



BRITISH COLUMBIA
COMMISSIONER FOR
TEACHER REGULATION

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

AND

IN THE MATTER CONCERNING
JAMES ANURODH RAHUL ROY

[REDACTED]

CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

JAMES ANURODH RAHUL ROY
(“Roy”)

BACKGROUND and FACTS

1. Roy held a Conditional Certificate of Qualification, No. [REDACTED]. It was issued by the Director of Certification (the “Director”) under the *Teachers Act* on December 9, 2013 and was valid from December 9, 2013 until June 30, 2018.
2. Roy holds a valid Professional Certificate of Qualification, No. [REDACTED]. It was issued by the Director under the *Teachers Act* on September 17, 2014 and is valid from September 17, 2014.
3. At all material times, Roy was employed as a middle school teacher by School District No. 62 (Sooke) (the “District”) at a District school (the “School”).
4. On April 26, 2019, the District made a report to the Commissioner regarding Roy, under section 16 of the *School Act*.

[REDACTED]

5. The following events occurred on April 9, 2019 when Roy accompanied his Grade 6 class to a forest:
 - a. A student sustained a foot injury that required first aid attention. An 11-year old student ("Student A") asked if they could look at the injury as they had taken a first aid class. Roy allowed Student A to administer the first aid under his direction. Student A and Roy then debated whether or not the injured student needed a splint on their foot.
 - b. At one point, some students ran beyond the physical boundary Roy had designated for them. As Roy grew anxious about the students who had run off, he asked those present to form a line. Student B did not obey Roy's order. Roy responded by grabbing Student B by the shoulders and shaking them in a manner Student B perceived to be aggressive, and ordered Student B to get back in line. Shortly afterwards he said to Student A: "don't be an idiot."
6. On April 24, 2019, the District issued Roy a written warning letter.
7. On June 18, 2019, the Commissioner considered this matter and determined to propose a consent resolution agreement to Roy, in accordance with section 53(1)(a) of the *Teachers Act*.

CONSEQUENCES

8. This Agreement is made under section 53 of the *Teachers Act*.
9. Roy 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. Roy admits that the facts set out in paragraphs 1 to 6 of this Agreement are true.
11. Roy admits that the conduct described in paragraph 5 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. Roy 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. Roy further agrees under sections 53 and 64(f) that by **September 1, 2020** (the "Condition Date")


- a. He will have successfully completed six sessions of counselling with a counsellor approved by the Commissioner (the “Counselling”) and shall provide satisfactory proof of completion of the Counselling to the Commissioner by the Condition Date.
 - b. If Roy does not successfully complete the Counselling 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 Condition Date to a later date (the “Extended Date”).
 - c. If Roy fails to provide satisfactory proof of completion of the Counselling by the later of the Condition Date or the Extended Date, the Commissioner may require the Director to suspend Roy’s certificate of qualification under section 64(f) of the *Teachers Act* until such time as he successfully completes the Therapy.
14. In determining that a reprimand and counselling are appropriate consequences, the Commissioner considered the following factors:
 - a. Roy engaged in unnecessary physical contact with a student;
 - b. Roy responded to Student B inappropriately;
 - c. there were safety and risk issues with the student administering first aid to another student; and
 - d. Roy has acknowledged the inappropriateness of his actions.
15. Roy 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

16. The Director will record the terms of this Agreement on the Ministry of Education’s online registry under section 79(d) of the *Teachers Act*.
17. Roy 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.teacherregulation.gov.bc.ca.
18. Notification of this Agreement will be made in accordance with section 55 of the *Teachers Act*.
19. A breach by Roy of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.

20. Roy 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 Roy has admitted to the conduct and matters set out in this Agreement.
21. Roy 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 VICTORIA, B.C.
this 22 day of FEB, 2020.


James Anurodh Rahul Roy

Signed in Vancouver, B.C.
this 10 day of March, 2020.


Howard L. Kushner, Commissioner