

ONTARIO COLLEGE OF TEACHERS

DISCIPLINE COMMITTEE

REASONS FOR DECISIONS 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 Roger Lachaine.

The Discipline Committee held a hearing on October 22 and 23, 2001,

BETWEEN:

ONTARIO COLLEGE OF TEACHERS

- and -

**ROGER LACHAÎNE
CERTIFICATE #102577**

PRESENT:

Members of the Panel

Nancy Hutcheson (Chair)

Bernard Adam

Janet Cornwall

The Honourable Patrick Galligan, ADR Chambers, Independent Counsel to the Panel

Will McDowell and Catherine Hawara, Counsel for the Ontario College of Teachers,
assisted by Trevor Evans, Senior Law Clerk

Roger LaChaine was present via teleconference and represented himself.

An Amended Notice of Hearing dated October 12, 2001 was served on Roger Lachaine, requesting attendance before the Discipline Committee of the Ontario College of Teachers on October 22, 2001 for a discipline hearing.

1. It is alleged that Roger Lachaine is guilty of professional misconduct in that:
 - (a) he provided false information or documents to the College or any other person with respect to his professional qualifications contrary to Ontario Regulation 437/97, subsection 1(1);
 - (b) he failed to maintain the standards of the profession contrary to Ontario Regulation 437/97, subsection 1(5);
 - (c) he failed to comply with the *Ontario College of Teachers Act, 1996* and/or the *Education Act, R.S.O. 1990, c.#.2*, contrary to Ontario Regulation 437/97, subsections 1(14) and (15);
 - (d) he displayed a lack of knowledge, skill and/or judgement of a nature that demonstrates that the member is either unfit to carry out his professional responsibilities or that the member's certificate should be made subject to terms, conditions or limitations;
 - (e) he committed an act 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), and
 - (f) he engaged in contact unbecoming a member, contrary to Ontario Regulation 437/97, subsection 1(19).

The Notice of Hearing states that Roger Lachaine is a member of the Ontario College of Teachers and therefore comes under the jurisdiction of the Ontario College of Teachers (Exhibit #1).

On October 22, 2001, the Discipline Committee of the Ontario College of Teachers conducted a hearing into whether Roger Lachaine was guilty of professional misconduct.

EVIDENCE:

Counsel for the Ontario College of Teachers referred to the charges set out in the Amended Notice of Hearing, alleging that Roger Lachaine is guilty of professional misconduct in that his acts were contrary to the Professional Misconduct Regulation made under the *Ontario College of Teachers Act, 1996* and filed as Ontario Regulation 437/97 on December 4, 1997, in particular, subsections 1(1), (5), (14), (15), (18) and (19).

At all material times, Roger Lachaine was employed by le Conseil Scolaire du district des écoles catholiques du Sud-Ouest as a teacher.

Dr. Claire Budreau was called as a witness by the College. Dr. Budreau is the Principal of École secondaire Sainte-Marie in Woodstock. She testified that she interviewed Roger Lachaine for a position (Exhibit #1, Exhibit #2) at her high school on January 28, 1999 and subsequently recommended to the Board that he be hired. Dr. Budreau stated she and Roger Lachaine discussed his qualifications, and that he told her he had 25 years of

experience in the field of engineering and was a “technologue.” She believed his experience was in the field of electrochemistry. She did not have Roger Lachaine’s resume at the time the interview was conducted.

Dr. Budreau received Roger Lachaine’s resume (Exhibit #3, p.1-5) in February, 1999 and checked the pastoral references at that time. Subsequently, she received several complaints from students and parents concerning the performance of the member and, after sitting in on several of his classes, decided to recheck his references. She offered assistance to the member to help him to understand the material and its presentation for the Grade 11 and OAC chemistry courses. She also brought the situation to the attention of the Superintendent, Paul Bélanger.

In rechecking Roger Lachaine’s references, she found no evidence of a four-year university degree in engineering, and no evidence of studies in chemistry, nor was there any reference to such a degree or such studies in his C.V.

