issued by the B.C. College of Teachers under the *Teaching Profession Act* on July 31, 2000, is valid from September 1, 2000, and continued under the *Teachers Act* as of January 9, 2012.
2. At all material times, Lee was employed as an elementary school teacher, by School District No. 35 (Langley) (the “District”) at a District school (the “School”).

***Case 01***

3. On June 28, 2013, the Superintendent made a report to the Commissioner regarding Lee, under section 16 of the *School Act*. This has been designated Case 01.
4. The following events occurred when Lee was teaching a Grade 4/5 split class:
  - a. During the 2011/2012 school year, Lee grabbed a student’s hand while she was

typing because she was not compliant with his instructions.

- b. During the 2011/2012 and 2012/2013 school years, Lee raised his voice and was visibly angry while teaching. Some students reported feeling scared and others reported being reduced to tears.
  - c. In April 2013, Lee walked past a student and tripped over her legs because of the way she was sitting on the edge of her chair. The student fell to the floor. Lee's response was to say in an angry tone, "Sorry, but let this be a lesson to you."
  - d. During the 2012/2013 school year, Lee threw erasers, balls of masking tape, and tennis balls at students. This was sometimes done as a form of punishment for bad behaviour or to gain students' attention.
  - e. During the 2012/2013 school year, Lee tackled a Grade 5 student during a no-contact game of handball.
  - f. During the 2012/2013 school year, Lee would sometimes grab students' wrists to get their attention.
  - g. During the 2012/2013 school year, Lee grabbed a boy's index finger and pointed it down on the desk saying "do you see what I'm asking you to do?" when the boy seemed confused about the class assignment.
  - h. During the 2012/2013 school year, Lee grabbed a student's head during the course of a safety demonstration about cycling.
  - i. During the 2012/2013 school year, Lee made the following inappropriate comments to one of his students: "either you are the stupidest kid I ever met or you're an idiot"; "get your ass back in here"; and "you're a walking disaster."
5. On June 28, 2013, the District issued Lee a letter of discipline, and suspended him without pay for four months. Lee served his suspension from September 1, 2013 until December 31, 2013. Lee was also required to enroll in a classroom management course, a boundaries course and a six-week anger management course.
  6. Lee completed the course "Foundations of Collaborative Conflict Resolution" through the Justice Institute of B.C. in July 2013. Lee completed a boundary issues workshop through the Langley Teachers' Association on October 25, 2013. Lee completed a course in classroom management at UBC in the summer of 2014. These courses were completed in satisfaction of the District's requirements as set out in the June 28, 2013 letter of discipline.

*Case 02*

7. On May 5, 2016, the Superintendent made a second report to the Commissioner regarding Lee, under section 16 of the *School Act*. This has been designated Case 02.
8. The following events occurred on November 2, 2015 over a span of approximately 15 minutes:
  - a. Student A was a Grade 4 student in Lee's class.
  - b. Student A was writing with her elbow on her desk, with her hand supporting her chin. Lee asked Student A to take her elbow off of her desk and when she did not, he began to yell at her.
  - c. Lee yelled at Student A, first threatening to remove her chair and then threatening to remove her desk.
  - d. Lee then ordered Student A to stand at the back of the class, with her back against the wall. From approximately one foot away he said words to the effect: "you have a backbone/spine, use it!"
9. Lee has been on medical leave from the District since November 9, 2015.
10. The District had previously raised its concerns with Lee as follows:
  - a. In March, 2013, Lee met with the School principal to review appropriate boundaries and use of physical force in disciplining students.
  - b. On June 28, 2010, Lee received a verbal warning after he deliberately pushed a stack of books into a child's chest, causing him to cry and was overheard yelling at students in his class.
11. On October 19, 2017, the Commissioner combined Case 01 and Case 02.
12. On October 19, 2017, the Commissioner considered Case 01 and Case 02 and determined to propose a consent resolution agreement to Lee in respect of both, in accordance with section 53(1)(a) of the *Teachers Act*.

**DISPOSITION**

13. This Agreement is made under section 53 of the *Teachers Act*.
14. Lee 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”).

15. Lee admits that the facts set out in paragraphs 1 to 10 of this Agreement are true.
16. Lee admits that the conduct described in paragraphs 4 and 8 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.
17. Lee agrees to a four-month suspension of his certificate of qualification under sections 53 and 64(b) of the *Teachers Act*. The suspension will be served from September 1, 2018 up to and including December 31, 2018.
18. Lee 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**

19. 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*.
20. Lee 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](http://www.bcteacherregulation.ca).
21. Notification of this Agreement will be made in accordance with section 55 of the *Teachers Act*.
22. Lee 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 Lee has admitted to the conduct and matters set out in this Agreement.

23. Lee 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 Langley, B.C.  
this 12 day of July, 2018.

  
Daniel Lee

Signed in Vancouver, B.C.  
this 20 day of July, 2018.

  
Howard L. Kushner Commissioner