

Committee Report

Item: Fitness to Practise Committee Report

Public Interest Rationale: The Fitness to Practise Committee is a statutory committee of the Ontario College of Teachers. Its mandate is to hear and determine in an objective, transparent and fair manner, matters related to the alleged incapacity of members.

Strategic Alignment: The work of the Committee supports the strategic goals of ensuring efficient and proportionate responses to alleged and actual incapacity and that teachers are informed of, and held accountable to, professional standards.

Submitted By: Hanno Weinberger, OCT, Chair

Committee Meeting Dates

Since the last committee report, the Discipline Committee (DC) and Fitness to Practise Committee (FTPC) and Roster of the DC/FTPC attended joint legal training sessions led by Independent Legal Counsel on April 17, 2025, June 5, 2025 and October 16, 2025.

The Fitness to Practise Committee held a formal committee meeting on October 17, 2025.

Summary of Business

a) Joint Training

At the joint training session of the DC/FTPC and Roster on April 17, 2025, Independent Legal Counsel, Rebecca Durcan of Steinecke Maciura LeBlanc, provided legal training on the following topics: (1) Evidence; (2) Witnesses; (3) Disclosure and Production; (4) Motions; and (5) Role of Decision Editors.

At the joint training session of the DC/FTPC and Roster on June 5, 2025, Independent Legal Counsel, Rebecca Durcan of Steinecke Maciura LeBlanc, provided legal training on chairing hearing panels, focusing on the powers and responsibilities of chairs during the hearing and in deliberation sessions, as well addressing bias concerns.

At the joint training session of the DC/FTPC and Roster on October 16, 2025, Independent Legal Counsel, Rebecca Durcan of Steinecke Maciura LeBlanc, provided legal training on the following topics: (1) Pre-Hearing Conferences; (2) Notice of Referral matters; and (3) Applications for Reinstatement. There was also time spent on addressing frequently asked questions regarding credibility and what panels can rely on in making their decisions.

b) Committee Meeting

At their October 17, 2025, the members of the Fitness to Practise Committee addressed the following topics:

(i) Director's Update

Saran Ragnathan, Director of Policy Governance and Tribunals, presented an update on the latest Council Meeting. He advised that Stephen Sliwa was appointed to fill a vacancy on Council. He also advised that Council approved a number of Committee and Roster appointments. He also updated the Fitness to Practise Committee on several initiatives and projects at the College, including the introduction of a governance enhancement plan; and efforts to expand the leadership pathways for technological education, Indigenous ancestry, and Indigenous-language teachers.

(ii) Amendments to the *Rules of Procedure, Forms and Practice Directions*

Jennifer Shin, Manager, Tribunals, presented a series of proposed amendments to the *Rules of Procedure of the Discipline Committee and of the Fitness to Practise Committee*, forms made under those rules, and to the *Practice Direction for Electronic Proceedings* for approval by the Fitness to Practise Committee.

The committee was provided with the memo outlining the proposed changes and approved the proposed amendments, which related primarily to (1) references to the Tribunals unit in line with College practices; (2) revising and clarifying processes for setting hearing dates on agreement by the parties; (3) revising the deadlines for providing motion materials; (4) establishing a process for reciprocal disclosure; (5) clarifying that panels will be asked to make certain findings of professional misconduct when disposing of matters referred under subsection 26(9) of the *Ontario College of Teachers Act, 1996* ("OCTA"); and (6) revising and clarifying the process and form for joint requests for adjournments.

Staff will translate and post the revised rules on the College website, and will communicate the changes to partners, including frequent hearings participants, when the amendments take effect.

(iii) Statistics re Hearing Volumes

The Committee was presented with hearing data from the first three quarters (Q1-Q3) of 2025 in comparison to the same period over the previous five years. The presentation focused mainly on discipline matters, as there were relatively few fitness to practise matters. The presentation outlined the number of concluded matters, the number of panel days, pre-hearing conferences, contested proceedings days and number of uncontested proceedings, deliberation days, and number of referrals from Investigations.

The data presented illustrated the following: (1) there were more matters concluded in 2025 than in 2024; (2) the Discipline and Fitness to Practise Committees continue to hold a high



number of panel days compared to 2024; (3) the number of days spent conducting contested hearings continues to increase year over year while the number of uncontested matters continues to decrease year over year; and (4) the number of deliberation days has increased significantly this past year.

