

MINORITY DECISION (DANNY ANCKLE)

Re: Ontario College of Teachers and Andre Charles Gagnon

I have had the benefit of reading the majority decision in this matter. I concur with the finding of the majority that the Member be found guilty of professional misconduct. I also concur with the penalty order of suspension and reprimand, and that the member must enrol in a course of instruction in appropriate boundaries and boundary violation issues, and with the terms and conditions placed on the Member's certificate. Further, I concur that the findings and order of the Committee be published in *Professionally Speaking/Pour parler profession*. However I do not agree that publication be without the name of the Member.

To assure the transparency of the process, in an open hearing, the College has a duty to report to the public. In order to protect and serve the public interest, the Member's name should be published unless there are good reasons to not include the Member's name. In this case there were not sufficient compelling reasons to not publish the name of the Member.

The nature of the misconduct involved a member consuming alcohol while supervising students on a school trip. The Member's behaviour put the safety and well-being of the students at risk. The public should be made aware of the name of a member of the teaching profession who has been found guilty of professional misconduct for consuming alcohol while engaged in his duties, thus compromising the safety and well-being of

students in his care. There is no guarantee that the Member will not repeat this type of behaviour and it is important therefore to include his name to act as a specific deterrent.

Publishing the Member's name sends a strong message the profession and alerts the public that the kind of behaviour engaged in by the Member will not be tolerated.

Dated: October 8, 2009

Danny Anckle
Member, Discipline Panel