



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

AND

IN THE MATTER CONCERNING

JUSTIN DANIEL MOSES ENNS

██████████

CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

JUSTIN DANIEL MOSES ENNS
(“Enns”)

BACKGROUND and FACTS

1. Enns held an Interim Professional Certificate, No. ██████████. It was issued by the B.C. College of Teachers (the “College”) under the *Teaching Profession Act* on November 18, 2005, and was valid from September 1, 2005, until June 30, 2010.
2. Enns holds a valid Professional Certificate of Qualification, No. ██████████. It was issued by the College under the *Teaching Profession Act* on November 14, 2008, is valid from September 1, 2008, and was continued under the *Teachers Act* as of January 9, 2012.
3. At all material times, Enns was employed as a secondary school teacher by School District No. 23 (Central Okanagan) (the “District”) at a District school (the “School”).
4. On March 29, 2022, the District made a report to the Commissioner regarding Enns, under section 16 of the *School Act*.

5. The following events occurred in late October/early November 2021 when Enns was teaching at the School:
 - a. Student A was a Grade 10 student in Enns' math class. One day, when it grew hot in the classroom, Student A removed one of two shirts Student A was wearing. As the bottom shirt had shifted, such that its seam was running down Student A's side as opposed to down the front, Student A attempted to adjust it. Enns noticed Student A readjusting their shirt and thought that Student A was making inappropriate sexualized gestures with Student A's chest in the classroom. Enns called Student A up to his desk and asked Student A to put the shirt back on. Student A felt uncomfortable and embarrassed and left the classroom.
 - b. Student B was in the class with Student A and seeing Student A was upset got up to leave the classroom. Enns stopped Student B and asked Student B if Student A would come back to discuss the matter with him. Enns said to Student B that Student A had been grabbing Student A's breasts and made hand gestures mimicking that action.
 - c. Student C, a friend of Student A, returned to the classroom after class to ask Enns what the problem was. Enns asked Student C to go and get Student A so that they could discuss the matter directly. When both students returned to the classroom, Enns explained that from his point of view, he saw Student A cupping and moving their breasts in a sexual manner that was not appropriate in the classroom. As he said this, Enns attempted to demonstrate more than once how he perceived Student A's gestures by grabbing his own chest.
6. In the fall of 2021, Enns was concerned with the frequency and duration of Student A and Student B's trips to the bathroom during class time. On one occasion, he asked Student A to explain why Student A needed to use the bathroom shortly after Student B had been granted permission to use it. Student A felt uncomfortable having to share this information with Enns. On another day, Student B asked to use the washroom. Enns, who was frustrated by Student B's trips to the bathroom, denied the request. Student B told Enns that they needed to go to the bathroom because they were on their period. Enns responded by saying: "you must always be on your period".
7. In the fall of 2021, Enns retweeted two posts. The first was about a 60 Minutes segment which was described as "acknowledging the role of peer influence & social media in encouraging trans identification in teens, the rising population of detransitioners, & a medical system that 'affirms' self-diagnoses of gender dysphoria in place of adequate oversight". The second retweet related to a drag queen who led "Drag Queen Story Hour" for children and who was arrested for possession of child pornography. The original tweet included this sentence: "if only there would have been some warning signs, we could've

stopped this earlier”. The posts caught the attention of a parent of a student at the School who felt that the posts were transphobic in nature. This parent contacted School administrators out of concern that the retweets reflected Enns’ personal views towards the transgendered community.

8. On March 9, 2022, the District issued Enns a letter of discipline and suspended him for ten days without pay in respect of the conduct described at paragraphs 5 and 6 above. Enns served the suspension from May 9 until May 20, 2022, inclusive.
9. On April 7, 2022, the District met with Enns to discuss the topic of social media with Enns, reminding Enns that he should always consider that parents and students may be viewing his Twitter posts and drawing conclusions as to his own beliefs. The District did not discipline Enns or take any further action in relation to this incident.

