

**ONTARIO COLLEGE OF TEACHERS**

**DISCIPLINE COMMITTEE**

*IN THE MATTER OF THE ONTARIO COLLEGE OF TEACHERS ACT, 1996, and the Regulation (Ontario Regulation 437/97) thereunder:*

**AND IN THE MATTER OF** discipline proceedings against Lubomira (Mira) Bondar.

The Discipline Committee held a hearing on March 6-8, April 24-26 and July 2 & 3, 2002,

**BETWEEN:**

**ONTARIO COLLEGE OF TEACHERS**

**- and -**

**LUBOMIRA (MIRA) BONDAR  
CERTIFICATE #247778**

**REASONS FOR DECISION, DECISION AND ORDER**

**PRESENT:**

Members of the Panel

Diane Leblovic (Chair)

Guill Archambault

Paul Charron

The Honourable Patrick Galligan and The Honourable Lloyd Houlden, Independent Counsel to the Panel

Jane Langford, McCarthy Tétrault LLP, Counsel for the Ontario College of Teachers, assisted by Jennifer Robinson, Law Clerk

Lubomira Bondar represented herself.

A Notice of Hearing dated July 4, 2001 was served on Lubomira (“Mira”) Bondar , requesting attendance before the Discipline Committee of the Ontario College of Teachers on July 30, 2001 to set a date for hearing, and specifying the charges. The hearing was eventually set for commencement on March 6, 2002.

It is alleged that Mira Bondar is guilty of professional misconduct in that:

- (a) she failed to maintain the standards of the profession, contrary to Ontario Regulation 437/97, subsection 1(5);
- (b) she abused certain of her students verbally, psychologically or emotionally, contrary to Ontario Regulation 437/97, subsection 1(7);
- (c) she failed to comply with the *Education Act*, Revised Statutes of Ontario, 1990, chapter E. 2 and particularly s. 264 (1) (a), (b), (c), (d), (e), (h) and (i) thereof, and the Regulations made under that Act, contrary to Ontario Regulation 437/97, subsections 1 (14) and (15);
- (d) she performed an act or acts that, having regard to all the circumstances, would reasonably be regarded by members as being disgraceful, dishonourable or unprofessional, contrary to Ontario Regulation 437/97, subsection 1 (18);
- (e) she engaged in conduct unbecoming a member, contrary to Ontario Regulation 437/97, subsection 1 (19); and
- (f) she displayed a lack of knowledge, skill or judgement and/or a disregard for the welfare of students of a nature or extent that demonstrates that the member is either unfit to carry out her professional responsibilities or that the member’s certificate should be made subject to terms, conditions or limitations.

The Notice of Hearing states that Mira Bondar is a member of the Ontario College of Teachers and therefore comes under the jurisdiction of the Ontario College of Teachers.

Commencing March 6, 2002, the Discipline Committee of the Ontario College of Teachers conducted a hearing into whether Mira Bondar was guilty of professional misconduct. Mira Bondar attended the hearing and represented herself. At this time, the member requested an adjournment to a future date as she had a cold. The motion to adjourn was denied.

## **EVIDENCE**

Counsel for the Ontario College of Teachers referred to the charges set out in the Notice of Hearing, alleging that Mira Bondar is guilty of professional misconduct in that her acts were contrary to the Professional Misconduct Regulation made under the Ontario College of Teachers Act and filed as Regulation 437/97 on December 4, 1997, in particular, subsections 1 (5), (7), (14), (15), (18) and (19). It was also alleged that she displayed a lack of knowledge, skill or judgement and/or a disregard for the welfare of students of a nature or extent that demonstrates that the member is either unfit to carry out her professional responsibilities or that the member's certificate should be made subject to terms, conditions or limitations.

Counsel presented evidence that Mira Bondar is a member of the Ontario College of Teachers (Exhibit #1). At all material times, Mira Bondar was employed by the Peel District School Board, as a teacher, and was assigned to five schools in the material time period, namely West Credit Secondary School ("West Credit") from September, 1992 to June, 1993; Erindale Secondary School ("Erindale") from January, 1994 to September, 1994; The

Woodlands School (“Woodlands”) from May 1-15, 1995, Chinguacousy Secondary School (“Chinguacousy”) from September, 1997 to January, 1998, and Turner Fenton Secondary School (“Turner Fenton”) from February, 1998 to November 9, 1998.

The Committee had seven days of hearings, heard evidence from 13 witnesses, including the member, and received a number of exhibits including four volumes containing 165 sections of material (Exhibit #3) relating to the member’s performance of duties as a teacher.

The witnesses who testified for the College had collectively over 300 years of experience in education, in both teaching and administration.

Debra Mitchell testified to her 30 years of experience as a teacher and administrator. During the relevant time period, in her role as Superintendent of Human Resources, she was involved in the ongoing concerns around Mira Bondar’s performance as a teacher. She further testified that she attended a performance evaluation with Dave Pedwell, Superintendent of Operations, and Mira Bondar in September 1998, and that Mira Bondar refused to engage in dialogue other than to disagree with the evaluation. In addition, Debra Mitchell testified that the member, over an extended period of time, had failed to meet classroom management expectations and strategies for teaching expectations. She also testified that Mira Bondar’s assessment and evaluation skills and her interpersonal skills were unsatisfactory. The Committee heard testimony from Debra Mitchell that Mira Bondar was frequently absent without approval (Exhibit #4, Tab 160) and that she did not follow the absentee procedures of the board or provide the required medical certificates when

requested. Debra Mitchell also testified that Mira Bondar was terminated by the Peel District School Board for just cause as of September 29, 1999 (Exhibits #4 and #5).

