

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

**A COMPLAINT SUBMITTED BY THE REGISTRAR
REGARDING WAYNE DOUGLAS HOPKINS**

PANEL: Iain Munro, Harry Mulvale, 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, Wayne Douglas Hopkins. 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 May 14, 2003, the Near North District School Board (the "Board") notified the College that the member, Wayne Douglas Hopkins, the former Principal at E.W. Norman Public School (the "School"), was charged on or around October 4, 2002 with Fraud over \$5,000; Forgery; Breach of Trust; and Theft Over \$5,000 in respect of the School Council funds and the School generated funds.

Mr. Hopkins is a retired member of the College.

The Board hired Mr. Hopkins on September 1, 1968. He retired from his position as Principal at E.W. Norman Public School on June 30, 2001.

As principal at the School, the member was responsible for overseeing the "School generated funds". The bingo fundraising account and the School's general account constituted what the Board regarded as "School generated funds".

The member was convicted of breach of trust pursuant to Section 336 of the *Criminal Code* (Canada) on May 1, 2003, for misappropriating school council funds. The fraud over \$5,000, forgery and theft over \$5,000 charges were withdrawn. The member received a 12-month conditional sentence of incarceration. The court also ordered the member to perform 100 hours of community service and make restitution to the school in the amount of \$16,000 by May 31, 2003.

Board documentation indicated that the full amount of funds misappropriated by the member were \$29,286.60. On May 20, 2003, the school received a restitution cheque dated May 12, 2003 in the amount of \$16,000 from the court. Court records confirmed that the member paid court ordered restitution in full to E.W. Norman School.

On September 14, 2004, the complaint against the member was assessed as suitable for the College's Dispute Resolution Program. On September 29, 2004, the parties indicated that they were amenable to participating in dispute resolution.

In October 2004, the parties signed a Memorandum of Agreement (the "MOA"), which, in their opinion, resolved the issues raised by the complaint.

Allegations

The Registrar alleges that the member, Wayne Douglas Hopkins, the Principal at E.W. Norman Public School (the "School") with the Near North District School Board (the "Board"):

1. on or about July 21, 1999 and June 3, 2001, committed fraud in respect of funds from the Near North District School Board;
2. on or about July 21, 1999 and June 3, 2001, committed forgery in respect of funds from the charity bingo fund at E.W. Norman School;
3. on or about July 21, 1999 and June 3, 2001, committed breach of trust in respect of funds from the account at E.W. Norman School;
4. on or about July 21, 1999 and June 3, 2001, committed theft of monies in excess of \$5,000 in respect of funds from the Near North District School Board; and in so doing
5. contravened laws that are relevant to the member's suitability to hold a certificate of qualification and registration.

Documents Considered by the Committee

- Request for Ratification
- Notification letter from the Board dated May 14, 2003, including:
 - Conditional sentence order dated May 1, 2003
- Letter from the Board dated July 30, 2003, including:

- Memorandum from Liz Therrien to Board staff dated July 2, 2003, regarding College's request for documentation
- Chronology of Events prepared by Liz Therrien for the period from January 2002 to February 11, 2003
- Memorandum from Marsha Cresswell to Colin Vickers dated July 4, 2003, regarding member's employment information
- documents relating to the Board's investigation title page
- ledger and summary of questionable items for the E.W. Norman and General Bank Accounts for the fiscal years ending August 31, 2000 and August 31, 2001
- 2000 documents
- invoice and cheque regarding Hockey Opportunity Camp dated September 4, 2000
- Royal Bank statement dated June 12, 2000 to July 7, 2000
- Bingo Account search document dated September 10, 1999 to August 7, 2001
- Broadloom Plus invoice dated April 17, 1998
- Uzibuse refund cheque to E.W. Norman Public School dated October 21, 1999
- member's cheque to North Bay Golf and Country Club dated December 22, 1999
- receipts from Staples (May 9, 2000) and Canadian Tire (January 20, 2000)
- Sony invoice dated January 20, 2000
- Capitol Centre invoice dated January 22, 2000 with notation handwritten
- Capitol Centre invoice dated January 22, 2000 with another notation handwritten
- Gateway Screen Printing invoice dated May 17, 2000
- Science Outreach workshop confirmation invoice dated May 31, 2000
- Hockey Opportunity Camp invoice and cheque to Hockey Opportunity Camp dated September 4, 2000 from the member
- Information requested by Detective Helen Kent - handwritten notes
- note to School file from Liz Therrien dated January 17, 2002, regarding discussions with Gisele Lynch
- note to School file from Liz Therrien dated January 17, 2002, regarding discussions between Tom Shultz and Liz Therrien
- note to School file from Liz Therrien dated January 21, 2002
- note to Gisele Lynch from Liz Therrien dated January 23, 2002, regarding discussions with information from the Bingo account September 10, 1999 to August 7, 2001
- note from Gisele Lynch to Liz Therrien dated January 23, 2002
- note from Gisele Lynch to Liz Therrien dated January 24, 2002
- memorandum to School file from Liz Therrien dated January 24, 2002
- note to Gisele Lynch from Liz Therrien dated January 25, 2002, regarding cancelled cheques
- fax cover sheet with attached Royal Bank statements (June 8, 1990-June 8, 2001) sent January 25, 2002, from Liz Therrien to Ginny
- note to Gisele Lynch from Liz Therrien dated February 4, 2002, regarding bank accounts and locksmith invoice
- note to Gisele Lynch from Liz Therrien dated February 3, 2002, regarding banking transactions and Bingo account search (September 10, 1999 to August 7, 2001)
- Jim's Locksmithing invoice dated January 18, 2002

