

MEMORANDUM OF AGREEMENT

B E T W E E N :

Ontario College of Teachers

- and -

Peter Frederick Brown

WHEREAS Peter Frederick Brown is a member of the Ontario College of Teachers (Registry number 131078);

AND WHEREAS, W. Douglas Wilson, Registrar and Chief Executive Officer, initiated a complaint on January 12, 2005, with respect to the conduct or actions of Peter Frederick Brown;

THE PARTIES to this agreement are the Ontario College of Teachers (the "College") and Peter Frederick Brown (the "member"). The Registrar's signature on this Memorandum of Agreement (the "MOA") does not bind the Investigation Committee in its function to consider and dispose of this matter.

WHERE THE INVESTIGATION COMMITTEE requests modifications to this MOA, the Dispute Resolution Administrator will consult the parties as to whether the modifications are acceptable. If the parties accept the modifications, the revised MOA becomes final and binding once ratified by the Investigation Committee.

WHERE THE INVESTIGATION COMMITTEE does not ratify the MOA or the parties do not accept the modifications, the complaint will be considered, at a later date, by a differently constituted panel of the Investigation Committee. The second panel of the Investigation Committee will not be provided with nor will it consider this MOA.

Agreed Statement of Facts

The parties hereby agree to the truth and accuracy of the facts that are hereinafter expressed and agree to the receipt of this document by the Investigation Committee.

1. At all material times, the member was employed by the [] (the "Board") as a secondary school teacher at [] (the "School").
2. During 2004, the member wrote a letter to an individual employed by [] resort which resulted in a no trespass letter being issued to the member.

3. During the 2003 / 2004 academic school year, the member forcefully yelled at a male student to stop what he was doing because the student was acting in a manner which the member considered to be unsafe.
4. On or about October 1, 2004, the member assaulted [REDACTED], an adult female with whom he had previously had a romantic relationship, by grabbing her around the face and neck.
5. On or about October 13, 2004, the member expressed agitation toward a female student [REDACTED] who was misbehaving and later in the day continued to express agitation while discussing the incident with a school administrator.
6. During the period of October 3, 2004, to October 17, 2004, the member engaged in criminal harassment of [REDACTED], an adult female with whom he had previously had a romantic relationship, and failed to comply with conditions of an undertaking related to a criminal matter by following [REDACTED], driving by her home, attending at her residence and her former husband's residence, frequently telephoning her, and shouting profanities at her.
7. In December 2004, the member failed to comply with conditions of an undertaking related to a criminal matter by attending the area of [REDACTED], Ontario.
8. On or about February 15, 2005, the member pleaded guilty to criminal charges of:
 - (a) assaulting [REDACTED], an adult female;
 - (b) criminally harassing [REDACTED], an adult female; and
 - (c) failing to comply with conditions of an undertaking related to a criminal matter (two counts).
9. The member voluntarily admits the above particulars and understands that by doing so, he is waiving the right to require the College to prove the allegations against him and the right to a hearing.

Joint Submission on Penalty

The parties agree to resolve the complaint as follows:

10. the member agrees and undertakes that upon ratification of this MOA, he shall resign his membership in the College, pursuant to section 14(2) of the *Ontario College of Teachers Act, 1996* (the "Act");
11. the member agrees and understands that upon ratification of this MOA, the Registrar shall cancel his certificate of qualification and registration, pursuant to subsection 14(3) of the *Act*;
12. the member agrees and understands that upon ratification of this MOA, he shall immediately surrender his certificate of qualification and registration to the Registrar;

13. the member agrees and undertakes not to apply to the College for a certificate of qualification and registration for a period of one year to commence upon ratification of this MOA;
14. the member agrees and understands that should he apply for a certificate of qualification and registration, the Registrar shall review this MOA in considering his application, pursuant to section 18 of the *Act*;
15. the member agrees and understands that the public register maintained by the Registrar, in accordance with section 23 of the *Act*, shall include the following notation:

On (insert date of ratification by the Investigation Committee), the member resigned his membership in the Ontario College of Teachers and the Registrar cancelled his certificate of qualification and registration. At the time of the resignation, a professional misconduct investigation was in progress.

16. the member agrees and understands that the College shall publish his name with a summary of the complaint and its resolution as contained in this MOA. Such publication shall be made in the College's official publication, *Professionally Speaking/Pour parler profession*, on the College web site, and in such other manner as the Registrar and Chief Executive Officer deems appropriate;
17. the member agrees and understands that the College shall maintain a copy of the Decision of the Investigation Committee, including this MOA, in the College's Margaret Wilson Library. The Decision will be available for review by the public;
18. the member agrees and understands that the College shall provide notice of the cancellation of the member's certificate of qualification and registration to those organizations routinely notified by the College of such action, including but not limited to school boards, teacher federations or affiliates, and teacher licensing and governing bodies in Canada and elsewhere;
19. the parties agree and understand that if any phrase or paragraph of this MOA is deemed null and void, the MOA shall be read as though the phrase or paragraph was stricken from the MOA and the amended MOA shall remain in force and effect;
20. the member agrees and understands that this MOA is the entire agreement between himself and the College and that there have been no oral or written representations made by the College as an inducement or threat to enter into this MOA;
21. the member agrees and understands that should he breach this MOA by seeking or engaging in employment where a certificate of qualification and registration is required, the College may provide a copy of this MOA to any employer, licensing body, or education authority who inquires about the member's record with the College;

22. the member agrees and understands that, in the event he breaches a term of this MOA, he is estopped from alleging, by way of defense, that the College failed to investigate or dispose of the complaint in a timely manner with respect to the period between the resolution of the complaint and the date that the College becomes aware of such a breach; and

23. the parties agree and undertake that upon ratification of this MOA, there shall be no further action taken, no appeal of any or all of the terms of this agreement, and no application for judicial review, providing the terms of this MOA are complied with.

Dated at _____ this _____ day of _____ 2005
Town/City Day of mo. Month

Witness

Peter Frederick Brown

Name of Witness - **Please Print**

Dated at Toronto this _____ day of _____ 2005
Day of mo. Month

Witness

W. Douglas Wilson
Registrar and Chief Executive Officer

Name of Witness - **Please Print**