

**ONTARIO COLLEGE OF TEACHERS**

**DISCIPLINE COMMITTEE**

**REASONS FOR DECISIONS AND ORDERS**

*IN THE MATTER OF ONTARIO COLLEGE OF TEACHERS ACT, 1996, and the Regulation (Ontario Regulation 437/97) thereunder:*

**AND IN THE MATTER OF** discipline proceedings against Peter Lawrence Morgan.

The Discipline Committee held a hearing on Tuesday, December 14, 2000

**BETWEEN:**

**ONTARIO COLLEGE OF TEACHERS**

**- and -**

**PETER LAWRENCE MORGAN  
CERTIFICATE #213516**

**PRESENT:**

Members of the Panel

Marilyn Laframboise (Chair)

Mark Lefebvre

Solette N. Gelberg

The Honourable Lloyd Houlden, Independent Counsel to the Panel

Caroline Zayid, McCarthy Tétrault, Counsel for the Prosecution assisted by Trevor Evans, Senior Law Clerk

Peter Lawrence Morgan

Roderick C. Flynn, Markle, May, Phibbs, Defense Counsel

A Notice of Hearing, dated December 15, 1999 was served on Peter Lawrence Morgan, requesting attendance before the Discipline Committee of the Ontario College of Teachers on January 10, 2000 to set a date for hearing, and specifying the charges. The hearing date was eventually set for December 14, 2000.

It is alleged that Peter Lawrence Morgan is guilty of professional misconduct 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 with the Education Act, Revised Statutes of Ontario, 1990, chapter E.2, and particularly section 264(1)(c) thereof and the Regulations made under that Act, contrary to Ontario Regulation 437/97, subsections 1(14) and (15);
- d) he committed an act or acts that, having regard to all of the circumstances, would reasonably be regarded by members as disgraceful, dishonourable, or unprofessional, contrary to Ontario Regulation 437/97, subsection 1(18); and
- e) he engaged in conduct unbecoming a member, contrary to Ontario Regulation 437/97, subsection 1(19).

Peter Lawrence Morgan received a Temporary Letter of Standing under the *Education Act* on October 22, 1991. In accordance with the *Ontario College of Teachers Act, 1996*, the member was issued an Interim Certificate of Qualification effective May 20, 1997. The

member's Interim Certificate of Qualification expired on October 22, 1997. The hearing is held pursuant to section 14(5) of the *Ontario College of Teachers Act*.

On December 14, 2000, the Discipline Committee of the Ontario College of Teachers conducted a hearing into whether Peter Lawrence Morgan was guilty of professional misconduct.

Peter Lawrence Morgan was in attendance at the hearing, and was represented by counsel.

**EVIDENCE:**

Counsel for the Ontario College of Teachers referred to the charges set out in the Notice of Hearing (Exhibit #1), alleging that Peter Lawrence Morgan is guilty of professional misconduct in that his acts were contrary to the Professional Misconduct Regulation made under the *Ontario College of Teachers Act* and filed as Regulation 437/97 on December 4, 1997, in particular, subsections 1 (5), (7), (14), (15), (18) and (19).

Particulars of the alleged misconduct are set out in Exhibit #1 and they are to the effect that:

1. Peter Lawrence Morgan is a member of the Ontario College of Teachers.
2. At all material times, the member was employed as a teacher by the [REDACTED], Hamilton, Ontario.
3. At all material times, the female student was attending [REDACTED] (the "School").

4. In or about the spring of 1996, the Head of Senior School at the School spoke to the member in respect to allegations that the female students in his class were being marked more generously than the male students and about ways to deal with that perception.
5. On or about September 30, 1996, the Head of Senior School at the School spoke to the member about apparent over-familiarity with female students exhibited by the member at a dance at the College on or about September 27, 1996, advising the member of the inappropriateness of such behaviour.
6. In or about February 1997, the Head of Senior School at the School spoke with the member in respect to his interaction with the student and advised the member to maintain propriety in such interactions.
7. During the 1996-1997 school year, the member engaged in an inappropriate personal relationship with the student. The relationship included a sexual relationship.
8. During the 1996-1997 school year, the member exchanged inappropriate electronic communications with the student.
9. In or about March 1997, over the Easter weekend, the Head of Senior School at the School found the member and the student in the weight room at the School , one of the doors to which was locked.
10. On March 29, 1997, the Head of Senior School at the School wrote to the member in regards to that matter and his earlier discussions as to the inappropriateness of being alone with students and requested an explanation, which was not forthcoming.