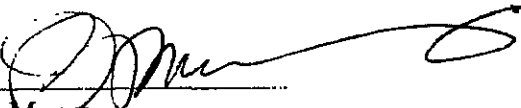
- general account ledger prepared for review of cancelled cheques (February 1, 2000 to April 25, 2001)
- Uzibuse refund cheque to E.E. Norman Public School dated October 21, 1999
- member's cheque to North Bay Country Club dated December 22, 1999 and banquet invoice (\$978)
- Capitol Centre invoices dated January 22, 2000, for seats at Wimzie's House (February 18, 2000) with fax form letter
- receipts for Canadian Tire (May 9, 2000) and Staples (January 20, 2000)
- emails between Gisele Lynch and Liz Therrien dated February 13-14, 2002
- ledger prepared for review of the bingo account cheques dated December 29, 2000 to August 15, 2000
- bingo account ledger September 10, 1999 to May 7, 2001
- Royal Bank statement September 8, 1999 to October 8, 1999
- Royal Bank statement October 8, 1999 to November 8, 1999
- Royal Bank statement November 8, 1999 to December 8, 1999
- Royal Bank statement January 7, 2000 to February 8, 2000
- Royal Bank statement May 8, 2000 to June 8, 2000
- Royal Bank statement June 8, 2000 to July 7, 2000
- cheque to Toppers Pizza dated June 20, 2000
- Royal Bank statement August 8, 2000 to September 7, 2000
- Royal Bank funds transfer dated August 15, 2000
- invoice from JPS Construction dated September 5, 2000
- ledger notes reflecting the review of School Council cancelled cheques dated February 14, 2002
- RBC Financial Group personal account reconstruct for the School account from November 10, 1999 to June 30, 2001
- Liz Therrien's handwritten notes of a conversation with Sergeant Asselin dated February 19, 2002
- Gateway Screen Printing invoice dated May 17, 2000
- Royal Bank draft paid to Frank Hopkins dated August 30, 2000, for purchase of Nortel computer
- Royal Bank statement September 8, 2000 to October 6, 2000
- Royal Bank statement December 8, 2000 to January 8, 2001
- Royal Bank statement March 8, 2001 to April 6, 2001
- Royal Bank statement May 8, 2001 to June 8, 2001
- Royal Bank statement July 6, 2001 to August 8, 2001
- Liz Therrien's notes of her conversation with Detective Constable Helen Kent dated February 27, 2002
- Liz Therrien's notes of her meeting with Detective Constable Helen Kent dated March 6, 2002
- Liz Therrien's notes of her conversation with Mike Brideau dated March 19, 2002
- Liz Therrien's notes of her conversation with Detective Constable Helen Kent dated March 22, 2002

