

with one count of assault and one count of uttering threats. This has been designated Matter 1.

5. The following events occurred:
 - a. On February 6, 2018, Pallingalthodi Jabbar was charged with one count of assault, contrary to section 266 of the *Criminal Code* and one count of uttering threats, contrary to section 264.1 of the *Criminal Code* (the “Charges”).
 - b. The Charges were stayed on September 19, 2018, in part because Pallingalthodi Jabbar had participated in counselling, including anger management training.
 - c. In the District investigation into his conduct, Pallingalthodi Jabbar admitted to losing his temper, raising his voice, and striking an adult with an open hand.
6. On January 23, 2019, the District issued Pallingalthodi Jabbar a letter of discipline and suspended him without pay for 5 days. In addition, the District directed Pallingalthodi Jabbar to do the following:
 - a. complete the following courses at the Justice Institute of B.C. by August 2020: *The Mindful Educator in Managing Conflict, Creating a Positive Learning Environment* or a reasonable alternative thereto and *Reinforcing Respectful Professional Boundaries*;
 - b. participate in a job support plan established by the District; and
 - c. participate in counselling related to anger management.

Matter 2

7. On March 8, 2018, the District made a report to the Commissioner regarding Pallingalthodi Jabbar under section 16 of the *Teachers Act*. This has been designated Matter 2.
8. The following events occurred in December, 2017:
 - a. On December 12, 2017, when teaching a Grade 9 math class, Pallingalthodi Jabbar cuffed a student in the back of the head with his hand and said “are you really that dumb?” when the student answered a question incorrectly.
 - b. On December 1, 2017, when teaching a Grade 9 drama class, Pallingalthodi Jabbar cuffed a student in the back of the head with his hand when the student made a sudden, loud noise with a microphone.
9. On December 22, 2017, in respect of the conduct described in paragraph 8(a), the District

issued Pallingalthodi Jabbar a letter of discipline and suspended him for 2 days without pay. Pallingalthodi Jabbar served the suspension in January, 2018.

10. On December 22, 2017, in respect of the conduct described in paragraph 8(b), the District issued Pallingalthodi Jabbar a written warning letter.
11. On May 28, 2019, the Commissioner considered this matter and determined to propose a consent resolution agreement to Pallingalthodi Jabbar, in accordance with section 53(1)(a) of the *Teachers Act*.

CONSEQUENCES

12. This Agreement is made under section 53 of the *Teachers Act*.
13. Pallingalthodi Jabbar 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. Pallingalthodi Jabbar admits that the facts set out in paragraphs 1 to 10 of this Agreement are true.
15. Pallingalthodi Jabbar admits that the conduct described in paragraph 5 of this Agreement constitutes conduct unbecoming and is contrary to Standard #2, and that the conduct described in paragraph 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. Pallingalthodi Jabbar agrees to a five-day suspension of his certificate of qualification under sections 53 and 64(b) of the *Teachers Act*. The suspension will take effect from June 22, 2020 to June 26, 2020, inclusive.
17. In determining that suspension is an appropriate consequence, the Commissioner considered the following factors:
 - a. Pallingalthodi Jabbar engaged in unwarranted physical contact with students on more than one occasion;
 - b. Pallingalthodi Jabbar’s emotional state had a negative effect on his conduct; and
 - c. Pallingalthodi Jabbar has taken two remedial courses and is required to take a third course in anger management by September, 2019.
18. Pallingalthodi Jabbar 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

19. The Director will record the terms of this Agreement on the Branch's online registry under section 79(d) of the *Teachers Act*.
20. Pallingalthodi Jabbar 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.
21. Notification of this Agreement will be made in accordance with section 55 of the *Teachers Act*.
22. A breach by Pallingalthodi Jabbar of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
23. Pallingalthodi Jabbar 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 Pallingalthodi Jabbar has admitted to the conduct and matters set out in this Agreement.
24. Pallingalthodi Jabbar 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 Chilliwack, B.C.
this 29th day of May, 2020.


Sudhir Raj Pallingalthodi Jabbar

Signed in Vancouver, B.C.
this 3rd day of June, 2020.


Howard L. Kushner, Commissioner