Sheldon Rosenberg, former Department Head of History at Erindale during the relevant time period (1994), testified that the member was late for class at least once a week and he had to open her classroom and get the students started on their work. He also stated that the students did not seem to respect the member. The former Department Head further testified that, when he had occasion to teach Mira's students and/or open the classroom for them when the member was late, he observed a "sense of disquietude and dissatisfaction" in the students. Her students seemed "confused" as to what their responsibilities were. The Committee also heard evidence from Sheldon Rosenberg that students advised him that the course was not being "properly taught" and that there were disputes about what was expected for tests and assignments. He noted that by the spring, the students had "barely made a dent" in the course material.

Sheldon Rosenberg was asked by College counsel about Mira Bondar's student evaluation. In response, he stated that in his 28 years as a department head, that "absolutely nothing compares to this". He further testified that her marks contained many errors, contradictions and omissions and that her marking scheme was incomprehensible (Exhibit #3, Tab 31). Sheldon Rosenberg further testified that on two occasions, Mira Bondar released her students early, contrary to board policy. On one occasion, she deprived the students of much needed examination preparation time. He also described an occasion when he and Erindale's two vice-principals and the principal were forced to confront Mira Bondar in the parking lot after she had lied to him that she had permission to leave the school to finish her

marking. She had repeatedly failed to give him her telephone contact number and when he finally obtained her telephone number from the office, it was discovered that the number was for a Fuji film outlet.

In concluding his testimony, he stated, "As a parent of three children, I try to keep in mind at all times how I hoped their teachers would treat them - with respect, with dignity, to be encouraged, challenged, stimulated - given opportunities for growth. These standards do not appear to be consistent with the manner in which Mira Bondar conducted herself".

Richard Frise testified that he had 32 years as a teacher and administrator. He also testified that he was the superintendent of schools for the Peel District School Board, including Erindale and Woodlands where Mira Bondar taught in 1994 and 1995.

He testified that as a result of the unresolved concerns at Erindale regarding Mira Bondar's job performance, he felt that a formal Teacher Evaluation in the spring of 1994 was necessary to provide a basis for future supervision and for further planning for the following school year. Thus, Erindale's Vice-Principal, Don Guyatt, conducted the formal teacher review in late May, 1994. Superintendent Frise stated that the member was angry and annoyed about having a vice-principal in the class assessing her, as she felt it would be disruptive and was a professional insult. He testified that his meetings with the member were characterized by a lack of linearity. Furthermore, she refused to accept the level of supervision being imposed upon her as a result of growing concerns as to her job performance. Richard Frise stated that he was not convinced that she heard and understood the concerns identified, despite his best efforts.

Richard Frise also testified to an incident that occurred on September 9, 1994. The incident was reported to him by copy of a letter (Exhibit #3, Tab 36) which was written to Mira Bondar by Lynda Palazzi, Executive Superintendent of Human Resources Services. The letter described a major problem that occurred when Mira Bondar dispersed two female students who were smoking on school property. Both students indicated that the member had said, "I am Christ, I represent the power of God and the Holy Spirit." In addition, Mira Bondar poked one of the students in the stomach. Richard Frise testified that at a meeting with Principal Whyte, Executive Superintendent of Field Services Sandra Birthelmer, the President of District 10 Ontario Secondary School Teachers' Federation D'Arcy Kingshott and Lynda Palazzi to discuss this incident with Mira Bondar, the member's response had religious overtones and was not related to the issues being discussed.

The Committee heard testimony from Richard Frise that those in attendance at the meeting concluded that some form of discipline would be handed out. He stated, in referring to Exhibit #3, Tab 36, that he and Principal Whyte agreed that Mira Bondar should be removed from the classroom and sent home. Richard Frise told the Committee that her behaviour was extreme and was an indicator of her lack of fitness to teach. He also testified that the Superintendent of Human Resources identified two mental health professionals who could be engaged to provide her support. The Committee heard further testimony from Richard Frise that he had spoken by teleconference to Dr. Robert F. Stevens, a psychologist, regarding Mira Bondar's psychological assessment required by the board (Exhibit #3, Tab 43). He also stated that Dr. Stevens suggested that a lighter workload with an opportunity for some support to ease her back into the position, would assist the member in returning to

work after her lengthy absence (September 14, 1994 to May 1, 1995) (Exhibit #3, Tab 2) and in accordance, a job was created for her at Woodlands.

Richard Frise was asked by College counsel whether Mira Bondar met the standards expected of a teacher. In response, he stated, "At the time, I was uncomfortable with her having a full class load in our schools because she didn't seem to be able to do all of the things we required a teacher to do. She didn't seem to be able to plan and deliver a coherent program. She didn't seem to be able to always be where she ought to be, and we were concerned about the classroom management and the assessment of student progress."

In cross-examination of this witness by Mira Bondar, the Committee heard testimony from Richard Frise that he did not question the report of the psychologist, Dr. R. Stevens, and that he understood that there was no serious illness. He also stated his concern was about the member's ability to carry on the workload.

