



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

**AND**

**IN THE MATTER CONCERNING**

**SHELDON LYLE NICKEL**

**CONSENT RESOLUTION SUMMARY**

*This summary is published under section 54(3) of the Teachers Act to protect the identity of a student/students who was/were harmed, abused or exploited by the Teacher.*

1. Nickel holds a valid Professional Certificate of Qualification. It was issued by the B.C. College of Teachers under the *Teaching Profession Act* on November 20, 2001, is valid from September 1, 2001, and was continued under the *Teachers Act* as of January 9, 2012.
2. At all material times, Nickel was employed as a secondary school teacher by School District No. 33 (Chilliwack) (the “District”) at a District school (the “School”).
3. On August 20, 2020 a youth care worker at the School made a complaint to the Commissioner under the *Teachers Act*. This was designated Matter 1.
4. On November 16, 2020, the District made a report to the Commissioner regarding Nickel, under section 16 of the *School Act*. This was designated Matter 2.
5. On November 2, 2021, the Commissioner combined Matter 1 and Matter 2, as they each relate to the same conduct.
6. The following events occurred:
  - a. Nickel had taught Student A and Student B at the School.
  - b. When Student A was in Grade 11 and going through a difficult time, Nickel gave Student A a hug and a kiss on the forehead.
  - c. Before their Grade 12 year started, Nickel met with Student A and Student B for lunch and gave them each a hug afterwards.

- d. When Student A was in Grade 12, Nickel crossed personal boundaries with Student A by confiding in Student A about his personal problems, sending Student A multiple text messages, and calling Student A, crying, after he had been drinking.
  - e. When Student B was in Grade 12, Nickel crossed personal boundaries with Student B by writing Student B multiple text messages, asking Student B what Student B was doing, and telling Student B that he loved and missed Student B. Some of these messages were written when Nickel was on personal leave from the School. On occasion, Nickel drove Student B alone in his car, even though he had been told by the School principal in the spring of 2019 that he should not do so.
7. The District issued Nickel a letter of discipline and suspended him for seven days without pay. Nickel was also removed from the School and directed to complete the JIBC course, *Reinforcing Respectful Professional Boundaries*. Nickel completed this course in March 2021.
8. Nickel had been previously issued a letter of expectation on November 28, 2019 in which he was reminded to:
  - a. Engage in verbal interactions that maintain respect and dignity for the students with whom he works and in his role as an educator in B.C.
  - b. Ensure that his interactions with students remain professional.
  - c. Ensure that he only provide transportation to students if there is another staff member in the vehicle.
9. On **July 6, 2022**, Nickel entered into a consent resolution agreement with the Commissioner in which Nickel admitted that his conduct described in paragraph 6 above constitutes professional misconduct and conduct unbecoming 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 and the *Professional Standards for BC Educators*, June 19, 2019.
10. Nickel agreed to a one-month suspension of his certificate qualification under sections 53 and 64(b) of the *Teachers Act*.
11. In determining that a one-month suspension is an appropriate consequence, the Commissioner considered the following factors:
  - a. Nickel engaged in inappropriate electronic communication with students.

- b. Nickel shared inappropriate information about himself with students and on occasion failed to respect their physical space.
- c. Nickel had been previously warned about his inappropriate interactions with students.