

IN THE MATTER OF the *Ontario College of Teachers Act, 1996*, and the Regulation (Ontario Regulation 437/97) thereunder;

AND IN THE MATTER OF a discipline proceeding against Terrence William Barr, a member of the Ontario College of Teachers.

PANEL: Marilyn A. Labframboise, Chair
Bernard J. Adam
Ernie Checkeris

BETWEEN:)	
	)	Carole Jenkins & Eric Block
	)	McCarthy Tétrault,
	)	for Ontario College of Teachers,
ONTARIO COLLEGE OF TEACHERS)	
- and -)	
)	
TERRENCE WILLIAM BARR	)	William Markle ,
(CERTIFICATE #429420)	)	Markle May Phibbs
	)	for Terrence William Barr
)	
	)	Christopher Wirth
	)	Stockwoods,
	)	Independent Legal Counsel
)	
	)	Heard: November 8, 2004

REASONS FOR DECISION AND DECISION ON MOTION

Counsel for the College and Counsel for the Member brought a motion to seek leave from the Committee to withdraw the allegations set out in the Notice of Hearing dated November 20, 2002.

Independent legal counsel advised the Committee that the Committee had jurisdiction to make the order requested, pursuant to section 4.1 of the *Statutory Powers Procedure*

Act, which provides that if the parties consent, a proceeding may be disposed of by a decision of the Committee without a hearing.

Upon Counsel for the College advising the Committee that there is insufficient evidence to support the allegations in this matter, and upon application of Counsel for the College to be permitted to withdraw the allegations set out in the Notice of Hearing, the Committee authorizes the College to withdraw the allegations of professional misconduct set out in the Notice of Hearing.

The Committee accepts that this resolution is in the public interest.

Dated: November 8, 2004

Marilyn A. Laframboise, Chair, Discipline Panel

Bernard J. Adam, Discipline Panel

Ernie Checkeris, Discipline Panel