



BRITISH COLUMBIA
COMMISSIONER FOR
TEACHER REGULATION

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

AND

IN THE MATTER CONCERNING

MOURAD SIAMER



CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

MOURAD SIAMER
("Siamer")

BACKGROUND and FACTS

1. Siamer holds a valid Professional Certificate of Qualification, [REDACTED]. It was issued by the Director of Certification (the "Director") under the *Teachers Act* on August 5, 2016 and is valid from August 5, 2016.
2. At all material times, Siamer was employed as a teacher on call ("TOC") by School District No. 43 ("Coquitlam") (the "District") at a District school (the "School").
3. On March 14, 2019, the District made a report to the Commissioner regarding Siamer, under section 16 of the *School Act*.
4. The following events occurred on December 5, 2018, when Siamer was TOC for a Grade 7/8 class at the School:
 - a. Student A was eating and talking to classmates in the classroom. Siamer got visibly angry, and yelled at Student A before sending them out into the hall.



- b. Later on, Student A stood up to go speak with a classmate. Siamer grabbed Student A by their clothing and physically pushed them out of the classroom into the hallway. Siamer was visibly angry and frustrated and used a raised voice, telling Student A that they were disrespectful and would be going to the School office.
5. On March 5, 2019, the District issued Siamer a letter of discipline and suspended him from the TOC list, without pay, for 3 days. Siamer served the suspension on March 6, 7, and 8, 2019.
6. On May 31, 2019, the Commissioner considered this matter and determined to propose a consent resolution agreement to Siamer, in accordance with section 53(1)(a) of the *Teachers Act*.

CONSEQUENCES

7. This Agreement is made under section 53 of the *Teachers Act*.
8. Siamer 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. Siamer admits that the facts set out in paragraphs 1 to 5 of this Agreement are true.
10. Siamer admits that the conduct described in paragraph 4 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.
11. Siamer 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. Siamer agrees under section 64(f) and (h) of the *Teachers Act* that by **April 30, 2021** (the "Condition Date"):
 - a. He will successfully complete the course *Creating a Positive Learning Environment* through the Justice Institute of British Columbia (the "Course") and provide satisfactory proof of completion to the Commissioner by the Condition Date.
 - b. If Siamer 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 Condition Date to a later date (the "Extended Date").


- c. If Siamer 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 to suspend Siamer's certificate of qualification under section 64(f) of the *Teachers Act*, until such time as he successfully completes the Course.
- 13. In determining that a reprimand and a course requirement are appropriate consequences, the Commissioner considered the following factor:
 - a. Siamer created an emotionally unsafe environment in the classroom by yelling and by his unwarranted physical interference with a student.
- 14. Siamer 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

- 15. The Director will record the terms of this Agreement on the Ministry of Education's online registry under section 79(d) of the *Teachers Act*.
- 16. Siamer 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.
- 17. A breach by Siamer of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
- 18. Siamer 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 Siamer has admitted to the conduct and matters set out in this Agreement.


19. Siamer 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 Port Coquitlam, B.C.
this 10 day of April, 2020.



Mourad Siamer

Signed in Vancouver, B.C.
this 15 day of April, 2020.



Howard L. Kushner, Commissioner