

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 Lorraine Racicot.

The Discipline Committee held a hearing on January 18, 2001,

BETWEEN:

ONTARIO COLLEGE OF TEACHERS

- and -

LORRAINE RACICOT
Certificate #217697

PRESENT:

Members of the Panel

Marilyn Laframboise (Chair)

Dick Malowney

Diane Leblovic

William McDowell, McCarthy Tétrault, Counsel for the Prosecution, assisted by Trevor Evans, Senior Law Clerk

The Honourable Lloyd Houlden, Independent Counsel to the Panel

Lorraine Racicot was not present, nor was she represented.

A Notice of Hearing, dated October 6, 2000 was served on Lorraine Racicot, requesting her attendance before the Discipline Committee of the Ontario College of Teachers on October 16, 2000 to set a date for hearing, and specifying the charges. The hearing date was eventually set for the week of January 15, 2001.

It is alleged that Lorraine Racicot is guilty of professional misconduct in that:

- a) she provided false information or documents to the College or any other person with respect to her professional qualifications, contrary to Ontario Regulation 437/97, subsection 1(1);
- b) she failed to maintain the standards of the profession contrary to Ontario Regulation 437/97, subsection 1(5);
- c) she signed or issued in her professional capacity a document or documents that she knows or knew or ought to know or ought to have known contained a false, improper or misleading statement, contrary to Ontario Regulation 437/97, section 1(12);
- d) she failed to comply with the *Ontario College of Teachers Act, 1996* and/or the *Education Act, R.S.O. 1990, c.E.2*, contrary to Ontario Regulation 437/97, subsections 1(14) and (15);
- e) she committed an act that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional contrary to Ontario Regulation 437/97, section 1(18);
- f) she engaged in conduct unbecoming a member contrary to Ontario Regulation 437/97, section 1(19);

- g) she failed to cooperate in a College investigation contrary to Ontario Regulation 437/97, section 1(22);
- h) she failed to take reasonable steps to ensure that information requested by the College was provided in a complete and accurate manner when the member was required to provide information to the College under the Act and the regulations contrary to Ontario Regulation 437/97, section 1(23); and
- i) she displayed a lack of knowledge, skill and/or judgement of a nature that demonstrates that the member is either unfit to carry out her professional responsibilities or that the member's certificate should be made subject to terms, conditions or limitations.

On January 18, 2001, the Discipline Committee of the Ontario College of Teachers conducted a hearing into whether Lorraine Racicot was guilty of professional misconduct.

Lorraine Racicot was not in attendance at the hearing, nor was she represented by counsel. Proof of service of the Notice of Hearing was presented and accepted by the panel (Exhibit #1).

EVIDENCE:

Counsel for the Ontario College of Teachers referred to the charges set out in Exhibit #1, alleging that Lorraine Racicot is guilty of professional misconduct in that her acts were contrary to the Professional Misconduct Regulation made under the *Ontario College of Teachers Act*, 1996 and filed as Regulation 437/97 on December 4, 1997, in particular, sections 1(1), (5), (12), (14), (15), (18), (19), (22), (23). It is also alleged that she displayed a lack of knowledge, skill and/or judgement of a nature that demonstrates that the member is either

unfit to carry out her professional responsibilities or that the member's certificate should be made subject to terms, conditions or limitations.

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

1. Lorraine Racicot is a member of the Ontario College of Teachers.
2. At all material times, the member was employed as a teacher by the Board of Education for the City of London and its successor, the Thames Valley District School Board.
3. In 1988, the member was enrolled at the Université de Sherbrooke in a course to obtain a degree of Bachelor of Arts in French studies. Up to May of 1989, she had received a total of twenty-seven credits out of ninety credits toward her degree, and had completed four and a half courses even though a total of fifteen courses was required to obtain the Bachelor of Arts degree. She has not received any subsequent credits in respect of obtaining a Bachelor of Arts degree.
4. The member then gained admission to the Bachelor of Education program of the University of Ottawa in 1992, when she knew or ought to have known that she lacked the necessary academic qualifications for admission, specifically a university bachelor's degree.
5. On or about April 9, 1992, the member accepted a provisional offer of admission to the University of Ottawa which stated that she must provide proof of the degree conferred and any other documents required by the faculty upon registration. The University of Ottawa had, in its calendar for "Teacher Education" for 1991-1992, stated that a condition of admission was as follows: "To be admitted to the French

program of training in education, you must comply with the following educational requirements:

- 1) hold a recognized university bachelor's degree of at least 15 complete courses,".

Further, the calendar stated that, "The following documents must be sent to Admissions:

- 1) a recent official transcript, with seal, of the university attended and from which the candidate has received university credits enabling him to obtain a recognized bachelor's degree of at least 90 credits or a similar diploma."
6. On or about September 16, 1992, the member completed a registration form of the University of Ottawa to attend full time in the fall and winter sessions in the Faculty of Education to obtain "Primaire et Moyen" (Primary and Junior) as her major and "B.E.O." (Brevet Enseignant de l'Ontario - Ontario Teaching Certificate), "BEd" (Bachelor of Education) as her minor.
 7. The member completed the Bachelor of Education course and was granted the degree by the University of Ottawa on May 26, 1993. At the time she obtained the Bachelor of Education degree from the University of Ottawa, the member knew or ought to have known that she was not entitled to receive it, because she lacked the prerequisite academic credentials of a bachelor's degree.
 8. The member obtained additional qualifications in *cycles primaire et moyen*, French as a Second Language, Part I, in 1993, based on academic qualifications that she did not hold, specifically a Bachelor of Arts degree.
 9. On June 30, 1993, the member was issued an Ontario Teacher's Certificate.

