



DISCIPLINE CASE SUMMARY

a. Timothy James Foley (DOB: 1961.08.30)

b. Professional misconduct

c. The hearing was held on October 28, 2004, at the College's offices in Vancouver, B.C. This matter originated as a report under section 16(1) of the *School Act*.

d. The respondent admitted to an inappropriate sexual relationship with a female student that lasted approximately five months. The respondent further admitted to engaging in unwanted and close physical contact with another female student enrolled in his classroom.

e. The Hearing Sub-Committee (the "Committee") accepted the respondent's admission of guilt and found him guilty of professional misconduct.

The Committee determined that the sexual relationship between the respondent and his student breached the trust relationship between an educator and a student. Engaging in sexual contact with a student is among the most severe forms of misconduct for a teacher.

f. The Committee considered the submissions presented by counsel on penalty, publication and costs. The Committee decided that given the severity of the breach of the trust relationship, the respondent's certificate of qualification be cancelled immediately. In regards to costs, the Committee found that the respondent cooperated fully and that costs not be assessed. In the matter of publication, the Committee concluded that there was no presumption for publication and that the Committee has discretion in this case. After weighing the merits of the case, and considering the widespread publicity on the criminal proceedings involving the respondent, the Committee unanimously determined to release the respondent's name to the public.