Christine Delaney testified that she had 17 years of experience at the Peel Board in employee programs and was the Coordinator of Employee Programs at the relevant time. Christine Delaney testified she had contact with Mira Bondar when the member was on a medical leave of absence between September 1994 and September 1997. She also testified that the vice-principal of Woodlands, Marilyn Lawson, advised her that Mira Bondar had been late every day since arriving at Woodlands (Exhibit #3, Tab 52). Christine Delaney further testified that Mira Bondar had great difficulty following board procedure with respect to proper medical documentation supporting her absences and her ability to return to work.

Additionally, they were often unable to contact her due to the member's failure to provide the board with a current address and telephone number.

Norbert Pirk, Mira Bondar's principal at Woodlands in May, 1995, testified that he met with Mira Bondar and Christine Delaney on April 28, 1995 to discuss re-introducing Mira Bondar to an environment that was less stressful. During the two weeks Mira Bondar was present in his school, she was late on a number of occasions. He stated that during the time at Woodlands, Mira Bondar failed to teach the subject matter assigned to her, and instead, she verbalized at length about issues unrelated to the subject matter to the point that it disrupted the class. Furthermore, she refused to stay in the ESL class where she was assigned (Exhibit #3, Tab 49).

Principal Pirk testified that Mira Bondar made disparaging remarks to him about a colleague, and made inappropriate comments to another colleague about religion and his physical appearance. These remarks were unwelcome and embarrassing and reduced a fellow teacher to tears (Exhibit #3, Tab 49). When asked whether Mira Bondar met the standards of the profession, he responded, "She did not..." After one hour of cross-examination of this witness by Mira Bondar, the witness was excused by the panel as she was abusing the process of cross-examination.

Rob Whetter testified that he had 30 years experience as a teacher and administrator with the Peel District School Board. His involvement with Mira Bondar was at West Credit in the 1992-1993 school year, when he was principal and again when he was principal at Chinguacousy, from September 1997 to January 1998. Rob Whetter testified that at West

Credit , Mira Bondar sent a disproportionate number of students to the office for discipline, demonstrating her questionable classroom management skills. The witness also testified that Mira Bondar had significant difficulties adjusting to accommodating the learning needs of the West Credit students. She refused to recognize that the students were “fragile” learners and that, in addition to needing special instruction, they needed her support. Rob Whetter had to caution her in person and in writing not to use “the appearance of extreme rage” as a student management technique (Exhibit #3, Tab 5). The witness commented that the students in special education require special encouragement and support to overcome limited powers of concentration, and that Mira Bondar, as a special education teacher, should have been able to handle these students. Rob Whetter also testified that Mira Bondar had significant difficulties with classroom management as compared to other teachers in the school.

Mira Bondar’s attendance and punctuality was of concern to him throughout her semester at Chinguacousy in the fall of 1997. Specifically, he testified that she was frequently late and on a number of occasions, she simply did not report to school at all, with no explanation or prior warning. Furthermore, when she did send work for her students to complete in her absence, the assignments left were frequently insufficient and of poor quality.

On two occasions, while Mira Bondar was at Chinguacousy, Rob Whetter received telephone calls from parents complaining about her. One parent reported to him that Mira Bondar appeared to have an inappropriate focus on racial matters and appeared to favour white children. Rob Whetter spoke to Mira Bondar about these complaints and confirmed his expectation that all students would be treated equally, irrespective of race. Another

parent had concerns regarding the amount of learning that was going on in the member's classroom and Rob Whetter testified that he began monitoring her class.

In addition, it had been reported to Rob Whetter that Mira Bondar did not enter examination marks into the school computer on the specified dates and times, nor did she enter analysis of failure sheets until after the promotion meetings were finished at the conclusion of Semester 1. Rob Whetter further testified that it had been brought to his attention by the vice-principal that Mira Bondar had not marked the Grade 10 history examinations. The witness then testified that he asked the department head to review her marking scheme. It was noted that her marks deviated from the marking scheme and that some students were given more marks than the questions were worth. In a letter to Mira Bondar dated February 4, 1998, (Exhibit #3, Tab 67) Principal Whetter, in referencing her conduct during examination and mark reporting processes, wrote, "I find your conduct in these matters to be unprofessional and a neglect of duty."

Rob Whetter further testified that while off on medical leave, Mira Bondar was reported to have told two West Credit students to, "Go suck a dick cause that's what you're good at" and, "Why don't you go stab someone with a knife." The incident was investigated and reported to the Board. Mira Bondar alleged that the students were harassing her at West Credit, however, there is no evidence of any complaint from Mira Bondar about any harassment.

In cross-examination, Mira Bondar asked Rob Whetter what kind of a teacher he thought she was. He responded, "You had significant difficulties adjusting to accommodating

learning needs of our students...you had significant difficulties with classroom management.”

After approximately one hour and twenty minutes of cross-examination by Mira Bondar, Rob Whetter was excused by the panel on the advice of independent counsel, as Mira Bondar was berating him and abusing the process of cross-examination.

The Committee heard testimony from Pat Rossal that she had 22 years experience as a teacher and administrator. Pat Rossal was Mira Bondar’s vice-principal at Chinguacousy in the first semester of the 1997-1998 school year. She testified about one occasion when a young, female, black student in Mira Bondar’s history class reported that Mira Bondar had said to her, “If you only had blonde hair and freckles, you would probably behave more appropriately and get better grades”. The student was very upset. Pat Rossal learned from other students in the same class that Mira Bondar reportedly told her students that her class, which was made up of mainly Caucasian students, performed better than the other class of black and brown students. Mira Bondar did not deny the allegations. Pat Rossall testified that racial profiling was against board policy.

