

**ONTARIO COLLEGE OF TEACHERS**

**DISCIPLINE COMMITTEE**

**REASONS FOR DECISION AND ORDERS**

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

AND IN THE MATTER OF discipline proceedings against Leanne Carla Hanselman, now known as Leanne Carla Robinson

The Discipline Committee held a hearing on February 13, 2003,

**BETWEEN:**

**ONTARIO COLLEGE OF TEACHERS**

**- and -**

**LEANNE CARLA HANSELMAN,  
NOW KNOWN AS LEANNE CARLA ROBINSON  
CERTIFICATE #260625**

**PRESENT:**

Members of the Panel:

Karen Mitchell (Chair)

Paul Charron

Sheila Gifford

Nancy Spies, Stockwood Spies LLP, Independent Counsel to the Panel

Nadine Carpenter, Dispute Resolutions and Intake Administrator, attending for the Ontario College of Teachers

The member was not represented by legal counsel and did not attend the hearing.

A Notice of Hearing, dated December 9, 2002, was served on Leanne Carla Hanselman, requesting attendance before the Discipline Committee of the Ontario College of Teachers on December 17, 2002, to set a date for the hearing, and specifying the charges against her. The hearing date was set for February 13, 2003.

It is alleged that Leanne Carla Hanselman is guilty of professional misconduct as defined in subsections 30(2) and 40(1.1) of the *Ontario College of Teachers Act, 1996*, in that:

- (a) she failed to maintain the standards of the profession, contrary to Ontario Regulation 437/97, subsection 1(5);
- (b) she abused a student or students physically, sexually, verbally, psychologically, or emotionally, contrary to Ontario Regulation 437/97, subsection 1(7);
- (c) she failed to comply with the *Ontario College of Teachers Act, 1996*, or the *Education Act, Revised Statutes of Ontario, 1990, c.E2* and specifically, paragraph 264(1)(c) thereof or the regulations made under those Acts, contrary to Ontario Regulation 437/97, subsections 1(14) and (15);
- (d) she committed acts that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable, or unprofessional, contrary to Ontario Regulation 437/97, subsection 1(18);
- (e) she engaged in conduct unbecoming a member, contrary to Ontario Regulation 437/97, subsection 1(19); and
- (f) she engaged in sexual abuse of a student or students of a nature defined in sections 1 and 40(1.1.) of the Act.

The Notice of Hearing states that Leanne Carla Hanselman is a member of the Ontario College of Teachers and therefore comes under the jurisdiction of the Ontario College of Teachers.

The hearing was held by the Discipline Committee of the Ontario College of Teachers, pursuant to sections 30 and 32 of the *Ontario College of Teachers Act, 1996*, for the purpose of determining whether the member had committed professional misconduct and whether the Memorandum of Agreement before the Committee would be accepted as a resolution and conclusion of this matter.

A Memorandum of Agreement entered into by the member and the Registrar was filed as Exhibit #1. The Memorandum of Agreement was signed by the member on February 5, 2003, and by the Registrar, on behalf of the Ontario College of Teachers, on February 11, 2002.

The Memorandum of Agreement includes the following terms:

1. the member pleads guilty to professional misconduct as alleged in the Notice of Hearing issued on December 9, 2002, and in so doing, accepts as true the particulars of the allegations set out therein. The member agrees and acknowledges that she engaged in the conduct described in the Notice of Hearing and that conduct is professional misconduct as alleged;

2. the parties agree that the terms of this MOA constitute a proposed settlement of this matter and that the terms are subject to acceptance by the Discipline Committee of the College.  
Accordingly, this MOA is not considered final and binding on the parties until such time as it is accepted by the Discipline Committee;
3. the parties agree that if the Discipline Committee accepts this MOA, there shall be no appeal, by either party, to any forum, of any or all of the terms of this MOA or from any decision of the Discipline Committee on any issue;
4. the member agrees and understands that once this MOA is accepted by the Discipline Committee, the Discipline Committee will find her guilty of professional misconduct and, pursuant to subsection 30(4) of the *Ontario College of Teachers Act, 1996*, will direct the Registrar to revoke her certificate of qualification and registration immediately;
5. the member agrees and understands that for the purpose of considering this matter, the Discipline Committee will be provided with a copy of this MOA and it will be marked as an Exhibit at the hearing and will, together with the Appendices, if any, constitute the evidence against the member and the evidence upon which the guilty plea will be accepted, the finding of guilt will be made, and the penalty will be imposed;
6. the member agrees and understands that upon acceptance of this MOA by the Discipline Committee, she will surrender her certificate of qualification and registration to the Registrar;
7. the member agrees and understands that upon acceptance of this MOA a notation on the public register maintained by the Registrar, in accordance with section 23 of the *Ontario College of Teachers Act, 1996*, will include the following information:
  - (a) on February 13, 2003, Leanne Carla Hanselman (Robinson) pleaded guilty to professional misconduct which included engaging in sexual relationships with students; and
  - (b) on February 13, 2003, the Discipline Committee of the Ontario College of Teachers directed the Registrar to revoke the member's certificate of qualification and registration;
8. the member agrees and undertakes that upon acceptance of this MOA by the Discipline Committee, she shall not apply to the College for reinstatement and for a new certificate of

qualification and registration for a period of three years from the date of the acceptance of this MOA;