- e-mails from and to Liz Therrien regarding insurance claim process and status from April 2, 2002 to April 8, 2002
- Liz Therrien's notes of her conversation with Detective Constable Helen Kent dated May 1, 2002
- e-mail from Gisele Lynch dated May 11, 2002
- Liz Therrien's notes of her conversation with Gisele Lynch dated May 12, 2002
- Liz Therrien's notes of her conversation with Gisele Lynch dated May 14, 2002
- Liz Therrien's notes of her conversation Wayne "B" and Tom Shultz dated May 12, 2002
- Liz Therrien's notes of her conversation with Detective Constable Helen Kent dated May 31, 2002
- e-mail from Shirley Obergan to Liz Therrien regarding crime loss insurance claim dated July 31, 2002
- Liz Therrien's notes of her conversation with Detective Constable Helen Kent dated August 14, 2002
- Liz Therrien's notes of her conversation with Detective Constable Helen Kent dated August 23, 2002
- e-mail from Liz Therrien to Tom Shultz dated September 4, 2002
- note from Gisele Lynch to Liz Therrien dated September 20, 2002
- transcript of an undated media report regarding Wayne Hopkins
- Liz Therrien's notes of her conversation with Detective Constable Helen Kent dated September 24, 2002
- Liz Therrien's notes of her conversation with Detective Constable Helen Kent dated October 4, 2002
- Liz Therrien's notes of her conversation with Shirley Obergan at OSBIE dated October 25, 2000
- e-mail from Liz Therrien to Shirley Obergan dated November 12, 2002
- Liz Therrien's notes of a conversation with Detective Constable Helen Kent dated November 14, 2002
- e-mail communication between Liz Therrien and Shirley Obergan dated December 10, 2002 to December 31, 2002
- e-mail communication between Liz Therrien and Shirley Obergan dated January 9, 2003 to January 21, 2003
- November 25, 1999 Royal Bank balance sheet
- e-mail communications between Liz Therrien and Board administrators dated February 11, 2003
- e-mail communications between Liz Therrien and Shirley Obergan dated February 11, 2003 to February 27, 2003
- Liz Therrien's notes of the member's court appearances dated February 11, 2002
- e-mail from Shirley Obergan to Liz Therrien regarding crime loss insurance claim dated March 17, 2003
- e-mail from Liz Therrien to Shirley Obergan dated March 31, 2003
- RBC Financial Group statement dated November 10, 1999 to May 17, 2001
- e-mail from Liz Therrien to Shirley Obergan dated March 30, 2003 regarding crime loss
- note to Crown attorney from Liz Therrien dated April 1, 2003

- e-mail from Liz Therrien to Shirley Obergan dated April 1, 2003 regarding member's court appearance
- e-mail from Liz Therrien to Shirley Obergan dated April 15, 2003 regarding member's court appearance
- e-mail from Liz Therrien to Shirley Obergan dated May 1, 2003 regarding member's court appearance
- Liz Therrien's note regarding the member's court appearance date May 1, 2003
- Conditional sentence order dated May 1, 2003 regarding Wayne Hopkins
- e-mail communications between Liz Therrien and Board administrators dated May 13, 2003
- Ministry of Attorney General cheque to the School in the amount of \$16,000 as member's restitution payment dated May 12, 2003
- e-mail from Liz Therrien to Gisele Lynch dated May 13, 2003
- e-mail from Liz Therrien to Shirley Obergan dated May 13, 2003
- summary of questionable items for the fiscal years ending August 31, 2000 to August 31, 2001
- e-mails from Liz Therrien to Shirley Obergan and Gisele Lynch dated May 20, 2003 confirming receipt of restitution from the court
- copy of cheque issued from OSBIE to the Board in the amount of \$12,686.60 dated May 14, 2003
- letter to Mary DesRosiers from OSBIE (undated) regarding insurance claim
- Proof of Loss form filed by the Board with OSBIE dated May 23, 2003
- e-mail from Liz Therrien to Shirley Obergan dated May 23, 2003
- Investigator's memo to file dated September 7, 2004 regarding information obtained from Liz Therrien
- Fax to the investigator from Liz Therrien dated September 7, 2004, including:
 - chronology of events
 - summary of questionable items dated August 31, 2000 to August 31, 2001
- Registrar's memorandum initiating a complaint against the member dated September 9, 2004
- Request to Initiate Investigation Form signed by the Registrar dated September 10, 2004
- Court documents including:
 - certified Information and Appearances dated October 4, 2002
 - certified Conditional sentence order dated May 1, 2003
 - certified confirmation of payment of restitution in the amount of \$16,000, paid by the member dated May 12, 2003
- Memorandum from the investigator to file dated September 14, 2004, regarding notifying the member of the Registrar's complaint
- Memorandum of Agreement signed by the parties

Decision of the Committee

On November 26, 2004, 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 the terms of this Agreement resolve the complaint in the public interest.



Iain Munro

Harry Mulvale

Patrick Slack