



BRITISH COLUMBIA
COMMISSIONER FOR
TEACHER REGULATION

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

AND

IN THE MATTER CONCERNING
JEFFREY ROHIN MUTHANNA
[REDACTED]

CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

JEFFREY ROHIN MUTHANNA
(“Muthanna”)

BACKGROUND and FACTS

1. Muthanna 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 December 6, 1999, is valid from September 1, 1999 and continued under the *Teachers Act* as of January 9, 2012.
2. At all material times, Muthanna was employed as an elementary school teacher by a school district in British Columbia (the “District”).
3. On September 14, 2016, the District made a report to the Commissioner regarding Muthanna, under section 16 of the *School Act*.
4. The following events occurred:
 - a. For approximately two years, Muthanna used a District laptop to access pornographic images and a chat room during non-work hours. The District Electronic Information

Systems Acceptable Use Guidelines prohibit use of District equipment to access, download or store sexually oriented material.

- b. On June 2, 2016, Muthanna was using the laptop when teaching his Grade 6/7 class. While online and attempting to project an online educational site from the laptop onto the whiteboard, a picture of female genitalia from an internet “pop up” was inadvertently projected onto the screen and was seen by students and an education assistant.
5. On September 13, 2016, the District issued Muthanna a letter of discipline and suspended him without pay for thirteen days.
6. On February 8, 2017 the Commissioner considered this matter and determined to propose a consent resolution agreement to Muthanna, in accordance with section 53(1)(a) of the *Teachers Act*.

DISPOSITION

7. This Agreement is made under section 53 of the *Teachers Act*.
8. Muthanna 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. Muthanna admits that the facts set out in paragraphs 1 to 5 of this Agreement are true.
10. Muthanna admits that the conduct described in paragraph 4 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.
11. Muthanna 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.
12. Muthanna 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

13. The Director of Certification will record the terms of this Agreement on the Branch’s online registry under section 79(d) of the *Teachers Act*.
14. Muthanna 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.


15. A breach by Muthanna of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
16. Muthanna 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 Muthanna has admitted to the conduct and matters set out in this Agreement.
17. Muthanna 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 Vancouver, B.C.
this 3 day of November, 2017.



Jeffrey Rohin Muthanna

Signed in Vancouver, B.C.
this 28 day of November, 2017.



Hon. Bruce M. Preston, Commissioner (Acting)
Elena Miller