Paul Bélanger, Superintendent of Education for the Board, was called as a witness by the College. He testified that there was difficulty in finding a teacher to fill the open position in science and chemistry at École secondaire Sainte-Marie. He also testified that he first heard of the interview with Roger Lachaine during a telephone call from Dr. Budreau during the first week of February, 1999 and that both he and Dr. Budreau were very pleased to have found someone to fill the vacancy. He met the member on or about the middle of February, after the member had been hired (Exhibit #4) and had begun teaching.

On April 9, 1999, after receiving notification of Dr. Budreau's concerns, Paul Bélanger met with her and Roger Lachaine to discuss the member's qualifications and to verify details of his resume (Exhibit #12). Paul Bélanger requested that the member provide proof of his four-year degree in engineering. Paul Bélanger sent a letter to the member on April 14, 1999 (Exhibit #6), with a copy to his federation representative, Dr. Budreau, and the Director General, reiterating that request. Paul Bélanger testified that the documentation was never produced and to this date he has still not seen any of the documentation requested. He further stated that the member never responded in writing to his request. In his letter to the member, Paul Bélanger expressed his concerns that the preparatory work in the chemistry course from the Collège de Vaudreuil did not appear on the member's C.V. As a result of his ongoing discussions with the member, Paul Bélanger stated that there was a lot of confusion related to the terminology in engineering between the Provinces of Québec and Ontario. On cross-examination, Paul Bélanger confirmed that the member did not apply for a chemistry position. Paul Bélanger stated that he saw a portion of the member's C.V., specifically the first five pages in Exhibit #3, when he returned from his vacation near the end of February but did not see any reference to engineering. He stated, however, that he was told that the member was an engineer.

Roger Lachaine testified on his own behalf, explaining that he never told Dr. Budreau or Paul Bélanger that he was an engineer. He stated that nowhere was it included in his C.V. and that he did not include his year at Collège de Vaudreuil because he was not interested in pursuing a career related to chemistry. The member denied falsely representing that he had a university degree in engineering. He stated that his resume

states he is qualified to teach technical studies in computers, which clearly shows he is not a university graduate. The member also testified that he had given to the Principal and Superintendent all of the documents he had pertinent to his education but that he could not produce a university degree because he had no such degree. He clarified this with Paul Bélanger on April 9, 1999. Roger Lachaine stated that he had many years of experience in the field of engineering, however he was a “technologue”.

Muriel LaChaine, the member’s wife, testified that she met the member at Collège de Vaudreuil in 1967, when he was studying there. She stated that, on January 28, 1999, she heard her husband state on the telephone to Dr. Budreau that “this is not my area, I am in communications”.

FINDINGS OF FACT:

1. The school board was anxious to fill a vacant position in science and chemistry at École secondaire Sainte-Marie de Woodstock.
2. Claire Budreau, Principal of École secondaire Sainte-Marie de Woodstock, misinterpreted the qualifications of the member during their telephone conversation of January 28, 1999.
3. The member was hired on the recommendation of Dr. Budreau and without Dr. Budreau or Paul Bélanger having reviewed the member’s C.V., which stated nothing about him being an engineer.
4. Dr. Budreau and Paul Bélanger hired the member without having verified either his qualifications or his references.

5. Roger Lachaine did not include his year of studies in chemistry at Collège de Vaudreuil on his resume because he had no interest in pursuing chemistry as a career.
6. The member met his wife while studying at Collège de Vaudreuil in 1967.
7. The member referred to himself as a “technologue.”

DECISIONS AND ORDERS:

Based on the evidence heard and the exhibits filed, as well as submissions by College counsel and the member, the Committee finds Roger LaChaine not guilty of subsections 1(1), (5), (14), (15), (18) and (19).

The Discipline Committee would like to emphasize that Roger Lachaine ought to have taken the responsibility of clearing up any confusion that the Board, the Principal and the Superintendent had in this matter.

**DATED AT TORONTO, THIS 8th DAY OF NOVEMBER, 2001
BY ORDER OF THE DISCIPLINE COMMITTEE**

Nancy Hutcheson, **Chair**

Bernard J. Adam

Janet Cornwall

