



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

AND

IN THE MATTER CONCERNING

RYAN GEORGE FERGUSON



CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

RYAN GEORGE FERGUSON
(“Ferguson”)

BACKGROUND and FACTS

1. Ferguson holds a valid Professional Certificate of Qualification, No. [REDACTED]. It was issued by the Teacher Regulation Branch (the “Branch”) under the *Teachers Act* on June 25, 2014 and is valid from June 25, 2014.
2. At all material times, Ferguson was employed as a high school teacher by School District No. 58 (Nicola-Similkameen) (the “District”) at a District school (the “School”).
3. On December 16, 2016, the District made a report to the Commissioner regarding Ferguson, under section 16 of the *School Act*.
4. The following events occurred during the 2015/2016 school year:
 - a. Ferguson taught Grade 12 English and was also assigned a library block at the School.

- b. Student A and Student B were female students in Ferguson's English class. Student C attended Ferguson's library block. Student A, Student B and Student C graduated from the School in June 2016.
 - c. In the spring of 2016, Ferguson sent Student A a private Facebook message, telling her that he had a crush on her friend, Student B. Ferguson told Student A that he had to keep his distance from Student B, but was concerned that comments he had made on Student B's report card might upset her. He wanted Student A to tell Student B that he had not intended to be mean to her.
 - d. During his library block, Ferguson shared personal stories with students, including Student C. For example, he shared an embarrassing nickname he had been given that had a sexual connotation to it. Student C reported feeling uncomfortable when Ferguson made these comments.
 - e. During the school year, Ferguson would periodically compliment Student C on her looks. Student C reported feeling "weird" as a result.
 - f. Ferguson had contact with students on social media shortly after they graduated. One of the students with whom he had contact was Student C.
 - g. In the summer of 2016, Ferguson sent Student C a message on Snapchat which read: "I usually judge how much someone loves me by the amount of time they spend on my face." He went on to write: "Oh right. You're not expecting me to still treat you like a student are you? That's not something I would say to a student."
 - h. On day in August, 2016, Student C and Ferguson exchanged messages. Ferguson suggested that Student C and her friend join him. Ferguson knew that Student C was under the legal drinking age at the time and wrote: "I'm on the reserve side of the river, so no one enforces the drinking age."
 - i. Student C reported to the District that she felt so uncomfortable about these exchanges with Ferguson that she abandoned plans to take academic upgrading at the School in September 2016 because he was still teaching there.
5. On October 25, 2016, the District issued Ferguson a letter of discipline and suspended him without pay for three days. Ferguson served the suspension on September 26, 27 and 28, 2016. The District also required Ferguson to "attend training on establishing and maintaining professional boundaries" at the first opportunity. Ferguson completed the boundaries training through the Okanagan Labour Relations Council on March 2, 2017.
 6. On January 11, 2017 the Commissioner considered this matter and determined to propose a consent resolution agreement to Ferguson, in accordance with section 53(1)(a) of the

DISPOSITION

7. This Agreement is made under section 53 of the *Teachers Act*.
8. Ferguson 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. Ferguson admits that the facts set out in paragraphs 1 to 5 of this Agreement are true.
10. Ferguson admits that the conduct described in paragraph 4 of this Agreement constitutes professional misconduct and is contrary to Standards #1 and #2 of the *Standards for the Education, Competence and Professional Conduct of Educators in British Columbia*, Fourth Edition, January 2012.
11. Ferguson agrees to a 1-month suspension of his certificate of qualification under sections 53 and 64(b) of the *Teachers Act*. The suspension will commence on October 1, 2017 and will expire on November 1, 2017.
12. Ferguson also agrees under section 64(f) and (h) that by **April 1, 2018** (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 Ferguson 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 Ferguson 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 to suspend Ferguson’s certificate of qualification under section 64(f) of the *Teachers Act*, until such time as he successfully completes the Course.
13. Ferguson 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

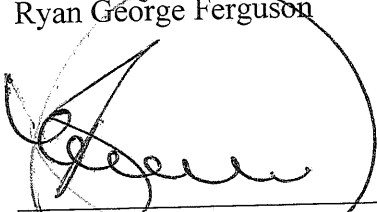
14. The Director will record the terms of this Agreement on the Teacher Regulation Branch's online registry under section 79(d) of the *Teachers Act*.
15. Ferguson acknowledges that this Agreement will be published in accordance with section 54 of the *Teachers Act*, which includes posting the Agreement, in full, on the following website: www.bcteacherregulation.ca.
16. Notification of this Agreement will be made in accordance with section 55 of the *Teachers Act*.
17. A breach by Ferguson of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
18. Ferguson 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 Ferguson has admitted to the conduct and matters set out in this Agreement.
19. Ferguson 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 Kamloops, B.C.
this 23 day of August, 2017.

Signed in Vancouver, B.C.
this 30 day of August, 2017.



Ryan George Ferguson



Hon. Bruce M. Preston, Commissioner