



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

AND

IN THE MATTER CONCERNING

MICHAEL TURNER MITRO



CONSENT RESOLUTION AGREEMENT

BETWEEN:

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

AND:

MICHAEL TURNER MITRO
(“Mitro”)

BACKGROUND and FACTS

1. Mitro 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 October 21, 1996, is valid from September 1, 1996 and continued under the *Teachers Act* as of January 9, 2012.
2. At all material times, Mitro was employed as a high school teacher by School District No. 36 (Surrey) (the “District”) at a District school (the “School”).
3. On January 5, 2016, the District made a report to the Commissioner regarding Mitro, under section 16(3) of the *School Act*.
4. The following events occurred in September 2015:
 - a. The School had organized its annual Leadership Camp (the “Camp”) which was held over three days at a camp facility (the “Facility”).
 - b. The Camp involved students in Grades 9 through 12. The Grade 12 students who were “alumni” from previous years organized some of the activities.

- c. The purpose of the Camp was to have students engage in leadership activities, plan intramurals for the year and to train for sports.
- d. Mitro was a supervisor at the Camp in September 2015.
- e. On Thursday, September 25, 2015, the students arrived at the Facility. One of the activities that evening was a food challenge organized by two Grade 12 students. This challenge required students to eat food items drawn randomly from a jar. The food items chosen included:
 - i. packaged, vacuum-sealed corn on the cob from a dollar store;
 - ii. anchovies;
 - iii. baby food;
 - iv. sour candies called War Heads;
 - v. dried squid;
 - vi. spicy Thai tuna; and
 - vii. minced garlic.
- f. While some students protested during the challenge, they were pressured by older students to continue to participate.
- g. Mitro was present during the food challenge, but failed to intercede or stop the food challenge once it was underway.
- h. On the night of September 26, 2015, the students participated in another challenge which Grade 12 Camp alumni had created, called the Jar of Death.
- i. With the Jar of Death, students nominated their peers who had done something at the Camp which they did not like. The nominees had to reach into a jar and pull out a piece of paper with a task written on it which they would then be expected to perform in front of the group. It was a form of punishment, and students felt pressured to participate. The tasks included:
 - i. licking Mitro's bare foot;
 - ii. drinking a glass of water into which four people had spat; and
 - iii. chewing gum which someone else has chewed for 30 seconds.
- j. It was a male student who selected the task "lick Mr. Mitro's bare foot" from the Jar

of Death. Mitro sat in front of students and staff, and removed his shoe and sock so that the student could then lick his foot.

- k. Mitro was present throughout the Jar of Death challenge but failed to intercede or stop it once it was underway.
5. On December 18, 2015, the District issued Mitro a letter of discipline.
6. On February 9, 2016 the Commissioner considered this matter and determined to propose a consent resolution agreement to Mitro, 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. Mitro 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. Mitro admits that the facts set out in paragraphs 1 to 5 of this Agreement are true.
10. Mitro 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. Mitro agrees to a one-day suspension of his certificate of qualification under sections 53 and 64(b) of the *Teachers Act*. The suspension will take effect on **November 10, 2016**.
12. Mitro also agrees under section 64(f) of the *Teachers Act* that by **July 31, 2017** (the “Condition Date”):
 - a. He will, at his own expense, successfully complete the course “Reinforcing Respectful Professional Boundaries” through the Justice Institute of B.C. and provide satisfactory proof of completion to the Commissioner by the Condition Date;
 - b. If Mitro does not successfully complete the Course by the Condition Date, he will immediately advise the Commissioner in writing of the reason(s) he has not done so, and set out the date by which he proposes to do so, at which time the Commissioner may extend the deadline (the “Extended Date”); and
 - c. If Mitro fails to provide satisfactory proof of completion of the Course by the later of the Condition Date or the Extended Date, the Commissioner may require the Director of Certification (the “Director”) to suspend Mitro’s certificate of qualification under section 64(f) of the *Teachers Act* until such time as he successfully completes the

Course.

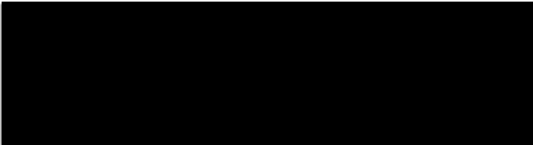
13. Mitro agrees not to make any statement orally or in writing which contradicts, disputes or calls into question the terms of this Agreement or the admissions made in it.

CONSEQUENCES OF THE AGREEMENT

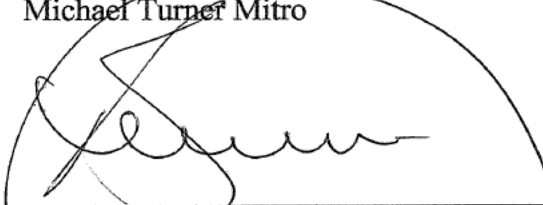
14. The Director will record the terms of this Agreement on the Teacher Regulation Branch's online registry under section 79(d) of the *Teachers Act*.
15. Mitro acknowledges that this Agreement will be published in accordance with section 54 of the *Teachers Act*, which includes posting the Agreement, in full, on the following website: www.bcteacherregulation.ca.
16. Notification of this Agreement will be made in accordance with section 55 of the *Teachers Act*.
17. A breach by Mitro of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
18. Mitro acknowledges and understands that if the Commissioner has reason to believe that he has breached any term of this Agreement:
- the Commissioner may initiate an investigation under section 47(1)(b) of the *Teachers Act* into his conduct; and
 - the conduct and matters described in the "Background and Facts" to this Agreement are admissible in that inquiry as proof that Mitro has admitted to the conduct and matters set out in this Agreement.
19. Mitro 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 Do Itta, B.C.
this 19 day of July, 2016.

Signed in Vancouver, B.C.
this 11 day of August, 2016.



Michael Turner Mitro



Hon. Bruce M. Preston, Commissioner