

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 Warren Ray Miller.

The Discipline Committee held a hearing on February 10, 2003,

BETWEEN:

ONTARIO COLLEGE OF TEACHERS

- and -

WARREN RAY MILLER
Certificate #418286

PRESENT:

Members of the Panel

Marilyn Laframboise, Chair

Nancy Hutcheson

Karen Mitchell

Christopher Wirth of Stockwood Spies, Independent Counsel to the Committee

Carole Jenkins, of McCarthy Tétrault LLP, Counsel for the Ontario College of Teachers, assisted by Jennifer Robinson, Law Clerk

Joshua Phillips of Green and Chercover, Counsel for the Member.

The Member was present.

A Notice of Hearing, dated November 1, 2002, specifying the charges, was served on Warren Ray Miller requesting his attendance before the Discipline Committee of the Ontario College of Teachers.

On February 10, 2003, the Discipline Committee conducted a hearing into whether Warren Ray Miller was guilty of professional misconduct or incompetence as defined in sections 30(2) and (3) of the Act.

EVIDENCE:

Both Counsel made submissions to the Committee requesting that the Notice of Hearing be withdrawn.

Counsel for the College presented a Motion Record, with the Member's consent, outlining the proposed resolution of the matter (Exhibit 1) including conditions under which the Notice of Hearing would be withdrawn.

The Committee agreed to proceed as per the resolutions outlined in the motion record, namely that:

1. The Member provide a letter to the Committee outlining his participation in the incident which gave rise to the complaint, including statements relating to what actions he would change if he had the opportunity to do so and what lessons he has learned as a result of this occurrence;

2. The letter referred to in paragraph 1 above be shared between the Member and Discipline Committee panel, and that the panel be invited to provide to the Member whatever advice or guidance it deemed fit and proper in the circumstances;
3. That the facts which give rise to this complaint be published in *Professionally Speaking*, without identification of the Member, by way of a message to the profession that members need to accept full and absolute responsibility for any information sent out under their name; and
4. That none of the above is to appear on the College's register with respect to the Member.

DECISION AND ORDER:

Based upon the submissions of both Counsel, and based upon the information filed in Exhibit 1, the Discipline Committee agrees to the request for withdrawal of the Notice of Hearing and finds that this resolution serves the public interest.

It is the Committee's understanding that while the general particulars of this matter will be reported in the official publication of the Ontario College of Teachers, the member's name will not appear, since the Notice of Hearing was withdrawn.

**DATED AT TORONTO, THIS 27TH DAY OF FEBRUARY, 2003
BY ORDER OF THE DISCIPLINE COMMITTEE**

Marilyn Laframboise, **Chair**

Nancy Hutcheson

Karen Mitchell