



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

**AND**

**IN THE MATTER CONCERNING**

**RUSSELL STEPHEN BODNAR**

**CONSENT RESOLUTION AGREEMENT**

BETWEEN:

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

AND:

RUSSELL STEPHEN BODNAR  
(“Bodnar”)

**BACKGROUND and FACTS**

1. Bodnar 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 June 12, 1998, is valid from September 1, 1998, and was continued under the *Teachers Act* as of January 9, 2012.
2. At all material times, Bodnar was employed as a secondary school teacher by School District No. 70 (Pacific Rim) (the “District”) at a District school (the “School”).
3. On March 6, 2023, the District made a report to the Commissioner regarding Bodnar, under section 16 of the *School Act*.
4. The following events occurred when Bodnar was teaching a Grade 9 Physical and Health Education class at the School:
  - a. Bodnar allowed those students who wanted to, to play a game of hockey using pool

noodles instead of hockey sticks. Bodnar encouraged those students playing the game to use the pool noodles to hit one another, although they were directed not to hit one another in the head and not to hit one another “too hard”. During this activity, Bodnar was looking on and encouraging the students by saying things like “Beat him! Get him! You can get him!” and encouraging students being hit to “fight back” with their pool noodle.

- b. Despite Bodnar’s direction, students were hitting one another above the neck with the pool noodles in a manner which some students described as aggressive. Some of the students playing the game also wore glasses.
  - c. Student A was one of the students playing this game. Student A was hit in the face repeatedly with a pool noodle, knocking Student A’s glasses off of their face and causing Student A’s glasses to break. Bodnar was not aware that Student A’s glasses were broken until the end of the game. Student A’s face was also red, bruised and sore as a result. Bodnar did not notice that Student A’s face was red and bruised at the time, which may have become more apparent later in the day.
  - d. Bodnar was aware that Student A’s glasses had been broken, and even commented that Student A had been hit “pretty hard”, but Bodnar did not follow up with Student A to ensure that Student A was not otherwise injured. Bodnar also did not complete an incident report or otherwise report this incident to the School administration. Bodnar also failed to tell Student A’s parents why Student A’s glasses were broken.
5. On March 6, 2023, the District issued Bodnar a letter of discipline and suspended him for five days without pay. Bodnar served the suspension from March 27 to 31, 2023, inclusive.
  6. The District had previously raised concerns with Bodnar as follows:
    - a. On December 14, 2021, the District issued Bodnar a letter of discipline, suspended him for three days without pay, and removed him from coaching duties within the District following allegations that Bodnar made a student uncomfortable during an athletic practice when he suddenly used the student to demonstrate a technique.
    - b. On July 9, 2021, the District issued Bodnar a letter of discipline and suspended him for four days without pay following allegations that he had made inappropriate and statements to students, and that he encouraged his Grade 8 PE class to “twerk” as part of a physical activity. The District also required Bodnar to complete the course, *Reinforcing Respectful Professional Boundaries*, through the Justice Institute of B.C. Bodnar completed this course in March 2022.

- c. On June 14, 2019, the District issued Bodnar a non-disciplinary letter of expectation reminding him that when he is not in a coaching role, the District expected him to recognize that touching students without their consent is not acceptable and is to be avoided at all times.
7. On November 21, 2022, Bodnar entered into a consent resolution agreement with the Commissioner relating to the conduct described at paragraph 6(a) above. Under the terms of the agreement, Bodnar agreed to a one-day suspension of his certificate of qualification.
8. On June 6, 2023, the Commissioner considered this matter and determined to propose a consent resolution agreement to Bodnar, in accordance with section 53(1)(a) of the *Teachers Act*.

## CONSEQUENCES

9. This Agreement is made under section 53 of the *Teachers Act*.
10. Bodnar 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”).
11. Bodnar admits that the facts set out in paragraphs 1 to 6 of this Agreement are true.
12. Bodnar admits that the conduct described in paragraph 4 of this Agreement constitutes professional misconduct and is contrary to Standard #1 of the *Professional Standards for BC Educators*, June 2019.
13. Bodnar agrees to a three-day suspension of his certificate of qualification under sections 53 and 64(b) of the *Teachers Act*, from March 13, 2024 to March 15, 2024, inclusive.
14. Bodnar also agrees under sections 64(f) and (h) of the *Teachers Act* that by **August 30, 2024**, (the “Condition Date”):
  - a. He will successfully complete the course *Creating a Positive Learning Environment* through the Justice Institute of British Columbia (the “Course”) and provide satisfactory proof of completion to the Commissioner by the Condition Date.
  - b. If Bodnar 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 successfully completed it and set out the date by which he proposes to do so, at which time the Commissioner may extend the Condition Date to a later date (the

“Extended Date”).

- c. If Bodnar 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 Bodnar’s certificate of qualification under section 64(f) of the *Teachers Act*, until such time as he successfully completes the Course.
15. In determining that a three-day suspension and course requirement are appropriate consequences, the Commissioner considered the following factors:
    - a. Bodnar has engaged in repeated concerning conduct.
    - b. Bodnar’s conduct exposed his students to physical harm and created an unsafe environment.
  16. Bodnar 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.


#### **EFFECT OF THE AGREEMENT**

17. The Director will record the terms of this Agreement on the Ministry of Education and Child Care’s online registry under section 79(d) of the *Teachers Act*.
18. Bodnar 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: [teacherregulation.gov.bc.ca](http://teacherregulation.gov.bc.ca).
19. Notification of this Agreement will be made in accordance with section 55 of the *Teachers Act*.
20. A breach by Bodnar of any term in this Agreement may constitute professional misconduct which may be the subject of separate discipline proceedings.
21. Bodnar acknowledges and understands that if the Commissioner has reason to believe that he has breached any term of this Agreement:
  - a. the Commissioner may initiate an investigation under section 47(1)(b) of the *Teachers Act* into his conduct; and
  - b. the conduct and matters described in the “Background and Facts” to this Agreement are admissible in that inquiry as proof that Bodnar has admitted to the conduct and

matters set out in this Agreement.

22. Bodnar 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 Port Alberni, B.C.  
this 13 day of February, 2024.

  
\_\_\_\_\_  
Russell Stephen Bodnar

Signed in Coquitlam, B.C.  
this 16th day of February, 2024.

  
\_\_\_\_\_  
Ana R. Mohammed, Commissioner