Previous concerns

10. The District had previously raised concerns it had with Enns as follows:
 - a. On February 21, 2019, the District issued Enns a letter of discipline and suspended him for five days without pay following allegations that Enns: hit a metre stick on desks or tables to get students’ attention; and showed age-inappropriate videos; embarrassed a student in front of the class. In its letter, the District reminded Enns that he was to speak and act towards students with respect and dignity and that he was to refrain from singling students out publicly regarding confidential, medical, or sensitive information.
 - b. On January 31, 2017, the District issued Enns a letter of direction following allegations that he had interacted inappropriately with students and parents. The District directed him to do the following:
 - Demonstrate care for the emotional well-being of his students and promote an atmosphere of mutual respect and safety at all times.
 - Speak and act towards students with respect and dignity.
 - Solicit the assistance of the administrative team if he required support in resolving a conflict.
 - Maintain his professionalism when dealing with parents and students.
 - Attend a boundaries workshop on March 2, 2017.
 - c. On November 25, 2016, the District issued Enns a letter of expectation in which he

was reminded to “exercise judgment and sensitivity in monitoring the appropriateness of all subject matter to ensure [his] classroom is a racism-free and discrimination-free environment.

- d. The District had spoken with Enns informally on more than one occasion about his lack of judgment in comments made to his colleagues and in selecting photographs for inclusion in the yearbook.
11. On May 22, 2020, Enns entered into a Consent Resolution Agreement with the Commissioner in respect of the conduct described at paragraph 10(a) above. Under the terms of the agreement, Enns agreed to a three-day suspension of his certificate of qualification.
 12. On June 22, 2022, the Commissioner ordered an investigation under section 47(1) of the *Teachers Act*.
 13. On November 1, 2022, the Commissioner considered this matter and determined to propose a consent resolution agreement to Enns, in accordance with section 53(1)(a) of the *Teachers Act*.

CONSEQUENCES

14. This Agreement is made under section 53 of the *Teachers Act*.
15. Enns 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”).
16. Enns admits that the facts set out in paragraphs 1 to 11 of this Agreement are true.
17. Enns admits that the conduct described in paragraphs 5, 6 and 7 of this Agreement constitutes professional misconduct and is contrary to Standard #1 of the *Professional Standards for BC Educators*, June 2019.
18. Enns agrees to a five-day suspension of his certificate of qualification under sections 53 and 64(b) of the *Teachers Act*, from June 5, 2023, to June 9, 2023, inclusive.
19. Enns also agrees under section 64(f) and (h) that by March 31, 2024 (the “Condition Date”):
 - a. He will successfully complete the course *Reinforcing Respectful Professional Boundaries* through the Justice Institute (the “Course”) and provide satisfactory proof of completion to the Commissioner by the Condition Date.

- b. If Enns does not successfully complete the Course by the Condition Date, he will immediately advise the Commissioner in writing of the reason(s) he has not successfully completed it and set out the date by which he proposes to do so, at which time the Commissioner may extend the deadline to a later date (the “Extended Date”).
 - c. If Enns fails to provide satisfactory proof of completion of the Course by the later of the Condition Date or the Extended Date, the Commissioner may require the Director of Certification (the “Director”) to suspend Enns’ certificate of qualification under section 64(f) of the *Teachers Act*, until such time as he successfully completes the Course.
20. In determining that a five-day suspension and course requirement are appropriate consequences, the Commissioner considered the following factors:
- a. Enns failed to create a positive learning environment for students when he did not treat them with respect and dignity.
 - b. Enns had previously been warned about inappropriate interactions with his students.
 - c. Enns’ decision to retweet the Twitter posts raised concerns about his ability to treat students equitably with acceptance, dignity and respect.
21. Enns 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

22. The Director will record the terms of this Agreement on the Ministry of Education and Child Care’s online registry under section 79(d) of the *Teachers Act*.
23. Enns 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.
24. Notification of this Agreement will be made in accordance with section 55 of the *Teachers Act*.
25. A breach by Enns of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
26. Enns 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 Enns has admitted to the conduct and matters set out in this Agreement.
27. Enns 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 Green River ^{Utah} .B.C.
this 11 day of May, 2023.


Justin Daniel Moses Enns

Signed in Coquitlam .B.C.
this 12th day of May, 2023.


Ana R. Mohammed, Commissioner