Committee members had opportunities to ask questions about and comment on these statistics throughout the presentation. Committee members were also invited to share suggestions for other statistics the unit could consider collecting to help the Discipline Committee and Fitness to Practise Committee identify and understand trends.

(iv) Guide to Deliberations and decision writing

A draft guide to deliberations and decision writing that panels can use to prepare for deliberations was presented to the committee. The guide is intended to reinforce the expectations and best practices for deliberations, and the roles of panel members, decision editors, and Independent Legal Counsel with hopes that it will make deliberations and decision writing more efficient. Committee members had opportunities to ask questions about and comment on the draft guide and were invited to share their comments after the meeting.

Motions Referred to Council

No motions were referred for Council consideration.

Committee Mandate and Duties

Mandate of the Fitness to Practise Committee

- To deal with fitness to practise issues. (*OCTA*, s. 3(1) at para. 8)

Future Meeting Dates as of October 31, 2025

- Committee and Roster Training: April 15, 2026, and October 14, 2026
- Committee Meeting: October 15, 2026



Committee Members

Hanno Weinberger, OCT (Chair)
Emile Ramlochan (resigned as Vice-Chair)
Anthony Jeethan, OCT
Kimberley Westfall-Connor
Linda Staudt, OCT
Myrna Tulandi

Roster Members

Adam Dharsee, OCT
Adam Lee, OCT
Alain Martel, OCT
Andrea Murray, OCT
Andrew Glenny
Anne Laflamme, OCT
Brian Serafini, OCT
Damienne Lebrun-Reid
Élaine Legault
Emma Rhodes
Jim Marinow
Kayla Stephenson
Kelly Marvin, OCT
Lois Figg
Maria Bueno-Marcial, OCT
Mary Carol Edy, OCT
Michelle Pinsonneault, OCT
Natasha Teja, OCT
Pascale Evans, OCT
Rachelle Coleman
Sandra Pizzuti, OCT
Sarah Choudhury
Scott Barker, OCT
Susan Arbour, OCT
Terrence Singh, OCT
Victoria Romero
Yasser Leheta, OCT



Appendix - Committee Duties

Nature of the Fitness to Practise Committee's Work

- The Fitness to Practise Committee:
 - a) shall hear and determine matters directed or referred to it under section 26, 29 or 33. (*OCTA*, s. 31(1)(a));
 - b) shall perform such other duties as are prescribed by the regulations. (*OCTA*, s. 31(1)(b)); and
 - c) may, after a hearing, find a member to be incapacitated if, in its opinion, the member is suffering from a physical or mental condition or disorder such 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. (*OCTA*, s. 31(2))

Powers of the Fitness to Practise Committee

- Where the Fitness to Practise Committee finds a member to be incapacitated, it may make an order doing one or more of the following, in accordance with subsection 31(3) of the *OCTA*:
 1. Directing the Registrar to revoke any certificate held by the member under the Act.
 2. Directing the Registrar to suspend any certificate held by the member under the Act for a stated period, not exceeding 24 months.
 3. Directing the Registrar to impose specified terms, conditions or limitations on any certificate held by the member under the Act.
 4. Directing that the imposition of a penalty be postponed for a specified period and not be imposed if specified terms are met within that period.
- In making an order directing that the imposition of a penalty be postponed for a specified period and not be imposed if specified terms are met within that period, the Committee may specify the terms it considers appropriate, including but not limited to terms requiring the production to the Committee of evidence satisfactory to it that any physical or mental condition or disorder in respect of which the penalty was imposed has been resolved. (*OCTA*, s. 31(4))
- In making an order revoking or suspending a certificate or imposing terms, conditions or limitations on a certificate, the Committee may fix a period during which the member may not apply for reinstatement or variation of the order. (*OCTA*, s. 31(5))
- Where the Fitness to Practise Committee is of the opinion that the commencement of the proceeding was unwarranted, the Committee may order that the College reimburse the member for his or her costs or such portion of them as the Committee fixes. (*OCTA*, s. 31(7))



- A hearing of the Fitness to Practise Committee shall, subject to written notice by the member received by the Registrar before the day the hearing commences, be closed to the public. (OCTA, s. 32(8))