10. On or about August 19, 1993, upon her application to the Board of Education for the City of London, the member provided false information in respect of her academic qualifications, namely that she had acquired a Bachelor of Arts degree in French Literature from the Université de Sherbrooke in 1986.
11. The University of Ottawa realized its mistake in granting the Bachelor of Education degree to the member and wrote to her on November 14, 1994, providing her with a copy of the comments of the Faculty of Education which requested that the Bachelor of Education degree be suspended until she provided proof that she had obtained a previous bachelor's degree, which is one of the admission requirements for enrollment in the Bachelor of Education degree program. She was also advised that the matter would be brought before the Senate Executive Committee at its next meeting in December, 1994.
12. By letter dated November 20, 1994, the member wrote to the Secretary of the University of Ottawa acknowledging that she had not completed her Bachelor of Arts degree.
13. On or about January 17, 1995, the Secretary of the University of Ottawa advised the member that the University had decided not to suspend her Bachelor of Education degree, but would inform the Ministry of Education that an error had been made and that she had not fulfilled the requirement of a previous bachelor's degree that is usually implied when a Bachelor of Education degree is conferred.
14. On or about February 13, 1995, the Dean of the University of Ottawa wrote informing the Ministry of Education of Ontario of the error. A copy of the letter was sent to the member.

15. In or around 1998, the member gained admission to the University of Western Ontario and obtained additional qualifications, Computers in the Classroom, Part I, based on credentials that she was not entitled to hold, specifically a Certificate of Qualification issued by the Ontario College of Teachers, because she lacked a Bachelor of Arts degree.
16. In order to gain admission to the University of Western Ontario's additional qualification courses, the member provided false information or documents to that University, suggesting that she held a Bachelor of Arts degree.
17. The member currently holds a Certificate of Registration and Qualification of the Ontario College of Teachers, which states that she holds a Bachelor of Arts degree from the Université de Sherbrooke.
18. The member has earned sums of money which she would only be entitled to earn if she held a Bachelor of Arts degree.
19. The member failed to reply to a letter dated May 10, 1999, from the Registrar requesting proof of the member's Bachelor of Arts degree.
20. The member failed to claim further letters written to her by the Registrar on July 22, 1999 and September 7, 1999.

Counsel for the College presented an Affidavit of Jean-Pierre Bertrand (Exhibit #2), Registrar of the Université de Sherbrooke, confirming that Lorraine Racicot was enrolled as a student in the Faculté des lettres et sciences humaines at the Université de Sherbrooke for the Programme de baccalauréat en études françaises incluant une mineure en pédagogie in 1988. At that time, she received only 27 credits of a minimum of 90 credits required to obtain her degree. This confirmed that Lorraine Racicot had not been awarded her degree. The College

requested a copy of Lorraine Racicot's transcript from Guy Vachon, Assistant Registrar, Université de Sherbrooke. In response, the Associate Dean indicated "a check of her file indicates that she obtained a Bachelor of Education degree without ever providing proof that a degree was conferred prior to her admission. She would have to take a good number of courses to fulfill this requirement." In addition, the correspondence further indicated "The faculty will revoke the basis of admission indicated on Lorraine Racicot's transcript and will issue an amended version to the student because she did not, in fact, obtain an Bachelor of Arts degree from the Université de Sherbrooke in 1992." Exhibit #2 also showed that Lorraine Racicot had received 27 credits from the autumn of 1988 to the winter of 1989.

Evidence was led in the Affidavit of Pierre-Yves Boucher (Exhibit #3a), Secretary of the University of Ottawa, that Lorraine Racicot applied for admission to the Bachelor of Education degree program, Faculty of Education, University of Ottawa for the academic year 1992/93 and she was given an offer of admission providing she submit her documentation confirming receipt of said Bachelor of Arts degree. A copy of said letter was attached to the Exhibit. The Secretary explained that as a result of administrative error (which was subsequently rectified), Lorraine Racicot was admitted to the program without providing proof of receipt of such degree and successfully completed the requirements, received her Bachelor of Education degree in the spring of 1993 and confirmation of the degree was sent to the Ministry of Education in May, 1993 and was attached to the Exhibit.