Richard Casement testified that he had 30 years experience as a teacher. He was a colleague of Mira Bondar at Chinguacousy in the first semester of the 1997-1998 school year. His classroom was across the hall from Mira Bondar’s. He testified that at the beginning of the semester, Mira Bondar was late, on average, twice a week. This resulted in Richard Casement having to unlock her classroom and settle her students on her behalf. While in her classroom, he noted there were no course evaluation sheets, no analysis sheets, and not

a lot of notes in the student's notebooks. He also testified that the students were getting more and more confused about their responsibilities and he reported this to the department head. He further testified that the students were aware that they were not being taught the same material as the other classes and were anxious about their examinations.

The Committee heard testimony from Mary Jean Lambert who had been the vice-principal at Turner Fenton during Mira Bondar's assignment. She testified she had over 30 years of experience as a teacher and administrator. She further testified that Mira Bondar was assigned to the Cornerstone program at Turner Fenton from February, 1998 to November 9, 1998 while Mary Jean Lambert was vice-principal (Exhibit #3, Tab 2). The Committee heard testimony that the Cornerstone program was for boys 14 to 16 years old, who were under the supervision of the Children's Aid Society. These boys came from different communities, lived in a group home, and came to school every day with a child and youth care worker.

Mary Jean Lambert testified that on January 23, 1998 she attended a meeting with Mira Bondar and Dave Borrett, Head of Special Programs, to explain the Cornerstone program to Mira Bondar. She also testified that during the semester, Harvey Boutilier, the child and youth care worker, was frustrated and did not feel that he was getting Mira Bondar's cooperation to assist him with the boys (Exhibit #3, Tab 74). The Committee heard further testimony that Steve Clark and Harvey Boutilier (both child and youth care workers) expressed concerns about Mira Bondar making personal statements to the boys, who were highly sensitive individuals (Exhibit #3, Tab 74).

The witness testified that she kept a daily log on Mira Bondar (Exhibit #3, Tab 78) because it became evident that Mira's assignment might become problematic. Mary Jean Lambert further testified that she and others frequently had to outline Mira Bondar's duties to her. This was done both verbally and in written follow-up memos (Exhibit #3, Tab 77).

Mary Jean Lambert gave testimony that Mira Bondar was sending her students to the office consistently and frequently for disciplinary infractions (Exhibit #3, Tab 93, 95). In late May, Mary Jean Lambert instructed her office staff to record Mira Bondar's calls to the office. By way of example, on June 8, Mira Bondar paged or telephoned the office about a student 13 times between 9:00 a.m. and 1:31 p.m. (Exhibit #3, Tab 97).

Mary Jean Lambert testified that she had concerns about Mira Bondar's attendance and punctuality and that, in fact, Mira Bondar was late and/or absent more than all the rest of the staff members combined (Exhibit #3, Tab 78). When Vice-Principal Lambert questioned the member about her absences, Mira Bondar consistently denied that her health was affecting her work.

Mary Jean Lambert testified to the high levels of frustration she experienced trying to communicate her concerns to Mira Bondar. She stated, "I spent humungous amounts of time, out of all proportion of anything I did or was being paid to do. It was constant. It exhausted me. It took me away from everything else I had to do." In reference to meeting professional standards, Mary Jean Lambert testified that Mira Bondar "either did not want to, or was not capable of, carrying out the most basic of duties of a professional teacher. In

30 years of teaching and 21 and a half as a vice-principal, I never had to deal with a more difficult colleague...". In her opinion, Mira Bondar certainly did not help the boys to grow.

Harvey Boutilier, Cornerstone Child and Youth Care Worker, worked with young offenders in the Turner Fenton classroom. At the time that he was called by College counsel to testify, Mira Bondar stated to the Committee, "I'm...not going to sit through this hearing. This man is an outright liar." She absented herself from the room during his examination-in-chief.

Harvey Boutilier testified that he worked with Mira Bondar on a daily basis in this classroom. He testified that from the very first day he was "shocked at the behaviour of Miss Bondar". He also stated that he passed on the events of the day to his director at the group home who advised him to log the events in case they needed to take disciplinary steps to support the resident students. He then began taking notes throughout the semester (Exhibit #3, Tabs 73, 74, 84, 89). When asked about the member's ability to maintain discipline in a classroom, he stated, "If I can use one word -unsuccessful..." He further testified that the classroom was in constant and utter chaos because of her teaching styles. Mira Bondar had the privilege of reading progress reports and she would use that information to rattle the students and to belittle them, and that the semester was "unsuccessful." Harvey Boutilier, was asked by College counsel to give an example of personalizing student issues. In response, he testified in referencing his written log (Exhibit #3, Tab 74) and the specific date of February 18, 1998, that he observed Mira Bondar telling a student, "I don't know if you learned to hate like that from your mother, but I am not your mother, so I don't want you to hate me". He described the classroom as chaotic and very disruptive.

The Committee heard testimony from Jane Michalak that she had 24 years experience as a teacher and administrator. She also testified that she was appointed principal of Turner-Fenton in the second last week of June, 1998 and in that capacity attended a meeting with Dr. Mike Miller, the principal of Turner Fenton, and Mira Bondar to discuss Mira Bondar's Teacher Evaluation Report (Exhibit #3, Tab 107). Jane Michalak testified that at that meeting, Mira Bondar was "argumentative", "questioned everything" and "interrupted Dr. Miller."