11. On or about May 2, 1997, the Head Master and Head of Senior School at the School met with the member and advised him that they would be investigating accusations and concerns that had been brought to their attention in regards to the relationship between the member and the student. The member denied that any relationship existed.
12. On or about May 6, 1997, the member wrote a letter of resignation to the Head Master at the School, to take effect immediately.

An Agreed Statement of Facts was filed as Exhibit #2. That statement had been signed by Peter Lawrence Morgan, Caroline Zayid, McCarthy Tétrault and Roderick C. Flynn, Markle, May, Phibbs.

#### **FINDINGS OF FACT:**

Based on the Agreed Statement of Facts, the panel finds the following facts:

- 1) Peter Lawrence Morgan received a Temporary Letter of Standing under the *Education Act* on October 22, 1991. In accordance with the *Ontario College of Teachers Act*, 1996, the member was issued an Interim Certificate of Qualification effective May 20, 1997. The member's Interim Certificate of Qualification expired on October 22, 1997.
- 2) The member was employed as a teacher at [ ] (the "School") in Hamilton, Ontario, from September 1, 1992, until May 6, 1997. He taught elementary classes during the 1992-1993 school year and thereafter was a teacher in the Senior School.

- 3) The female student attended the school from September [REDACTED] until June [REDACTED]. The student's date of birth is [REDACTED]. During the 1996-97 school year, when the student was [REDACTED], she was a student in [REDACTED] [REDACTED] class [REDACTED] at the School.
- 4) In or about February 1997, the Head of Senior School at the School spoke with the member about his interaction with the student and advised the member to maintain propriety.
- 5) During the 1996-1997 school year, the member engaged in an inappropriate personal and sexual relationship with the student.
- 6) During the course of this relationship, the member and the student exchanged electronic mail messages ("e-mails") on the School's computer system, some of which contained inappropriate and sexually explicit references.
- 7) In or about March, 1997, on a weekend when the School was closed, the member and the student met in the weight room at the School, one of the doors to which was locked.
- 8) On March 29, 1997, the Head of Senior School at the School wrote to the member requesting an explanation in respect to being found in the weight room at the school with the student. The member did not respond.
- 9) On May 2, 1997, the Headmaster of the School and the Head of Senior School met with the member to inform him that a student had reported that the student and the member were engaging in a sexual relationship.
- 10) On May 5, 1997, the School's computer Network Administrator recovered a number of deleted e-mail messages from the School's computer system.
- 11) On May 6, 1997, the member resigned as a member of staff at the School.

- 12) By this document, the member wishes to express his sorrow for any pain and embarrassment that his actions may have caused.
- 13) The member states that, in the spring of 1997, he was experiencing severe marital difficulties, causing him depression and strain, so that his judgement was impaired.
- 14) The member states that the sexual relationship with the student was consensual, with the member and the student expressing mutual feelings of love. The student was [REDACTED] at the time. However, the member recognizes that this does not exonerate him from responsibility for the boundary violation of becoming involved with a student.
- 15) The College states that a sexual relationship between a teacher and a student is unprofessional, regardless of the age of the student or any consent that may be expressed or implied by the student.
- 16) The parties hereto agree that the above-described behaviour of the member constitutes professional misconduct and respectfully submit that the Discipline Committee should so find.

The Committee accepts the Agreed Statement of Facts and Guilty Plea and finds the member guilty of professional misconduct.

**REASONS:**

The Committee is convinced that Peter Lawrence Morgan is guilty of professional misconduct in that he engaged in an inappropriate and sexual relationship with a student.

**DECISIONS AND ORDERS:**

The Committee finds Peter Lawrence Morgan guilty of professional misconduct under subsections 1 (7) and (18) of the Professional Misconduct Regulation 437/97, as alleged.

The Committee accepts Joint Submission On Penalty (Exhibit #3), the terms of which are as follows:

1. Peter Lawrence Morgan shall appear before the panel to be reprimanded and the fact of the reprimand be recorded on the Register of the College.
2. The member is required to pay a fine of Five Thousand Dollars (\$5,000.00) to be paid by the member to the Minister of Finance for payment into the Consolidated Revenue Fund;
3. The finding and the Order of the Committee will be published, with the name of the member, in the official publication of the College and in any other manner or medium that the Discipline Committee considers appropriate.

Peter Lawrence Morgan did appear before a Discipline Committee panel on December 14, 2000. A verbal reprimand was issued on that date to stress, to the member, the unacceptability of his conduct as a teacher and as a specific deterrent to him.

**DATED AT TORONTO, THIS 29th DAY OF JANUARY, 2001  
BY ORDER OF THE DISCIPLINE COMMITTEE**

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Marilyn Laframboise, **Chair**

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Mark Lefebvre

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Solette Gelberg