



BRITISH COLUMBIA
COMMISSIONER FOR
TEACHER REGULATION

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

AND

IN THE MATTER CONCERNING

EDWARD GERRIT TIMMERMANS

[REDACTED]

CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

EDWARD GERRIT TIMMERMANS
(“Timmermans”)

BACKGROUND and FACTS

1. Timmermans held a Professional Certificate of Qualification, No. [REDACTED]. It was issued by the B.C. Ministry of Education on December 18, 1986 and was valid from September 1, 1986.
2. Timmermans holds a valid Professional Certificate of Qualification, No. [REDACTED]. It was issued by the B.C. College of Teachers under the *Teaching Profession Act* on June 3, 1991, is valid from January 1, 1988, and was continued under the *Teachers Act* as of January 9, 2012.
3. At all material times, Timmermans was employed as a teacher by School District No. 63 (Saanich) (the “District”) at District schools.

[REDACTED]: Matter 1

4. On May 10, 2021, the District made a report to the Commissioner regarding Timmermans,

under section 16 of the *School Act*. This has been designated Matter 1.

5. The following events occurred on April 28, 2021, when Timmermans was a middle school teacher at District School A:
 - a. Student A was a Grade 6 student in Timmermans' class. Student B, who is indigenous, was in Grade 7 and was not in Timmermans' class.
 - b. Student B walked by Timmerman's class and rudely asked Student A what Student A was looking at. Timmerman said to Student A: "Are you laughing at [Student B] due to the bikini top?"
 - c. Timmermans approached Student B. He said to Student B: "Perhaps [Student A] is laughing at you because of what you're wearing." He also said: "you have your bra hanging out and people are going to look at you."
 - d. Timmermans returned to his classroom to address the issue with Student A, focusing on Student A's role in the interaction. He then went back into the hallway to discuss the issue further with Student B. When Timmermans returned for further discussion with Student B, a staff member was present. During the subsequent conversation, Timmermans told Student B that Student B was dressed inappropriately by which he meant that Student B was dressed in a bikini for the beach and that a bra is not meant to be worn at school. He then added: "[last week] you were wearing booty shorts so short your bum was showing and I had to turn my eyes away". At one point, Timmermans lowered the face mask he was wearing, pointed out his grey hair and referred to himself as an elder.
6. At an April 6, 2021, staff meeting, staff and School administrators discussed student attire and expectations on how best to approach concerns. Teachers were told that students were expected to dress as if the School were a place of work, and that students were not permitted to wear clothing that displayed logos depicting alcohol, drugs, or any type of hate speech. Teachers were told to be sensitive when bringing up the issue of appropriate attire with individual students. Teachers were advised to seek support from School administrators and counsellors, as needed, when approaching students on this topic. Timmermans' exchange with Student B was not consistent with the School's expectation on how to manage such discussions.
7. On May 5, 2021, the District issued Timmermans a disciplinary letter of warning. In addition, the District advised Timmermans as follows:
 - a. He was expected to attend a course entitled "Building Compassionate Classrooms". Timmermans did complete this course.

- b. He was expected to complete the District's "Cultural Competency Training" with a member of the District's Indigenous Education Team. Timmermans completed this course on May 28, 2021.
 - c. He was advised to show "consistent support for students by using language and remarks that support their individual growth and self-esteem". He was told to refrain from language or conversation that could be interpreted as demeaning, and he was to seek support and guidance when unsure how best to respond to concerns.
8. Timmermans also completed the following:
- a. *10 Ways to De-Escalate a Student's Big Behaviours*, a course offered by Complex Trauma Resources. Timmermans completed this in May 2021.