9. the member agrees and understands that should she apply for reinstatement and a new certificate of qualification and registration, pursuant to subsection 33(1) of the *Ontario College of Teachers Act, 1996*, the Registrar shall review this MOA in considering the member's application;
10. subject to paragraph 9 of the MOA, upon acceptance of this MOA by the Discipline Committee, the member agrees and undertakes not to engage in the practice of teaching and not to teach in any elementary, secondary, public, private, or separate school at any time in the future;
11. the member agrees and understands that upon acceptance of this MOA by the Discipline Committee, the College will publish the member's identity with a summary of the matter and the nature of the resolution contained in this MOA. Such publication will be made in the College's official publication, *Professionally Speaking/Pour parler profession*, on the College's website, or in such other manner as the Registrar and Chief Executive Officer deems appropriate;
12. the member agrees and understands that upon acceptance of this MOA by the Discipline Committee, the College will provide notice of the revocation of the member's certificate of qualification and registration to any Canadian school or school board, any Canadian teacher federation or affiliate, the Ontario Directors of Education and Heads of Private Schools, and the teacher licensing and governing bodies in Canada and elsewhere who are routinely notified by the College of disciplinary action;
13. the member agrees and understands that upon acceptance of this MOA by the Discipline Committee and pursuant to section 43.4 of the *Ontario College of Teachers Act, 1996*, the College will provide the member's former employer, the Grand Erie District School Board, with a copy of this MOA and a copy of the Decision and Reasons of the Discipline Committee;
14. the parties agree to take no further action with respect to the matter provided that the terms of this MOA are complied with;

15. the parties agree that if any paragraph of this MOA is null and void, the MOA shall be read as though the paragraph was stricken from the MOA and the balance of this MOA shall remain in force and effect;
16. the member agrees that this MOA is the entire agreement between herself 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;
17. the member agrees that she has freely elected not to obtain representation from independent legal counsel or an affiliate of the Ontario Teachers' Federation despite being advised to do so by College staff;
18. the member agrees and understands that should she breach this MOA by seeking to be licensed as a teacher, by seeking employment as a teacher in any jurisdiction during the period she has agreed not to teach, or by engaging in the practise of teaching, the College may provide a copy of this MOA to any school, board, or licensing body who inquires about the member's record with the College;
19. the member agrees and understands that, in the event she breaches a term of this MOA, she is estopped from alleging, by way of defense, that the College failed to dispose of the matter in a timely manner and that she has been prejudiced by such delay;
20. the member agrees and understands that, in the event she breaches a term of this MOA, the College may provide the Investigation, Executive, Discipline, or Fitness to Practise Committees with all the information necessary to fulfil its statutory mandate;
21. the member agrees and understands that:
  - (a) if the Discipline Committee requests any modifications to this MOA, the Manager, Intake and Hearings, will consult the parties as to whether the modifications are acceptable. If the parties accept the modifications, they will sign and date the revised MOA and return it to the College, within ten business days from the date of the discussion with the Manager, Intake and Hearings. The revised MOA is considered final and binding once the Discipline Committee has accepted it; and
  - (b) if the Discipline Committee does not accept this MOA, or the parties do not accept all of the modifications proposed by the Discipline Committee, the matter will proceed through the

hearing process at the College and will be considered by another panel of the Discipline Committee without prejudice to the rights of the parties. The new panel of the Discipline Committee will not be provided with nor will it consider this MOA.

**DECISIONS AND ORDERS:**

The Discipline Committee finds Leanne Carla Hanselman guilty of professional misconduct as alleged under subsection 1 (5), (7), (14), (15), (18) and (19) of the Professional Misconduct Regulation and as defined in sections 1 and 40(1.1.) of the *Ontario College of Teachers Act, 1996*. The Committee accepts the Memorandum of Agreement as submitted. The Committee finds that the Memorandum of Agreement represents a resolution of the issues raised in the Notice of Hearing and serves and protects the public interest.

The issue of publication has been dealt with in paragraph 12 of the Memorandum of Agreement, which states that the findings of this hearing as well as the name of the member will be published in *Professionally Speaking/Pour parler profession*, or in any other College publication.

**DATED AT TORONTO, THIS 13<sup>TH</sup> DAY OF FEBRUARY, 2003  
BY ORDER OF THE DISCIPLINE COMMITTEE**

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Karen Mitchell, Chair

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Paul Charron

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Sheila Gifford