

**DISCIPLINE COMMITTEE
OF THE ONTARIO COLLEGE OF TEACHERS**

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

AND IN THE MATTER OF a discipline proceeding against
Jonathan Michael Ralph Mayan, a member of the Ontario College
of Teachers.

PANEL: Ted Coulson, Chair
Audrey Hadfield
Lou Watson

| | | |
|------------------------------|---|-----------------------------------|
| BETWEEN: |) | |
| |) | David Leonard, |
| |) | McCarthy Tétrault, |
| |) | for Ontario College of Teachers, |
| ONTARIO COLLEGE OF TEACHERS |) | assisted by Trevor Evans, |
| |) | Senior Law Clerk |
| - and - |) | |
| |) | David Matheson, |
| |) | Cavalluzzo Hayes Shilton McIntyre |
| Jonathan Michael Ralph Mayan |) | & Cornish, |
| (CERTIFICATE # 422099) |) | for Jonathan Michael Ralph Mayan |
| |) | |
| |) | Johanna Braden, |
| |) | Stockwoods, |
| |) | Independent Legal Counsel |
| |) | |
| |) | Heard: February 3, 2005 |

REASONS FOR DECISION, DECISION AND ORDER (S)

This matter came on for hearing before a panel of the Discipline Committee (the
“Committee”) on February 3, 2005 at the Ontario College of Teachers (“the College”) at
Toronto.

A *Notice of Hearing*, dated January 10, 2005 was served on Jonathan Michael Ralph Mayan, requesting attendance before the Discipline Committee of the Ontario College of Teachers on January 24, 2005, and specifying the charges. The hearing was subsequently set for February 3, 2005.

Jonathan Michael Ralph Mayan was in attendance at the hearing.

The Allegations

The allegations against Jonathan Michael Ralph Mayan (“the Member”) in the *Notice of Hearing* are as follows:

IT IS ALLEGED that Jonathan Michael Ralph Mayan is guilty of professional misconduct as defined in subsections 30(2) and 40(1.1) of the *Ontario College of Teachers Act* (the “Act”), in that:

- (a) he failed to maintain the standards of the profession, contrary to Ontario Regulation 437/97, subsection 1 (5);
- (b) he abused a student or students physically, sexually, verbally, psychologically or emotionally contrary to Ontario Regulation 437/97, subsection 1(7);
- (c) he failed to comply with the *Act* and the *Education Act*, Revised Statutes of Ontario, 1990, Chapter E. 2 and specifically section 264 (1) (c) thereof, or the Regulations made under those Acts, contrary to Ontario Regulation 437/97, subsections 1 (14) and (15);

- (d) he committed acts that, having regard to all the circumstances, would reasonably be regarded by members as being disgraceful, dishonourable or unprofessional, contrary to Ontario Regulation 437/97, subsection 1 (18);
- (e) he engaged in conduct unbecoming a member, contrary to Ontario Regulation 437/97, subsection 1 (19); and
- (f) he engaged in sexual abuse of a student or students of a nature defined in Sections 1 and 40(1.1) of the *Act*.

PARTICULARS OF THESE ALLEGATIONS ARE AS FOLLOWS:

1. Jonathan Michael Ralph Mayan (the “Member”), is a member of the Ontario College of Teachers.
2. At all material times the Member was employed by the Toronto District School Board as a teacher at [REDACTED] (the “School”) in Toronto.
3. During the 2000-2001 school year, [REDACTED] whose date of birth is [REDACTED], was a [REDACTED] student [REDACTED] at the School.
4. During the 2000-2001 school year, the Member acted inappropriately in his conduct and dealings with [REDACTED] on three occasions, being:
 - (i) on or about 5 September 2000, which was the first day of school in the 2000-2001 School Year;
 - (ii) on a date in April 2001 around two weeks prior to 9 May 2001; and
 - (iii) on or about 9 May 2001.

5. On each occasion described in paragraph 4 above, the Member:
 - (a) touched [■]. for a sexual purpose;
 - (b) invited [■]. to touch him for a sexual purpose; and
 - (c) sexually assaulted [■].

Publication Ban

On February 3, 2005, the Committee made an order that there be no publication of any information that may disclose the identity of the student involved in this matter.

Member's Plea

The Member denied the allegations set out in the *Notice of Hearing*.

The Evidence

The College called no evidence in support of the allegations set out in the *Notice of Hearing*.

Decision

The Committee finds the Member not guilty of the allegations set out in the *Notice of Hearing*.

Reasons for Decision

Given that the College did not lead any evidence in support of the allegations of professional misconduct contained in the *Notice of Hearing*, and given that the Member

pleaded not guilty to the allegations, the Committee finds the Member not guilty of all allegations.

Date: February 3, 2005

Ted Coulson
Chair, Discipline Panel

Audrey Hadfield
Member, Discipline Panel

Lou Watson
Member, Discipline Panel