Matter 2

9. On November 25, 2021, the District made a report to the Commissioner regarding Timmermans, under section 16 of the *School Act*. This has been designated Matter 2.
10. The following events occurred in the fall of 2021 when Timmermans was teaching at an elementary school at District School B:
- a. Timmermans was on a bus with his Grade 3 class, going on a fieldtrip. Using the microphone on the bus, he welcomed the students, made a few jokes and then added: "If you need to stand up to shout across the bus you need to understand that I will rip out your vocal chords and then throw them out the window".
 - b. On October 28, 2021, Timmermans attended an IEP meeting for one of his students in Grade 3 ("Student C"). Student C's mother was at the meeting and discussed concerns she had about Student C becoming physical. Timmermans responded by saying words to the effect of: "If [Student C] takes a swing at me, I'll block it and [Student C] may get hurt". Timmermans then gestured with his arm.
 - c. One day in class, Student C was not being compliant, but instead put their head down on a desk, with their hoodie up, not wanting to talk or participate in the lesson. Student C was not disturbing the class. Timmermans told Student C to leave the classroom. When Student C did not respond, Timmermans knelt down by Student C and said: "you can make a decision to leave, or I will remove you". While Timmermans did not force Student C out of the classroom, his insistence that Student C do as directed was driven by Timmermans' frustration and need for control. The appropriate manner to address Student C in these situations is to leave Student C alone so that Student C can self-regulate. Timmermans shared this story with Student C's mother at the October 28, 2021, meeting, causing her concern as to

how Timmermans managed her child as Student C does not respond well to threats.

- d. In class one day, Student C referred to themselves as “dumb”. Timmermans’ response was to say that Student C was not dumb as “dumb means you are unable to speak and clearly you are speaking”. In retelling this story to colleagues at a meeting, Timmermans was reminded that some students are non-verbal. Timmermans responded by saying: “yeah, and they are dumb”.
11. On November 23, 2021, the District issued Timmermans a letter of discipline and suspended him for one month without pay. Timmermans has yet to serve the suspension. In addition, he was told that the District expected him to complete the following:
 - a. A one-hour virtual learning opportunity called: “*10 Ways to De-escalate Big Behaviours*”. Timmermans had completed this course in May 2021.
 - b. A one-day virtual course called “*Enhancing Emotional Intelligence*” through the Justice Institute of B.C. Timmermans has yet to complete this course.
12. On February 23, 2022, Timmermans resigned from the District, effective June 30, 2022.
13. The Commissioner ordered investigations into Matter 1 and Matter 2 under section 47(1) of the *Teachers Act* on July 16, 2021, and January 26, 2022, respectively.
14. On August 9, 2022, the Commissioner combined Matter 1 and Matter 2.
15. On August 9, 2022, the Commissioner considered this matter and determined to propose a consent resolution agreement to Timmermans in respect of Matter 1 and Matter 2, in accordance with section 53(1)(a) of the *Teachers Act*.

CONSEQUENCES

16. This Agreement is made under section 53 of the *Teachers Act*.
17. Timmermans 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”).
18. Timmermans admits that the facts set out in paragraphs 1 to 12 of this Agreement are true.
19. Timmermans admits that the conduct described in paragraphs 5 and 10 of this Agreement constitutes professional misconduct and is contrary to Standard #1 of the *Professional Standards for BC Educators*, June 2019.


20. Timmermans agrees to a reprimand under sections 53 and 64(a) of the *Teachers Act*, which will take effect on the first business day following the Effective Date.
21. Timmermans agrees under section 64(f) and (h) of the *Teachers Act* that by **March 31, 2023** (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 Timmermans 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 Timmermans 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 Timmerman's certificate of qualification under section 64(f) of the *Teachers Act*, until such time as he successfully completes the Course.
22. In determining that a reprimand and course condition are appropriate consequences, the Commissioner considered the following factors:
 - a. Timmermans failed to treat students equitably with acceptance, dignity and respect and failed to show adequate care for students' mental and emotional wellbeing; and
 - b. Timmermans failed to model appropriate behaviour expected of an educator.
23. Timmermans 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


24. 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*.
25. Timmermans 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.

26. A breach by Timmermans of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
27. Timmermans 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 Timmermans has admitted to the conduct and matters set out in this Agreement.
28. Timmermans 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 Sidney, B.C.
this 30th day of January, 2023


Edward Gerrit Timmermans

Signed in Victoria, B.C.
this 31st day of January, 2023


Howard L. Kushner, Commissioner