Jane Michalak testified that Mira Bondar did not report to work for the first school day of the 1998-1999 school year. When the member told her that she was totally unaware of the requirement to be at the school prior to the arrival of the students on September 8, Jane Michalak investigated, and concluded (Exhibit #3, Tab 121) that the member was told verbally by school secretarial staff which day she was required to report to school. Mira Bondar was also given a copy of the School Year Calendar 1998-1999 indicating that requirement. She stated that the branch president (Exhibit #3, Tab 121) had also attempted to call Mira Bondar to remind her that she was to be at school on September 3, 1998, however the phone number provided by the member was the wrong number. Furthermore, Mira Bondar was the only teacher of approximately 140 staff who was unaware of the requirement to report to work on September 3, 1998. Jane Michalak further testified that if Mira Bondar had not received written confirmation by mail of the date she was expected at school, it was because she had failed to provide the school with an up-to-date address.

Jane Michalak testified to the letters she sent to Mira Bondar (Exhibit #3, Tab 117 and Tab 129) requesting that the member attend meetings regarding her absence on September 3,

1998. The Committee heard further testimony that these meetings were akin to discipline hearings. At that time, a day's pay was deducted for Mira Bondar's unauthorized absence, and she was also sent a severe letter of reprimand. The letter also advised that the incident constituted further evidence of her inability to do her job and that her employment was in greater jeopardy with this disciplinary notice (Exhibit #3, Tab 135).

Jane Michalak told the Committee that she wanted clear, accurate information in order to help the member and that she had kept a summary on Mira Bondar (Exhibit #3, Tab 126) and a calendar with daily notations regarding her attendance. She testified to the 13 days that Mira Bondar was absent in October, 15 days in November and 11 days in December, 1998. She further testified that when Mira Bondar was absent, she rarely sent lessons that were adequate and that these were usually late.

She also stated that she had 100 pages of notes she had collected about incidents at Turner Fenton regarding the member (Exhibit #3, Tab 113). Principal Michalak testified that there were "frequent incidents", "almost daily", around "behaviour issues". She stated that Mira Bondar had difficulty controlling students, penalized all instead of one, refused to take help from Vice-Principal, Mary Jean Lambert, and also, that her behaviour was irrational.

The Committee heard further testimony that Mira Bondar did not grade the students nor assign any marks for her students in the fall of 1998 (Exhibit #3, Tab 158). Jane Michalak also testified that she reported in a letter to Superintendent Miller in October 1998, that Mira Bondar, "refused repeatedly" to comply with her directions and "physically pushed a member of the administration with a door" and, "made unprofessional statements about

members of the administration in the classroom in the presence of students” (Exhibit #3, Tab 141).

Jane Michalak was asked by College counsel why the board had written “absent without leave” from November 9, 1998 until September 1999 (Exhibit #3, Tab 2). In response, Principal Michalak testified that, “I believe she (Mira Bondar) had not submitted all of her medical documents.” She further stated that she did not believe that Mira Bondar ever submitted the medical documents to explain her absences. Principal Michalak was advised in a letter by Superintendent Miller that the member would not be returning to class after January 8, 1999, unless certain medical documents were provided to the board (Exhibit #3, Tab 159). Mira Bondar never did submit the requested documents to explain her absences.

College counsel asked Jane Michalak to offer her opinion about the member’s professional competency. She testified that Mira Bondar “is not competent as a teacher”. She went on to state that Mira Bondar could not fulfill her normal duties as a teacher, had poor classroom organizational skills, had problems individualizing instructions for her students, had relationship issues with her colleagues, and had problems submitting student marks. She also had problems following any recommendations from her supervisors.

David Pedwell testified to his 31 years as a teacher, vice-principal, and principal and is currently the Superintendent of School Services for the Peel District School Board of Education. He stated he was first involved with Mira Bondar on receipt of a letter from Rob Whetter, Principal of Chinguacousy (Exhibit #3, Tab 67), dated February 4, 1998 addressed to the member. The contents of the letter addressed Mira Bondar’s professional conduct during examination and

mark reporting processes at the conclusion of Semester 1 whereby the member had not marked the Grade 10 history exams and had submitted estimated marks which had a number of inconsistencies. The witness stated that “marks must be accurate, they are final and will be used for university or college by students.” He also spoke to the “integrity” of final marks.

The Committee heard testimony from Dave Pedwell in reference to Mary Jean Lambert’s log on Mira Bondar that a pattern was forming. This was significant in that the member had just arrived at Turner Fenton and Dave Pedwell stated, “Mira is having difficulties”.

Dave Pedwell testified that when he asked Mira Bondar about whether her health was affecting her job, she replied, “no”. He further stated that she did not ask for assistance regarding her health. He testified he had no concerns about her qualifications to teach the class and that “it should be a straight forward assignment”.

He testified that he sent a formal letter of reprimand to Mira Bondar on March 6, 1998 based on concerns regarding her conduct while at Chinguacousy and Turner Fenton. He further testified that the member was advised that any continuation of her behaviour could jeopardize her employment with the board.

A third formal Teacher Evaluation was initiated by David Pedwell as a result of ongoing concerns regarding Mira Bondar’s work performance at Turner Fenton as expressed in the Teacher Evaluation Report submitted by Dr. Miller in June of 1998 (Exhibit #3, Tab 107).

