

**DISCIPLINE COMMITTEE OF THE
ONTARIO COLLEGE OF TEACHERS**

BETWEEN:

ONTARIO COLLEGE OF TEACHERS

and

JOLANTA MARIOLA MISZKIEL, OCT

NOTICE OF HEARING

THE INVESTIGATION COMMITTEE OF THE ONTARIO COLLEGE OF TEACHERS, pursuant to section 26, subsection (5) of the *Ontario College of Teachers Act, 1996* (the “*Act*”), Statutes of Ontario, 1996, chapter 12, has directed that the matter hereinafter described regarding the conduct or actions of Jolanta Mariola Miszkziel, Certificate No. 272213, be referred to the Discipline Committee of the Ontario College of Teachers.

IT IS ALLEGED that Jolanta Mariola Miszkziel is guilty of professional misconduct and/or is incompetent as defined in subsections 30(2) and 30(3) of the *Act* in that:

- a) she failed to maintain the standards of the profession, contrary to Ontario Regulation 437/97, subsection 1(5);
- b) she failed to comply with the *Education Act*, Revised Statutes of Ontario, 1990, chapter E.2, and specifically subsection 264(1) thereof or the Regulations made under that Act, contrary to Ontario Regulation 437/97, subsection 1(15);

- c) she committed acts that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional, contrary to Ontario Regulation 437/97, subsection 1(18); and
- d) she displayed in his or her professional responsibilities a lack of knowledge, skill or judgment or disregard for the welfare of a student of a nature or extent that demonstrates that the member is unfit to continue to carry out his or her professional responsibilities or that a certificate held by the member under this Act should be made subject to terms, conditions or limitations.

PARTICULARS OF THESE ALLEGATIONS ARE AS FOLLOWS:

1. Jolanta Mariola Miskiel (the “Member”) is a member of the Ontario College of Teachers (the “College”).
2. At all material times, the Member was employed by the Peel District School Board (the “Board”) as a teacher at Aloma Crescent Public School (the “School”).
3. Between February 2014 and March 2015, the Member received three consecutive unsatisfactory performance appraisals.
4. The Member, *inter alia*:
 - (a) did not demonstrate a commitment to the well-being and development of all pupils;
 - (b) did not respond to the learning exceptionalities and special needs of her student(s) by modifying her instruction and assessment;
 - (c) did not differentiate lessons and assist learners in practising new skills by providing opportunities for guided practice and active participation;
 - (d) did not provide an environment for learning that encouraged pupils to be problem solvers, decision makers, lifelong learners and contributing members of a changing society;

- (e) did not provide her students with appropriate feedback and effective questioning, resulting in a lack of rich learning experiences;
- (f) did not demonstrate an understanding of the curriculum she was assigned to teach and of the essential components of the subject matter and related skills;
- (g) produced inadequate long range plans, including plans that were limited and did not include elements of inquiry-based learning with links to the developmental domains and real life contexts;
- (h) did not understand or implement the relevant program planning, and focussed on a narrow teaching approach for her students that was not commensurate with Ministry expectations;
- (i) did not ensure that the learning environment had a variety of resources available to support the intended learning outcomes;
- (j) did not demonstrate effective teaching and assessment practices and did not align assessment strategies with appropriate learning objectives;
- (k) did not demonstrate effective classroom management strategies to engage her students in varied learning experiences;
- (l) did not address inappropriate student behavior or manage instructional time and organize student interactions to ensure learning goals were achieved;
- (m) did not demonstrate professional knowledge and understanding of pupils, curriculum, legislation, teaching practices and classroom management strategies to promote the learning and achievement of her pupils;
- (n) did not have lesson plans for certain programs and there were no learning goals or intended outcomes identified in her lessons;