The Secretary further informed the Committee that upon receiving a letter from the Qualifications Evaluation Council of Ontario on May 25, 1994, the Dean did a thorough review of Lorraine Racicot's file, discovered the error and immediately requested the matter

be turned over to the Senate. The Dean of the University of Ottawa, Pierre Calvé, requested that the Senate suspend the Bachelor of Education degree until Lorraine Racicot had provided proof of the previous degree which was one of the basic admission requirements. That letter was written on November 8, 1994. Lorraine Racicot was informed by the Secretary on November 14, 1994 requesting her comments as promptly as possible. In response, on November 20, 1994, Lorraine Racicot replied in writing acknowledging she had not completed her Bachelor of Arts degree and indicating she was also prepared to take all courses needed but it would her some time to complete it at the rate of two courses per year. Such letter is attached to the Exhibit. The matter was submitted to the Senate who decided not to revoke the Bachelor of Education degree but to advise the Ministry of Education that Lorraine Racicot did not satisfy the requirements of admission. Such letter is attached to the Exhibit.

The Committee heard testimony from Dr. Rebecca Coulter, Associate Dean, University of Western Ontario, and received a transcript from the University of Western Ontario indicating that Lorraine Racicot had enrolled at that university for four courses between the summer of 1991 and 1998, three of which were Additional Qualification courses and one of which was an Additional Basic Qualification course. Such admission was predicated on evidence to the University of Western Ontario of a Bachelor of Arts degree on Lorraine Racicot's Ontario Teacher's Qualifications Record Card (Exhibit # 7). No degree was granted from the University of Western Ontario.

Linda Peck, Superintendent, Human Resource Service Department, Thames Valley District School Board testified with Exhibit #5, that Lorraine Racicot applied for an occasional

teaching position with the Board and indicated on her application dated August of 1993, that she held the degrees of BA and BEd. The Committee also heard evidence that Lorraine Racicot did begin teaching as a permanent contract teacher on September 1, 1995 and is currently on a leave of absence. Linda Peck provided the Committee with a copy of Lorraine Racicot's Curriculum Vitae (Exhibit #6) dated January, 1993 that was used in support of her application to the London Board of Education, listing under academic qualifications that she held a Bachelor of Arts degree from the Université de Sherbrooke.

The Ontario Teacher's Qualifications Record Card indicating a BA and a BEd and a copy of Lorraine Racicot's teaching certificate dated June, 1993 were received as Exhibits #7 and #8.

Staff and former staff of the College testified as to their communication with Lorraine Racicot (Exhibit #10, Exhibit #11), with copies as to their contact with the member.

FINDINGS OF FACT:

The Committee finds the following facts:

- (1) Lorraine Racicot is a member of the Ontario College of Teachers.
- (2) Lorraine Racicot admitted in writing, in a letter to the Secretary of the University of Ottawa dated November 20, 1994, that she had not completed her Bachelor of Arts degree from the Université de Sherbrooke or any other institution.
- (3) Lorraine Racicot was admitted to the Bachelor of Education degree program at the University of Ottawa, claiming to hold a Bachelor of Arts degree.
- (4) The University of Ottawa granted her a Bachelor of Education degree and forwarded a recommendation to the Ministry of Education for a teaching certificate.

- (5) Lorraine Racicot signed or issued documents that she knew to contain false improper and misleading statements in her application to teach for the Board of Education for the City of London and accepted teaching positions with that board.
- (6) Lorraine Racicot enrolled in courses at the University of Western Ontario that required a teaching certificate and she was admitted based on the Ontario Teacher's Qualifications Record Card.

REASONS:

The Committee accepts that Lorraine Racicot did not have a Bachelor of Arts degree from the Univerité de Sherbrooke and is persuaded that she clearly knew that it was a requirement for admission to a Bachelor of Education degree. Lorraine Racicot misrepresented her professional credentials, and sought and achieved employment as a teacher as a result.

The Committee finds this conduct to be disgraceful, dishonourable and unprofessional. In addition, the Committee believes that this reprehensible behaviour must be dealt with severely as it undermines the integrity of the profession, which depends upon its members providing accurate information concerning their qualifications.

DECISIONS AND ORDERS:

Accordingly, the Committee finds Lorraine Racicot guilty of professional misconduct under section 1, subsections (1), (5), (12), (14), (15), (18) and (19) of the Professional Misconduct Regulation, as alleged, and directs the Registrar to revoke Lorraine Racicot's Certificate of Qualification and Registration immediately. The Committee imposes a fine in the amount of \$2000.00 (two thousand dollars) to be paid by the member to the Minister of Finance for

payment into the Consolidated Revenue Fund. The Committee also orders the Registrar to send a copy of the Decisions and Reasons to the Senate of the University of Ottawa.

Notice

It is important to the College's role in the governance of the profession to provide evidence to members that the College is active in self-regulation and is vigilant to breaches of its bylaws and rules of conduct. Such evidence is provided through notification of the decisions and orders of the College's disciplinary committees, and is, in the opinion of the panel, a practice that has significant general deterrent value. In this matter, the Committee is sufficiently concerned about the conduct of the member as to assign a financial penalty has been assigned.

Pursuant to Section 30(5)(iii) of the *Ontario College of Teachers Act, 1996* the Committee orders that the findings of this hearing, as well as the name of the member, be published in the official publication of the Ontario College of Teachers.

**DATED AT TORONTO, THIS 19th DAY OF FEBRUARY, 2001
BY ORDER OF THE DISCIPLINE COMMITTEE**

Marilyn Laframboise, **Chair**

Dick Malowney

Diane Leblovic