When asked by College counsel about Dr. Miller’s Teacher Evaluation Report of the member, whether he had seen one like this, David Pedwell testified, “no, this is

uncommon,” and that there were significant concerns in each of the following four areas: Student Evaluation; Program Planning and Organization; Organized and Controlled Classroom Management, and Productive Teaching Techniques (Exhibit #3, Tab 107). The Committee heard further testimony from David Pedwell that he had significant problems discussing his findings with Mira Bondar during the evaluation of her teaching performance in late September, 1998 in that she chose to debate every point that was made. He stated that Mira Bondar’s comments were frequently off topic and that she often accused others of failing to do their jobs in a satisfactory manner (Exhibit #3, Tab 138).

Superintendent Pedwell was asked by College counsel as to Mira Bondar’s competency as a teacher. He testified, “I don’t think Ms Bondar is competent as a teacher in general. She does not prepare, has no sense of timing, does not create a healthy climate (positive learning environment), does not understand the evaluation process of students, has largely a negative and punitive approach and is not a team player with the Child Youth Workers...I don’t think she’s very knowledgeable or capable around how you work with students...I don’t think she understands the significance of the evaluation process, that it has to have integrity...”.

The Chair of the Committee excused David Pedwell as a witness after repeated warnings to the member reminding her not to abuse the process of cross-examination.

Mira Bondar testified for three days on her own behalf. Her testimony began on April 24 when she spent the afternoon denying Tabs 1-14 of Exhibit #3, at which point the Chair directed her to address her defence to the allegations in the Notice of Hearing.

On April 25, the member briefly addressed the reasons for her dismissal and spent the rest of the morning talking about Harvey Boutilier. She was again reminded by the Chair that she needed to address the allegations in the Notice of Hearing and Mira Bondar complied with the request that afternoon.

On the morning of April 26, Mira Bondar spoke to her evaluation and spent the rest of the day on the allegations in the Notice of Hearing, the unfairness of her evaluations, her concerns about Mary Jean Lambert, her life in general and her career.

On July 2, 2002, Mira Bondar continued her testimony regarding the allegations in the Notice of Hearing, then completed her testimony with various comments that had nothing to do with the allegations in the Notice of Hearing.

Mira Bondar testified that her teacher evaluations were only cyclical. She also testified that the evaluation that Dr. Miller performed was unfair because it followed disruptive incidents in her classroom and she considered it a set-up for failure. She also stated that those who testified against her were liars and were incompetent. The member stated that the Teacher Evaluation Reports done in 1998 were poorly timed. Mira Bondar testified overall for approximately one day on the fact that her last class at Turner Fenton was not "legal" as she did not have a student list and therefore, none of what happened in that class, including her formal teacher evaluation, should be used against her.

Mira Bondar denied most of the allegations against her in the Notice of Hearing, with the exception that she admitted she had a punctuality problem. She also did not deny the allegations regarding racist comments she was alleged to have made toward students, though she did state that she was not a racist.

In responding to the allegations, Mira Bondar testified that she was unfairly treated in her evaluations, did not appreciate getting the worst kids, that some students were dangerous, that some were illiterate, that Sheldon Rosenberg gave her no help at all and that the parents were the problem.

Mira Bondar also testified to her behaviour towards Harvey Boutilier. She stated that she “completely ignored him”, “did not like to speak to him”, “put off talking to him”, and that “Mr. Boutilier should be humble enough not to teach or speak.” In addition, she testified that Harvey Boutilier refused to help the students and the only time he worked normally was when the principal was in the room. She testified that Harvey Boutilier rewarded the students for hating her and for misbehaving. She further testified that he did not do his job although he did a good job of public relations with the administration.

The Committee heard further testimony from Mira Bondar that Harvey Boutilier had appalling teaching practices that made it hard for her to teach and that he brought in films and ‘C’ movies. She continued to tell the Committee that Harvey Boutilier refused to follow the rules of the school, stated that his behaviour was irrational in that he would stare into the computer for 15 minutes and say “beep, beep, beep”. Mira Bondar told the Committee that Harvey Boutilier, “was a born-again Baptist. I don’t take Christians to court.” She

further testified that Harvey Boutilier affected her teaching and that administration did not recognize his lack of understanding of his role.

Mira Bondar testified that her first cyclical Teacher Evaluation Report in 1988, was positive. She also stated that her second cyclical Teacher Evaluation Report was normal (Exhibit #3, Tab 4). Mira Bondar told the Committee that the witnesses were liars and the facts were incorrect. The member also spent time highlighting her uncorroborated achievements. She reiterated to the Committee several times during her testimony that she was a Christian.

Mira Bondar cross-examined all of the College's witnesses and chose not to call any witnesses in her defence. On numerous occasions during the hearing, she interrupted the testimony of most of the witnesses, became argumentative with the Chair and had to be reminded by the Chair of the process to be followed. She was also advised that she would have the opportunity to give evidence at the appropriate time.

After frequent warnings by the Chair, Mira Bondar was advised not to use her time in cross-examination to make arguments and berate the witnesses. The Committee relied on the advice of independent counsel on this matter and excused a number of the witnesses.

The Committee, in weighing the evidence of the Ontario College of Teachers witnesses, finds the consistency and similarity of their testimony remarkable. Furthermore, their testimony to the impact of Mira Bondar's conduct towards students and staff was extremely persuasive. The Committee accepts their recollections and explanations of the events that

occurred when they had contact with Mira Bondar in her performance of duties as a teacher. The Committee finds all of the College witnesses' testimony to be credible.

