

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

IN THE MATTER OF *the Ontario College of Teachers Act, 1996*, S.O. 1996,
c. 12 and the Regulation (Ontario Regulation 437/97) thereunder;

AND IN THE MATTER OF discipline proceedings against
David George McKinney, a member of the Ontario College of Teachers.

PANEL: Anne Vinet-Roy, Chair
 Don Cattani
 Lynne Mastin

BETWEEN:)	
)	
	)	Heather Meredith,
ONTARIO COLLEGE OF TEACHERS	)	McCarthy Tétrault LLP,
	)	for Ontario College of Teachers,
	)	assisted by Trevor Evans,
- and -	)	Senior Law Clerk
)	
DAVID GEORGE MCKINNEY	)	David George McKinney
(CERTIFICATE #278578)	)	was not present nor represented
	)	by counsel
)	
	)	Scott Hutchison,
	)	Stockwoods LLP,
	)	Independent Legal Counsel
)	
	)	Heard: June 14, 2006

REASONS FOR DECISION AND DECISION ON MOTION

Counsel for the College brought a motion to seek leave from the Committee to withdraw the allegations set out in the *Notice of Hearing* dated November 17, 2005.

Independent legal counsel advised the Committee that the Committee had jurisdiction to make the order requested, pursuant to section 4.1 of the *Statutory Powers Procedure Act*, which provides that if the parties consent, a proceeding may be disposed of by a decision of the Committee without a hearing.

The Committee considered the submissions of College counsel. Upon the consent of the parties, the Committee authorizes the College to withdraw the allegations of professional misconduct against David George McKinney set out in the *Notice of Hearing*, dated November 17, 2005.

The Committee concludes that the withdrawal of the *Notice of Hearing* in these circumstances is reasonable.

Date: June 14, 2006

Anne Vinet Roy
Chair, Discipline Panel

Don Cattani
Member, Discipline Panel

Lynne Mastin
Member, Discipline Panel