

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

**A COMPLAINT SUBMITTED BY THE REGISTRAR
REGARDING MARIO PETER ROSSI**

PANEL: Gord Hough, Andrew Kane, Paul Brazeau

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, Mario Peter Rossi. 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 12, 2005, the Ontario College of Teachers (the “College”) received a letter of notification from the Toronto Catholic District School Board (the “Board”) regarding Mario Rossi, a [**] teacher at [**] School, pursuant to section 43.3(1)(a) of the *Ontario College of Teachers Act, 1996*.

Mr. Rossi (the “member”) is a member of the College in good standing.

According to the letter of notification, the member was charged with sexual exploitation for conduct involving a student. Additional information indicated that on June 22, 2005, the member counselled a [**]-year old female to touch him inappropriately while on school property. On June 28, 2006, the Member was found guilty of the charge.

Additional information indicates that the member was also charged with sexual exploitation after inviting a [**]-year old female student to stay after a June 1996 exam and then told her that he wanted to “make love” to her. The member was acquitted of the charge in 1997.

On August 9, 2005, the Registrar initiated a complaint against the member.

During the course of the College’s investigation, information was received indicating that the Member was also charged in 1984 or 1985 with sexual assault and sexual interference. The charges related to conduct involving a female who was between 14 and 16 years of age. The

charges against the Member were withdrawn. On May 15, 2006, the Registrar amended the allegations against the Member to include the conduct that led to the 1984/1985 charges.

On July 17, 2006, the complaint against the member was assessed as suitable for the College's Dispute Resolution Program. On July 24, 2006, the parties indicated that they were amenable to participating in dispute resolution.

In September 2006, the parties signed a Memorandum of Agreement (the "MOA") which, in their opinion, resolved the issues raised by the complaint. The MOA is attached for the consideration of the Investigation Committee.

Allegations

As the complainant, the Registrar alleges that Mario Rossi, a teacher at the Toronto Catholic District School Board, acted inappropriately and unprofessionally in that he:

1. during or before the summer of 1984:
 - a) drove home from summer school a female student, [**], who was between 14 and 16 years old;
 - b) telephoned [**] at home;
 - c) hugged [**] while they were in a school portable, after school hours;
 - d) visited [**] at her residence when her parents were not home and without the permission of her parents; and
 - e) engaged in sexual intercourse with [**];
2. in or about June 1996, while employed as a teacher at [**] School, told [**], a [**]-year-old female student, that he wanted to "make love" to her;
3. on or about June 22, 2005, while employed as a teacher at [**] School, invited [**], a [**]-year-old female student, into his classroom to get her exam results and then:
 - a) told [**]'s friends to leave so that [**] was then left alone with him;
 - b) turned out the lights, closed the door, and closed the blinds; and
 - c) told [**] to "find the surprise", with the surprise being a note in the front of his pants, which read, "[**], yes, you are my favourite. I hope that next year we'll be together again (oh no, not again). I'll miss you through the summer" and "I'll be waiting to say goodbye to you in a special way."
4. in respect to allegation 3, contravened a law or laws that are relevant to the member's suitability to hold a certificate of qualification and registration and/or caused or may cause a student who is under the member's professional supervision to be put at risk or to remain at risk.

