

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

**A COMPLAINT SUBMITTED BY THE REGISTRAR
REGARDING SCOTT JAMES KEEN**

PANEL: Paul Brazeau, Garry Humphreys, Henry Tyndorf

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, Scott James Keen. 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 January 4, 2007, the Ontario College of Teachers (the "College") received a letter of notification regarding Scott James Keen from the Toronto District School Board (the "Board"), pursuant to section 43.3(1)(b) of the *Ontario College of Teachers Act, 1996*. During the 2006/2007 academic year, Mr. Keen was a [REDACTED] teacher at [REDACTED].

Scott James Keen (the "Member") is a member of the College in good standing.

According to information received by the College, on or about November 8, 2006, the Member was charged with two counts of sexual assault, three counts of sexual exploitation and one count of committing an indecent act. All charges relate to a [REDACTED] year old female student who was in [REDACTED] class during the 2005/2006 academic year. The incidents that led to the charges occurred between May 2006 and November 2006.

On July 12, 2007, the Member pleaded guilty to one count of sexual assault.

On July 13, 2007, the complaint against the member was assessed as suitable for the College's Dispute Resolution Program and the parties indicated that they were amenable to participating in dispute resolution.

The parties signed a Memorandum of Agreement, which, in their opinion, resolved the issues raised by the complaint.

On August 29, 2007, the Member was terminated from his employment with the Board.

Allegations

As the Complainant, the Registrar alleges that between May 2006 and November 2006, Scott James Keen, a [REDACTED] teacher at [REDACTED] in the Toronto District School Board, acted inappropriately and unprofessionally in that he:

1. engaged in conduct with a [REDACTED] year old female student on school property and off school property, which included:
 - a) sexually assaulting the student;
 - b) sexually exploiting the student; and
 - c) committing an indecent act; and in so doing,
2. contravened a law or laws that are relevant to the Member's suitability to hold a certificate of qualification and registration and/or that caused or may cause a student who is under the Member's professional supervision to be put at or to remain at risk.

Documents Considered by the Committee

- Request for Ratification
- Letter of notification from the Board's counsel to the College Registrar, dated December 20, 2006
- Letter of acknowledgement from the College's Manager, Investigations to the Board's counsel, dated January 15, 2007, with attachment:
 - List of additional information requested from the Board, undated
- Letter of acknowledgement from the Board's counsel to the College's Manager, Investigations re. request for additional information, dated February 2, 2007
- Letter from the Board's Law Clerk to the College Investigator re. request for additional information, dated April 27, 2007, with attachments:
 - List of additional information requested from the Board, with handwritten numbering, undated
 - Personal and employment information re. the Member
 - Member's timetable for the 2006/2007 academic year
- Memo from the College Registrar to the College's Investigations and Hearings Co-ordinator re. initiating a complaint against the Member, dated May 23, 2007, with attachment:
 - Request to Initiate Investigation Form signed by the Registrar, dated May 23, 2007
- Letter of notification from the College Registrar to the Member, dated May 30, 2007
- Note re. Member's response, undated

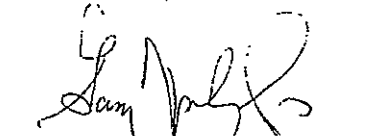
- Letter from the Board's Law Clerk to the College Investigator re. request for additional information, dated May 25, 2007, with attachments:
 - Handwritten notes of Principal Keith McKenzie, undated
 - E-mail from Central Co-ordinating Principal Kim Miller to Principal Keith McKenzie re. protocol for conducting an investigation, dated November 3, 2006, with attachment:
 - Board's Guidelines for Conducting an Investigation, undated
 - Handwritten notes of Principal Keith McKenzie, dated November 3-5, 2006
 - Telephone message from Superintendent Trevor Ludski for Principal Keith McKenzie, dated November 6, 2006
 - Handwritten notes of Principal Keith McKenzie, dated November 8, 2006
 - Telephone messages for Principal Keith McKenzie, dated November 10, 2006
 - Handwritten notes of Principal Keith McKenzie, undated
 - Instructions for students, undated
 - Handwritten notes of Vice-principal Kathy Keroglidis re. interview of [REDACTED], dated November 3, 2006
 - Timetable for [REDACTED] for semester one of the 2006/2007 academic year
 - Incident report prepared by [REDACTED] dated November 3, 2006
 - Member's timetable for semester one of the 2006/2007 academic year
 - [REDACTED] timetable for semester one of the 2006/2007 academic year
 - Handwritten notes of Principal Keith McKenzie, dated November 6, 2006
 - Notes of Principal Keith McKenzie, dated November 7, 2006
 - Business cards for investigating officers, undated
 - Notes of Principal Keith McKenzie, dated November 8, 2006
 - Handwritten notes of Principal Keith McKenzie, undated
 - E-mail message containing Toronto Police Service News Release re. charges against the Member, dated November 8, 2006
 - Instructions for students, dated November 9, 2006
 - Letter from Principal Keith McKenzie to Parent/Guardian re. charges against the Member, dated November 9, 2006
 - *Toronto Sun* article, "Teacher gets benefit of doubt", dated November 10, 2006
 - Notes of Principal Keith McKenzie, dated November 10, 2006, with attachment:
 - Letter from Principal Keith McKenzie to staff re. media, dated November 10, 2006
 - Note from Principal to the Member with copies of OSSTF representative business cards, dated November 11, 2006
 - List of investigating parties, dated November 15, 2006
 - Questionnaire re. yearbook, submitted by the Member, undated
 - "Important Guidelines for Member", undated
- Memo from the College Investigator to file re. conversation with Constable Doug Bourque, Toronto Police Service, dated May 14, 2007
- Fax cover dated May 14, 2007, with attachment:
 - Letter from the College Investigator to the Court Clerk requesting documentation, dated May 14, 2007
- Memo from the College Investigator to file re. court documents, dated May 16, 2007

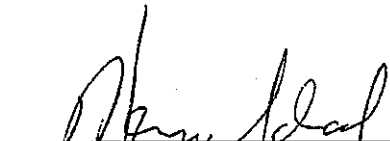
- *Toronto Star* article, "Teacher charged with sexually assaulting student", dated November 8, 2006
- [REDACTED] article, "Popular [REDACTED] teacher pleads guilty to sex assault of student, dated July 24, 2007
- Memorandum of Agreement signed by the parties

Decision of the Committee

On September 21, 2007, 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.


Paul Brazeau, Chair


Garry Humphreys


Henry Tyndorf