



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

AND

IN THE MATTER CONCERNING

GADAGBOE KOFFI ASSIGBE

████████████████████

CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

GADAGBOE KOFFI ASSIGBE
(“Assigbe”)

BACKGROUND and FACTS

1. Assigbe held an Interim Standard Certificate of Qualification, No. ██████████ restricting him to teaching in the French language only. It was issued by the B.C. College of Teachers (the “College”) under the *Teaching Profession Act* on September 7, 2006 and was valid from September 1, 2005 until June 30, 2010.
2. Assigbe currently holds a valid Professional Certificate of Qualification, No. ██████████ It was issued by the College under the *Teaching Profession Act* on August 5, 2008, is valid from July 1, 2008, and was continued under the *Teachers Act* as of January 9, 2012.
3. At all material times, Assigbe was employed as a high school teacher by School District No. 59 (Peace River South) (the “District”) at a District school (the “School”).

Matter 1 – ██████████

4. On October 31, 2016, when Assigbe was teaching a Grade 9 Socials Studies class, three male students were off-task during the class. Assigbe ordered the students out of the classroom. He then used his hands on each of these three students’ backs or shoulders to ██████████

physically direct them out of the classroom.

5. On November 9, 2016, the District disciplined Assigbe by suspending him for three days without pay on November 10, 14 and 15, 2016.
6. The District had previously disciplined Assigbe for similar conduct as follows:
 - a. On December 19, 2014, the District issued Assigbe a letter of discipline following an incident where he physically restrained a student and pulled him into the classroom by the hand.
 - b. On June 22, 2015, the District issued Assigbe a letter of discipline and suspended him for one day without pay after he physically restrained a student and pulled him into the classroom by the arm.
7. On November 24, 2016, the District made a report to the Commissioner regarding Assigbe, under section 16 of the *School Act*.

Matter 2 – [REDACTED]

8. The following events occurred on January 19, 2018 when Assigbe was teaching a Social Studies class
 - a. Assigbe assigned a project requiring students to research a role or occupation in Medieval society.
 - b. A female student [Student A] asked in a joking way if she could research a different role than the one assigned and specifically the role of a prostitute.
 - c. Assigbe responded by saying to Student A words to the effect of “No, you [Student A] would not be a good prostitute, but [Student B] could be”.
 - d. Student B was a female student who was present in the classroom but not involved in this discussion. Student B heard Assigbe’s comment and felt uncomfortable by it.
 - e. Most of the students in the classroom heard Assigbe’s comment and felt uncomfortable. Assigbe did not apologize for making the comment about Student B until after the District’s investigation, when it was brought to his attention that students were upset by his comment.

9. On February 2, 2018, the District disciplined Assigbe by suspending him for seven days without pay on February 5 to 14, 2018.
10. On February 15, 2018, the District made a report to the Commissioner regarding Assigbe, under section 16 of the *School Act*.
11. On May 11, 2018, the Commissioner considered both these matters and determined to propose a consent resolution agreement to Assigbe, in accordance with section 53(1)(a) of the *Teachers Act*.

DISPOSITION

12. This Agreement is made under section 53 of the *Teachers Act*.
13. Assigbe 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”).
14. Assigbe admits that the facts set out in paragraphs 1 to 10 of this Agreement are true.
15. Assigbe admits that the conduct described in paragraphs 4 and 8 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.
16. Assigbe agrees to a three day suspension of his certificate of qualification under sections 53 and 64(b) of the *Teachers Act*. This suspension will occur on December 12, 13 and 14, 2018.
17. Assigbe also agrees under section 64(f) and (h) of the *Teachers Act* that by April 30, 2019 (the “Condition Date”):
 - a. He will successfully complete the course *Reinforcing Respectful Professional Boundaries* through the Justice Institute of British Columbia (the “Course”) and provide satisfactory proof of completion to the Commissioner by the Condition Date.
 - b. If Assigbe 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 Assigbe 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 Assigbe’s certificate of qualification under section 64(f) of the *Teachers Act*, until such time as he successfully completes the Course.
18. In determining that a suspension is an appropriate consequence, the Commissioner considered the following factors:
 - a. the serious nature of the conduct in each of the incidents, involving both inappropriate physical contact and a comment about a student that singled her out and because of its inappropriate nature made her and other students feel uncomfortable;
 - b. the similarity of this conduct to conduct in respect of which Assigbe has previously been disciplined;
 - c. in March 2016 Assigbe completed the course *Creating a Positive Learning Environment* at the Justice Institute of British Columbia but failed to successfully and consistently apply the learning from that course.
19. Assigbe 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.

CONSEQUENCES OF THE AGREEMENT


20. The Director of Certification will record the terms of this Agreement on the Teacher Regulation Branch’s online registry under section 79(d) of the *Teachers Act*.
21. Assigbe 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.bcteacherregulation.ca.
22. Notification of this Agreement will be made in accordance with section 55 of the *Teachers Act*.
23. A breach by Assigbe of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
24. Assigbe 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 Assigbe has admitted to the conduct and matters set out in this Agreement.
25. Assigbe 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 Dawson Creek, B.C.
this 17 day of August, 2018.


Gadagboe Koffi Assigbe

Signed in Vancouver, B.C.
this 24 day of August, 2018.


Howard Kushner
Commissioner