

July 30, 2010

MEMORANDUM OF AGREEMENT

B E T W E E N :

Ontario College of Teachers

- and -

Bruce Abel,

WHEREAS Bruce Abel is a Member of the Ontario College of Teachers (Certificate number 114290);

AND WHEREAS Michael Salvatori, OCT, Registrar and Chief Executive Officer, initiated a complaint on June 4, 2010, with respect to the conduct or actions of Bruce Abel;

THE PARTIES to this agreement are the Ontario College of Teachers (the "College") and Bruce Abel (the "Member"). The Registrar's signature on this Memorandum of Agreement (the "MOA") does not bind the Investigation Committee in its function to consider and dispose of this matter.

WHERE THE INVESTIGATION COMMITTEE requests modifications to this MOA, the Dispute Resolution Officer shall consult the parties as to whether the modifications are acceptable. If the parties accept the modifications, the revised MOA shall become final and binding once ratified by the Investigation Committee.

WHERE THE INVESTIGATION COMMITTEE does not ratify the MOA and the parties do not accept the suggested modifications; the complaint will proceed through the investigation process and will be considered by a differently constituted panel of the Investigation Committee. The second panel of the Investigation Committee will not be provided with nor will it consider this MOA.

Statement of Facts

1. At times of the events giving rise to the complaint against the Member, he was employed as a teacher and guidance counsellor by the Upper Grand District School Board (the "Board").

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2. The College received information that the Member plead guilty to indecent assault and to having sexual intercourse with a female under the age of 14 contrary to the Criminal Code.
3. The Member was sentenced to 42 months of incarceration along with other applicable ordinances.
4. The Member's behaviour concerned numerous illegal sexual activities with a Grade [REDACTED] year old female student [REDACTED] he was counselling in 1980.
5. The Member retired from the Board's employ effective September 30, 1998.
6. The victim, [REDACTED], did not disclose what occurred until 2008.
7. The Member admits the facts stated herein.
8. The Member voluntarily accepts the dispositions of this MoA and understands that by doing so, he is waiving the right to require the College to prove the allegations against him and the right to a contested hearing.

Joint Submission on Resolution

The parties agree to resolve the complaint as follows:

9. The parties agree and undertake that upon ratification of this MoA, there shall be no further action taken, no appeal of any or all of the terms of this agreement, and no application for judicial review, providing the terms of this MoA are adhered to.
10. The parties agree and understand that if any phrase or paragraph of this MoA is deemed null and void, the nullified section shall be replaced by a valid text attaining the same objective. The ratified MoA shall, at all times, remain in force and effect.
11. The Member recognizes that if a hearing was held regarding the above particulars, the appropriate outcome would be that his teaching certificate be revoked.
12. The Member hereby permanently resigns from the Ontario College of Teachers unequivocally and without reserve and agrees that the Registrar shall cancel his teaching certificate.

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Handwritten initials, possibly 'JA', written in black ink.

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13. The Member agrees and undertakes to never seek employment in a publicly funded education institution.
14. The Member agrees and undertakes unequivocally and without reserve, not to ever request a certificate of qualification or registration or ask for reinstatement as a member of the College.
15. The Member agrees and understands that should he breach this MoA all the facts giving rise to the concerns relating to the Member's conduct up to this day will be considered including and not limited to, the Member's admission contained herein along with any other relevant concerns occurring after the ratification of this MoA.
16. The Member agrees and understands that from the date of ratification of this MoA, the Public Register shall indicate:

"Pursuant to the ratification by the Investigation Committee of a Memorandum of Agreement between the Member and the Ontario College of Teachers, the Member's teaching certificate and registration has been cancelled by the Registrar and the Member undertakes to never seek employment in a publicly funded school."

17. The Member agrees and understands that the College shall publish a summary of the complaint and its resolution as contained in this MoA including the Member's name. Such publication may include the College's official publication, *Professionally Speaking/Pour parler profession*, on the College web site, and in such other manner as the Registrar deems appropriate.
18. The Member agrees and understands that, upon ratification of this MoA, the College shall provide notice of the cancellation of the Member's certificate of qualification and registration to those organizations routinely notified by the College of action including but not limited to school boards, teacher federations or affiliates, and teacher licensing and governing bodies in Canada and elsewhere.
19. The Member understands and agrees that, upon ratification of this MoA, the College shall maintain a copy of the Decision of the Investigation Committee, including this MoA, in the College's Margaret Wilson Library. The Decision will be made available for review by the public.

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20. The Member agrees and understands that should he breach this MoA by not adhering to his obligations as stated in this MoA, the College may:
- a) provide a copy of this MoA and the Decision of the Investigation Committee to any employer, licensing body, or education authority who enquire about the Member's record with the College; and,
 - b) prosecute the Member for breach of his undertakings under this MoA along with the prosecution of the Member's behaviour as stated herein.
18. The Member agrees and understands that, in the event he breaches a term of this MoA, he is estopped from alleging, by way of defense, that the College failed to investigate or dispose of the complaint in a timely manner with respect to the period between the resolution of the complaint and the date on which the College became aware of such a breach.
19. The Member agrees and understands that, in the event he breaches a term of this MoA, the College may provide the Committee or Committees which will have jurisdiction over the issue of the breach of undertakings under this MoA with all the necessary information to fulfil its statutory mandate.

TO WIT, the parties have signed:

Dated at GUELPH this 15 day of Sept 2010
Town/City Day of mo. Month Year

[Signature]
 Witness
BON BEVERIDGE
 Name of Witness - Please Print

[Signature]
 Bruce Abel

INITIALS:
BA

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Dated at Toronto this 27th day of September 2010
Day of mo. Month Year

Shirley Rodricks
Witness

Michael Salvatori
Michael Salvatori, OCT
Registrar and Chief Executive Officer

SHIRLEY RODRICKS
Name of Witness - Please Print