- (o) did not develop appropriate learning goals, provide meaningful lessons, use instructional time in a focused and purposeful manner and did not choose pertinent resources to address student needs;
- (p) did not conduct ongoing assessment of her pupils' progress, evaluate their achievement and report results to pupils and parents regularly;
- (q) had a limited repertoire of assessment strategies and was unable to meet the diverse needs of her students;
- (r) did not provide students with numerous and varied opportunities to demonstrate their achievement of the curriculum expectations;
- (s) lacked a basis for interpreting student progress toward achievement of the curriculum expectations as a result of her limited and inaccurate records;
- (t) did not engage in ongoing professional learning and apply it to improve her teaching practice;
- (u) did not attend professional development opportunities, did not seek input from colleagues, and rarely accessed the support of the Instructional Coach;
- (v) did not collaborate with other teachers and School colleagues to create and sustain learning communities at the School;
- (w) did not establish positive relationships or work cooperatively with colleagues, support staff and administration to provide appropriate instruction, and solve student, classroom or School concerns; and
- (x) did not engage parents to enhance pupil learning and achievement.

5. The Member's employment with the Board was terminated effective June 10, 2015.

THE DISCIPLINE COMMITTEE WILL HOLD A HEARING pursuant to sections 30 and 32 of the *Act*, to decide whether the allegations are true and whether Jolanta Mariola Miszkiel is guilty of professional misconduct and/or is incompetent. A copy of the *Rules of Procedure of the Discipline Committee and of the Fitness to Practise Committee* will be provided upon request.

THE DISCIPLINE COMMITTEE WILL MEET on Friday, July 8, 2016 at 9:00 a.m. to set a date for the hearing of this matter. The Committee will meet on the 12th floor of the offices of the Ontario College of Teachers at 101 Bloor Street West, Toronto, Ontario.

YOU ARE ENTITLED TO BE PRESENT ON THE ABOVE MENTIONED DATE AND AT THE HEARING AND TO BE REPRESENTED BY LEGAL COUNSEL.

If you wish, you or your legal counsel may contact Zirka Jakibchuk, Legal Counsel, to discuss the scheduling of a hearing date and to determine whether a date for the hearing can be agreed upon. If a date for the hearing can be agreed to, in accordance with Rule 4.02(2) of the *Rules of Procedure of the Discipline Committee and of the Fitness to Practise Committee*, the hearing will proceed on the agreed date.

IF A DATE FOR THE HEARING OF THIS MATTER IS NOT AGREED UPON AND YOU DO NOT ATTEND ON JULY 8, 2016 TO SET A DATE FOR THE HEARING OF THIS MATTER, THE DISCIPLINE COMMITTEE MAY PROCEED IN YOUR ABSENCE TO SET A DATE FOR THE HEARING. NOTICE OF THE HEARING DATE WILL BE PROVIDED TO YOU IN WRITING AT YOUR LAST KNOWN ADDRESS AS SHOWN IN THE RECORDS OF THE COLLEGE.

IF YOU DO NOT ATTEND ON THE SCHEDULED HEARING DATE, THE DISCIPLINE COMMITTEE MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE PROVIDED WITH ANY FURTHER NOTICE OF THE PROCEEDINGS.

IF THE DISCIPLINE COMMITTEE FINDS YOU GUILTY of professional misconduct and/or to be incompetent, you are liable to the penalties set out in section 30 of the *Act*.

A **MEMBER** whose conduct is being investigated in proceedings before the Discipline Committee may examine before the hearing any written or documentary evidence that will be produced or any report, the contents of which will be given as evidence at the hearing. You or your representative may contact the office of Zirka Jakibchuk of the Ontario College of Teachers, at 101 Bloor Street West, Toronto, ON M5S 0A1, telephone 416-961-8800.

Date: June 22, 2016

Registrar's Signature

Michael Salvatori, OCT
Chief Executive Officer and Registrar
Ontario College of Teachers
101 Bloor Street West
Toronto, ON M5S 0A1

TO: Jolanta Mariola Miszkiel
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Ontario College of Teachers

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Toronto, ON M5S 0A1

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