

**DECISION OF THE INVESTIGATION COMMITTEE
OF THE ONTARIO COLLEGE OF TEACHERS
IN THE MATTER OF**

**A COMPLAINT SUBMITTED BY THE REGISTRAR
REGARDING NEIL JOSEPH ORLOWSKY**

PANEL: Elizabeth Papadopoulos, Andrew Kane, Iain Munro

IMPORTANT NOTICE

The Investigation Committee has disposed of this matter without a full investigation. The information contained within the following summary has been provided by the Complainant(s) and does not contain any input from the Member, Neil Joseph Orlowsky. Unless otherwise stated in its Decision, no determination has been made by the Investigation Committee in respect to the veracity, or otherwise, of the allegations and information provided by the Complainant(s).

On July 27, 2005, the Ontario College of Teachers (the "College") received a letter of notification regarding Neil Joseph Orlowsky from the York Region District School Board (the "Board"), pursuant to section 43.3(1) of the *Ontario College of Teachers Act, 1996*. Mr. Orlowsky is a teacher at [REDACTED] School (the "School").

Neil Joseph Orlowsky (the "Member") is a member of the College in good standing.

According to information provided by the Board, in the days prior to May 11, 2005, a female former student reported to the Board that from February 2002 to June 2002, she and the Member developed a personal relationship which involved exchanging personal, affectionate e-mail messages. At that time the student was [REDACTED] years old and was in her final semester of high school. Following the student's graduation, she and the Member continued exchanging e-mail messages, talked to each other on the telephone, and went on several "dates" which included affectionate, physical contact.

The former student reported to the Board administration that the last time she and the Member engaged in physical contact was in April 2003, while the Member was chaperoning a school trip in Europe. The former student had been invited to take part in the trip even though she was no longer a student.

After returning from the trip to Europe, the relationship between the former student and the Member ended.

According to the Board information, the Member confirmed most of the details of the complaint. The Board information also indicates that, in response to the complaint, the Member was "forthright, remorseful, and co-operative" and that he responded with "candor, remorse, and regret".

The Board concluded that the Member's actions constituted professional misconduct and he was subjected to disciplinary action.

On September 12, 2005, the complaint against the Member was assessed as suitable for the College's Dispute Resolution Program. On November 30, 2005, the parties indicated that they were amenable to participating in dispute resolution.

The member was not required to provide a response to this complaint as he elected to enter into the Dispute Resolution Program.

In December 2005, the parties signed a Memorandum of Agreement, which, in their opinion resolved the issues raised by the complaint.

Allegations

As the complainant, the Registrar alleges that between February 2002 and April 2003, Neil Joseph Orłowski, a teacher at [REDACTED] School, in the York Region District School Board, acted inappropriately and unprofessionally with respect to a [REDACTED] year old female student who graduated in June 2002, in that he and the student:

1. exchanged personal, affectionate e-mail messages prior to the student's graduation;
2. exchanged e-mail messages and telephone conversations during the months following the student's graduation;
3. went on several dates which included affectionate, physical contact, following the student's graduation; and
4. engaged in affectionate, physical contact while the member was chaperoning a school trip in Europe in April 2003.

Documents Considered by the Committee

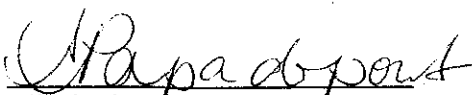
- Request for Ratification
- Board notification letter, dated July 5, 2005, with attachments:
 - Information record related to allegations of professional misconduct, dated July 5, 2005
 - Employee information record, dated June 27, 2005
 - Registered Member information, dated June 27, 2005


- Letter from Board to Member re. suspension, dated June 3, 2005
- Grievance report, dated June 27, 2005
- Registrar's memo initiating complaint, dated September 6, 2005
- Request to Initiate Investigation Form, dated September 9, 2005
- Registrar's notification letter to Member, dated September 12, 2005
- Letter from board to investigator re. enclosing Member information and attachments, dated November 7, 2005
 - Certificate of Qualification information, dated October 4, 2005
 - Information record related to allegations of professional misconduct, dated July 5, 2005
 - Employee information record, dated June 27, 2005
 - Board's recommendation to report to Ontario College of Teachers, dated July 4, 2005
 - Board meeting minutes – private session, dated July 4, 2005
 - Chronology from Board, dated 2005
 - Contact Information re. [REDACTED] dated 2005
 - Handwritten notes from Board, undated
 - Letter from [REDACTED] to whom it may concern, dated May 17, 2005
 - Handwritten notes from Board re. interview with [REDACTED] dated May 17, 2005
- Memorandum of Agreement signed by the parties, dated December 2005


Decision of the Committee

On January 27, 2006, a panel of the Investigation Committee considered this complaint and, in accordance with the provisions of 26(5)(d) of the *Ontario College of Teachers Act, 1996*, the Investigation Committee ratified the attached Memorandum of Agreement. This is based on the opinion of the committee that terms of this Agreement resolve the complaint in the public interest.

The Member is admonished for establishing an inappropriate relationship with a student. Even though the Board has indicated that the Member responded with “candor, remorse and regret”, the Member is advised to maintain appropriate boundaries with students and former students at all times.


 Elizabeth Papadopoulos


 Andrew Kane


 Iain Munro