The Committee did not accept Mira Bondar's testimony and gave it very little or no weight in that her responses were either denials without explanation or where explanations were given, they were incoherent and not convincing.

The Committee did not find Mira Bondar's testimony to be credible. In particular, the Committee did not accept Mira Bondar's testimony that all the witnesses were "liars".

Where there was conflicting evidence between Mira Bondar's testimony and other witnesses' testimony, in most instances, the Committee relied on the testimony of other witnesses.

## **FINDINGS OF FACT**

Based on clear, compelling and cogent evidence and having examined all the exhibits filed, the Committee finds the following facts:

1. Mira Bondar is a member of the Ontario College of Teachers and during all relevant times was employed as a teacher at the Peel District School Board.
2. Mira Bondar has special education and history qualifications.
3. Mira Bondar had two cyclical and three formal teacher evaluations (Exhibit #3, Tabs 3,4, 33, 107, 138).
4. Mira Bondar showed signs of having difficulty managing classroom needs

as early as the second cyclical evaluation (second semester-June 29, 1989) (Exhibit #3, Tab 4).

5. Mira Bondar had serious difficulties with her student evaluations in her last three schools, as she failed to follow proper marking schemes, failed to submit any marks for her students and estimated marks on student's examinations.
6. Mira Bondar had frequent absences and demonstrated an unwillingness to follow procedures with respect to reporting these absences.
7. Mira Bondar failed to meet expectations as to the hours of attendance and had numerous periods of tardiness.
8. Mira Bondar lacked classroom management skills.
9. Mira Bondar berated her students and treated them in an abusive manner.
10. The Committee accepted that Mira Bondar used inappropriate language in speaking to students at a plaza when she was off on medical leave
11. Mira Bondar was unable to follow the curriculum of the courses she was assigned to teach.
12. Mira Bondar failed to take any responsibility for her actions, and in fact, blamed others, including students, for her problems.
13. Three formal teacher evaluations were initiated by superintendents as a result of concerns about Mira Bondar's performance as a teacher.
14. Mira Bondar's performance as a teacher in all three formal teacher evaluations was unsatisfactory.
15. Mira Bondar failed to accept advice, discipline and instruction from her superiors.
16. Mira Bondar failed to follow procedures, failed to cooperate with her colleagues and failed to attend meetings.

17. The Committee accepted that Mira Bondar had a problem with punctuality.
18. In support of her motion for adjournment, Mira Bondar failed to produce any medical documentation to support her claims of suffering from a variety of physical illnesses. She had not seen a medical doctor since 1998.
19. Mira Bondar failed to produce requested medical documentation to the board to support her various absences.
20. Mira Bondar denied suffering from any psychiatric condition that would prevent her from working.
21. Mira Bondar failed to take reasonable steps to ensure that her current address and telephone number were provided in a complete and accurate manner to the Peel District School Board and to the Ontario College of Teachers.
22. The Committee accepted that Mira Bondar did not meet the standards of the profession and was incompetent.
23. Mira Bondar was terminated from the Peel District School Board, effective September 29, 1999 for just cause.

#### **DECISION AND ORDERS:**

The Committee, having examined all of the exhibits filed and hearing the witnesses' testimony, finds that the following are factors in the Committee reaching its conclusions.

In particular, the three formal teacher evaluations initiated by superintendents to address the concerns of Mira Bondar's performance, were comprehensive and contained the following extracts:

In Vice-Principal Guyatt 's evaluation in the spring of 1994, (Exhibit #3, Tab 33) he stated:

“It is the view of the undersigned that Ms Bondar’s performance as a teacher is unsatisfactory in the following areas: classroom management, attendance reporting, student rapport, questioning techniques, and program delivery. On the basis of culminating incidents, this evaluation constitutes a less than satisfactory teaching report. Unless Ms Bondar improves her performance to a satisfactory level, her contract with the Peel Board of Education may be in jeopardy.”

In Principal Miller’s evaluation in the spring of 1998 (Exhibit #3, Tab 107), Dr. Miller stated:

“In summary, Ms Bondar, despite receiving a great deal of help from her Department Head and administration, has failed to demonstrate adequate teaching. Ms Bondar’s performance as a classroom teacher is not acceptable in the following areas: program planning and organization, productive teaching techniques, organized and controlled classroom management, student evaluation”.

Superintendent Dave Pedwell’s evaluation completed in the fall of 1998 (Exhibit #3, Tab 138), stated:

“...I fully support all of the conclusions reached and recommendations put forth in Dr. Miller’s Teacher Evaluation Report of June 19, 1998.” This report concluded that Ms Bondar’s teaching was unacceptable in the following areas: Program Planning and Organization, Productive Teaching Techniques, Organized and Controlled Classroom Management, and Student Evaluation.

The Committee finds the three formal teacher evaluations, which were not routine, were fair in their conclusions of unsatisfactory performance. Thus, the Committee finds that Mira Bondar failed to maintain the standards of the profession and is incompetent as a teacher.

The Committee also finds Mira Bondar failed to maintain the standards of the profession in the following main areas. In four schools at which she was assigned, Mira Bondar did not teach the appropriate curriculum. Some examples include: At Erindale, students with little time left in the semester had “barely made a dent” in the course material; at Chinguacousy, Mira Bondar’s students were not being taught the same as students in other classes; at Woodlands, Mira Bondar failed to teach the subject matter assigned. The Committee finds Mira Bondar did not maintain the standards of the profession in teaching the appropriate curriculum assigned.

