



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

AND

IN THE MATTER CONCERNING

LEE SANSEN VENDIOLA



CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

LEE SANSEN VENDIOLA
(“Vendiola”)

BACKGROUND and FACTS

1. Vendiola 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 February 16, 1996, is valid from January 1, 1996 and continued under the *Teachers Act* as of January 9, 2012.
2. At all material times, Vendiola was employed as a high school teacher by School District No. 42 (Maple Ridge-Pitt Meadows) (the “District”) at a District school (the “School”).
3. On June 25, 2015, the District made a report to the Commissioner regarding Vendiola, under section 16(3)(a) of the *School Act*.
4. During the 2014-2015 school year, Vendiola made inappropriate comments to students in his Grade 10 science class, which included the following:
 - a. He pointed out who the smarter students in the class were. He would sometimes say words to the effect “let’s ask [Student A] first, because they are smart.”

- b. He read out portions of students' essays to the rest of the class, commenting on both positive and negative aspects of their work. While the students were not identified, one reported that she knew the work being criticized in front of her peers was hers, which made her feel embarrassed.
 - c. He asked a Korean student in the class, on more than one occasion, "you're my Japanese student, aren't you?" although he had been repeatedly told that the student was Korean. Other times he would say to the same student "you are Chinese, aren't you?" This was offensive to the student.
 - d. He told his class that Asians have a good work ethic and that "these are the ones you are going to be competing with in the global economy. There's going to be a big difference later on." He also told them that students who go to UBC are Asian because they have dedication and a work ethic.
 - e. He referred to a high-achieving student in the class a "god". The student reported that this was offensive because his family is very religious.
 - f. Within earshot of students, he asked "Where is [Student B]? Is she skipping again?"
 - g. When watching a science video, students reported that he commented on the presenter saying "she is not very smart, but she will go far in life because she's pretty."
 - h. While discussing the formation of new species and in response to specific questions from students, he told his class that he saw a link on Facebook about a YouTube video showing a woman having sexual intercourse with a horse.
5. On June 24, 2015, the District disciplined Vendiola by issuing him a one day suspension without pay. Vendiola served that suspension on June 25, 2015. Vendiola was also required to attend and successfully complete sensitivity training. Vendiola completed the sensitivity training requirement on July 29, 2015.
 6. On November 22, 2013, Vendiola had been given a letter of expectation following an investigation into his conduct at the School when teaching a Grade 8 science class in 2013. In that letter, Vendiola was reminded that it was "incumbent upon [him] as a teacher to treat students with respect and dignity; comments that cause humiliation or embarrassment are not appropriate."
 7. On August 11, 2015 the Commissioner considered this matter and determined to propose a consent resolution agreement to Vendiola, in accordance with section 53(1)(a) of the *Teachers Act*.

DISPOSITION

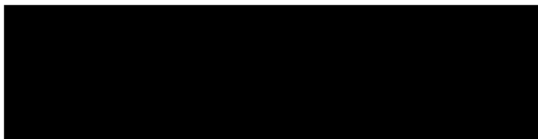
8. This Agreement is made under section 53 of the *Teachers Act*.
9. Vendiola understands and acknowledges that this Agreement is not effective until executed by the Commissioner, and that the date of execution by the Commissioner will be the effective date of this Agreement (the “Effective Date”).
10. Vendiola admits that the facts set out in paragraphs 1 to 6 of this Agreement are true.
11. Vendiola admits that the conduct described in paragraphs 4 and 6 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.
12. Vendiola 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.
13. Vendiola also agrees under section 64(f) of the *Teachers Act* that by **September 30, 2016** (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 Vendiola 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 done so and set out the date by which he proposes to do so, at which time the Commissioner may extend the deadline (the “Extended Date”); and
 - c. If Vendiola 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 Vendiola’s certificate of qualification under section 64(f) of the *Teachers Act*, until such time as he successfully completes the Course.
14. Vendiola 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

15. 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*.

16. Vendiola 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.
17. A breach by Vendiola of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
18. Vendiola 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 Vendiola has admitted to the conduct and matters set out in this Agreement.
19. Vendiola 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 Pitt Meadows, B.C.
this 19th day of April, 2016.



Lee Sansen Vendiola

Signed in Vancouver, B.C.
this 2 day of May, 2016.

A handwritten signature in cursive script, appearing to read "Bruce M. Preston", written over a horizontal line.

Hon. Bruce M. Preston, Commissioner