

**DECISION OF THE INVESTIGATION COMMITTEE
OF THE ONTARIO COLLEGE OF TEACHERS
IN THE MATTER OF**

**A COMPLAINT SUBMITTED BY THE REGISTRAR
REGARDING DANIEL ARBOUR**

PANEL: Jennifer Pitt, Gord Hough, Patrick Slack

IMPORTANT NOTICE

The Investigation Committee has disposed of this matter without a full investigation. The information contained within the following summary has been provided by the complainant(s) and does not contain any input from the member, Daniel Arbour. Unless otherwise stated in its Decision, no determination has been made by the Investigation Committee in respect to the veracity, or otherwise, of the allegations and information provided by the complainant(s).

On February 1, 2005 the Ontario College of Teachers (the "College") received notification from the Conseil scolaire de district des écoles catholiques du Sud-Ouest (the "Board"), pursuant to section 43.3(1) (c) of the *Ontario College of Teachers Act, 1996*, reporting inappropriate behaviour on the part of teacher Daniel Arbour, toward [REDACTED] year old female student, [REDACTED]

Daniel Arbour (the "member") is a member of the College in good standing.

The Board provided the following information:

On January 19, 2005, [REDACTED], mother of Grade [REDACTED] student [REDACTED], reported to the Superintendent of the Board, allegations of misconduct on the part of the member. [REDACTED] reported to her mother that a sexual relationship had developed between [REDACTED] and the member, who [REDACTED]

On January 24, 2005, the Superintendent met with London Police Service Detective Paul Martin. Detective Martin asked the Board not to investigate the matter until the Police investigation was complete.

After meeting with [REDACTED] and the member, the London Police Service concluded that no criminal offence had taken place because the student was [REDACTED] years old at the time the relationship began and it was consensual.

On January 25, 2005, the Board commenced its investigation. Janine Griffore, Chief Executive Officer for the Board, Joseph Picard, Assistant Superintendent and Jean Sauvé, President of the Southwest Unit of the member's union, met with the member. At the meeting, the member is alleged to have admitted that a sexual relationship had developed between him and [REDACTED], beginning in mid-May 2003 while [REDACTED] was a full-time student at [REDACTED].

Their relationship continued through part of the 2003/2004 school year at which time [REDACTED] was no longer a student at [REDACTED].

At the meeting, the member expressed his profound regret that the relationship had developed and confirmed that he had never engaged in any other relationship with any other student.

At the end of the meeting, the Board assigned the member to home duties with pay.

On February 21, 2005, at the conclusion of their investigation, the Board suspended the member without pay until the end of the first semester of the 2005/2006 school year.

On March 16, 2005, the complaint against the member was assessed as suitable for the College's Dispute Resolution Program. On April 25, 2005, the parties indicated that they were amenable to participating in dispute resolution.

In November 2005, the parties signed a Memorandum of Agreement.

Allegations

As the complainant, the Registrar alleges that during the school years 2002/2003 and 2003/2004, Daniel Arbour, a teacher and [REDACTED] at [REDACTED] in the Conseil scolaire de district des écoles catholiques du Sud-Ouest, acted in an unprofessional and inappropriate manner, in that he:

had a sexual relationship with [REDACTED] year old female student, [REDACTED], both on and off the premises of [REDACTED].

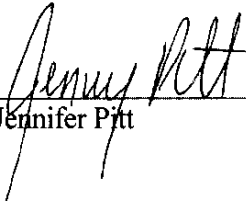
Documents Considered by the Committee

- Request for Ratification
- Board notification letter, dated February 1, 2005, with attachment:
 - Report from Board, undated
- Letter from Board, dated March 14, 2005, with attachments:
 - Notes of interviews, telephone calls and meetings with staff, witnesses, police

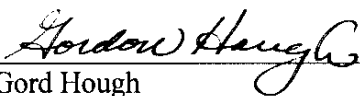
- Suspension information
- Disciplinary action by Board
- Information re. witnesses, Board's investigation process, names of staff, police
- Board Policy pertaining to Teacher Performance Appraisals
- Registrar's Memo initiating complaint, dated March 22, 2005
- Request to Initiate Investigation Form, dated March 24, 2005
- Registrar's notification letter to member, dated March 30, 2005
- Notice of appointment of counsel for member and request for extension of time to respond, dated April 21, 2005
- Fax to member's counsel re. approval of extension of time to respond, dated April 21, 2005
- Memorandum of Agreement signed by the parties

Decision of the Committee

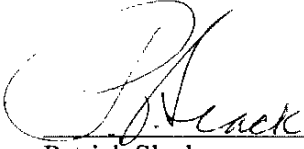
On December 21, 2005, a panel of the Investigation Committee considered this complaint and, in accordance with the provisions of 26(5)(d) of the *Ontario College of Teachers Act, 1996*, the Investigation Committee ratified the attached Memorandum of Agreement. This is based on the opinion of the committee that terms of this Agreement resolve the complaint in the public interest.



Jennifer Pitt



Gord Hough



Patrick Slack