In more than one school, Mira Bondar failed to properly evaluate her students in that her marks contained errors, contradictions, omissions and her marking scheme was incomprehensive. Furthermore, Mira Bondar had numerous difficulties in carrying out student evaluations, particularly at Chinguacousy, in that she submitted estimated marks after failing to mark her student’s final exams. The Committee finds Mira Bondar demonstrated a complete lack of professionalism, a neglect of duties and failed to maintain the standards of the profession. The Committee finds these acts to be disgraceful, dishonourable and unprofessional.

Mira Bondar failed to follow procedures and to cooperate with her colleagues. She failed to accept advice from her supervisors after her teacher evaluations. Mira Bondar also refused to accept the level of supervision imposed upon her. The member had great difficulty

following board procedures with respect to proper medical documentation supporting her absences and her ability to return to work. She persistently denied any personal responsibility and blamed others for her problems. Mira Bondar failed to provide her supervisors, as well as the Ontario College of Teachers, with a current address and telephone number. Therefore, the Committee finds that Mira Bondar failed to maintain the standards of the profession and engaged in conduct unbecoming a member.

Mira Bondar was verbally abusive to students. Some examples include: At West Credit, she adopted a strategy of escalating conflict by raising her voice, shouting and displaying anger toward her students, rather than adopting a strategy of supporting and encouraging them; at Erindale, she made personal remarks to students about their clothing and appearance; at Chinguacousy, Mira Bondar inappropriately focussed on racial matters and favoured white children. She told a young black student, "If you only had blonde hair and freckles, you would probably behave more appropriately and get better grades"; at Turner Fenton, Mira Bondar also mistreated students by ridiculing and belittling them and would "get in their faces" and invade their personal space. Thus, the Committee finds that Mira Bondar failed to maintain the standards of the profession and believes that her treatment of students is highly inappropriate and reprehensible.

Mira Bondar had no classroom skills. Some examples include: At West Credit and Turner-Fenton, Mira Bondar sent a disproportionate number of students to the office for disciplinary action, demonstrating her questionable classroom management skills.

Additionally, all three formal teacher evaluations were consistent in their conclusions that Mira Bondar had unsatisfactory performance in the area of classroom management.

Mira Bondar had frequent and unexplained tardiness. At every school to which she was assigned, she failed repeatedly to follow established procedures in reporting her absences or for leaving classroom work for the supply teachers. Some examples include: after a prolonged absence, Mira Bondar was assigned at Woodlands to ease her into a reintegration program, and was late every day for the two weeks she was present; at Turner Fenton, Mira Bondar was late or absent more than all of the staff members combined, and in most cases, did not advise the school.

The Committee believes that being constantly late or absent has an extremely negative impact on students and their learning as well as placing an unnecessary burden on colleagues. The Committee finds that Mira Bondar's unexplained absences and tardiness are unacceptable, most unprofessional and that Mira Bondar failed to maintain the standards of the profession.

In conclusion, five witnesses, who were extremely experienced educators, stated that either Mira Bondar failed to maintain the standards of the profession or that she was incompetent as a teacher. In addition, three formal teacher evaluation reports, initiated by superintendents as a result of serious concerns regarding her performance, concluded that her teaching performance and her abilities to deliver on her teaching duties and responsibilities were unsatisfactory. The Committee accepts the opinions of these three experienced administrators. The Committee concurs with these witnesses and the opinions stated in the teacher evaluation reports, which were thorough, clear and convincing. The

Committee finds Mira Bondar failed to comply with the *Education Act*, section 264 (1) (a,b,c,d,e,h,i) – *Duties of a Teacher*.

Accordingly, the Committee finds Mira Bondar guilty of professional misconduct and incompetence under subsections 1 (5), (7) in that she abused certain of her students verbally, psychologically or emotionally, (14), (15), (18) and (19) of the Professional Misconduct Regulation, as alleged. The Committee also found that the member displayed a lack of knowledge, skill and judgement and a disregard for the welfare of students of a nature or extent that demonstrates that the member is unfit to carry out her professional responsibilities. The Committee directs the Registrar to revoke Mira Bondar's certificate of qualification and registration immediately.

In reviewing the exhibits, the testimony of the witnesses as well as Mira Bondar's testimony, it is apparent that the member had serious performance issues for some period of time. This resulted in the demoralization and frustration of staff and was detrimental to students. In view of those facts, the Committee believes that a copy of the decision should be forwarded to the Peel District School Board.

### **Notice**

It is important to the College's role in the governance of the profession to provide evidence to members that the College is active in self-regulation and is vigilant to breaches of its bylaws and rules of conduct. Such evidence is provided through notification of the decisions and orders of the College's disciplinary Committees, and is, in the opinion of the panel, a practice that has significant general deterrent value.

Pursuant to section 30(5)(iii) of the Ontario College of Teachers Act, the Committee orders that the findings of this hearing, as well as the name of the member, be published in the official publication of the Ontario College of Teachers, *Professionally Speaking/Pour parler profession*.

The Committee also orders that in any publication, the names of the students not be published and that they be identified by two initials only.

**DATED AT TORONTO, THIS 29th DAY OF NOVEMBER, 2002  
BY ORDER OF THE DISCIPLINE COMMITTEE**

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Diane Leblovic, **Chair**

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Guill Archambault

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Paul Charron