Documents Considered by the Committee

- Letter of notification from the Board to the Registrar, re. the Member, dated June 30, 2005
- Letter from the College's Manager, Investigations, to the Board's counsel, requesting additional information, dated July 15, 2005, with attachment:
 - List of requested information, undated
- Letter from the Board's counsel to the College's Manager, Investigations, re. request for additional information, dated September 1, 2005
- Toronto Police Service News Release, re. charge against the Member, dated June 29, 2005
- *National Post* article, "Toronto teacher charged with sexual exploitation of male teen", dated June 30, 2005
- *Toronto Sun* article, "Teacher facing sex charge", dated June 30, 2005
- Memo from the Registrar to the College's Investigations and Hearings Co-ordinator, re. initiating a complaint against the Member, dated August 4, 2005, with attachment:
 - Request to Initiate Investigation Form signed by the Registrar, re. the Member, dated August 9, 2005
- Letter of notification from the Registrar to the Member, dated August 10, 2005
- Memo from the College Investigator to file, re. notifying the Member of the complaint, dated August 11, 2005
- Request to Initiate Investigation Form (amended) signed by the Registrar, re. the Member, dated May 15, 2006
- Letter of from the Registrar to the Member's counsel, re. amended allegations, dated May 11, 2006
- Member's response, submitted by his counsel, dated September 23, 2005, with attachment:
 - Curriculum vitae of the Member, undated
- Letter from the Member's counsel to the College Investigator, requesting additional information, dated May 29, 2006
- Letter from the College Investigator to the Member's counsel, re. request for additional information, dated June 6, 2006
- Additional response from the Member, through his counsel, dated June 13, 2006
- Memo from the College Investigator to file, re. conversation with Principal Susan Baker, dated September 19, 2005
- Letter from the College Investigator to Principal Susan Baker, re. Memorandum to File, dated September 19, 2005
- Letter from the College Investigator to Principal Susan Baker, re. correction to Memorandum to file, dated September 27, 2005
- Letter from the College Investigator to the Court Clerk, requesting documentation, dated September 16, 2005
- Information and Appearances, re. charge against the Member, dated June 29, 2005
- Promise to Appear, dated June 27, 2005
- Undertaking Given to a Peace Officer or an Officer in Charge, dated June 27, 2005

- Letter from the College Investigator to the Court Clerk, requesting documentation, dated October 6, 2005

- Letter from the College Investigator to the Court Clerk (page one only), with handwritten notes, dated October 6, 2005, with attachments:
 - Indictment re. charges against the Member, dated March 2, 1998
 - Information and Appearances, re. charge against the Member, dated May 26, 1997
 - Undertaking Given to a Peace Officer or an Officer in Charge, dated May 24, 1997
- Transcript of Excerpt of Cross-examination of the Member, dated September 16, 1998, with attachments:
 - Indictment re. charges against the Member, dated March 2, 1998
 - Information and Appearances, re. charge against the Member, dated May 26, 1997
- Letter from the College Investigator to the Court Clerk, requesting documentation, dated May 12, 2006
- Letter from the College Investigator to the Court Reporter, re. transcript, dated June 7, 2006
- Transcript of evidence of [**], dated September 16, 1998
- Letter from the College Investigator to Old City Hall Records, requesting documentation, dated June 14, 2006
- Memo from the College Investigator to file, re. telephone conversation with Constable Hillary Hawkins, dated October 14, 2005
- Memo from the College Investigator to file, re. telephone conversation with Constable Hillary Hawkins, dated June 14, 2006
- Letter from the College Investigator to the Toronto Police Service, Freedom of Information Unit, requesting documentation, dated October 17, 2005
- Letter from the Toronto Police Service to the College Investigator, acknowledging request for documentation, dated October 28, 2005
- Letter from the Toronto Police Service to the College Investigator, denying request for documentation, dated November 24, 2005
- Letter from the College's Manager, Investigations, to the Toronto Police Service, re. denial of request for documentation, dated December 2, 2005
- Memo from the College Investigator to file, re. telephone conversation with [**], dated June 23, 2006
- Letter from the College Investigator to [**], re. Memorandum to File, dated June 23, 2006
- Memo from the College Investigator to file, re. attendance at criminal trial, dated June 29, 2006
- Letter from the Board's counsel to the College's Manager, Investigations, re. outcome of criminal trial, dated June 29, 2006
- *Toronto Star* article, "House arrest on sex charge", dated July 18, 2006
- Memorandum of Agreement signed by the parties, dated September 2006

Decision of the Committee

On September 20, 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 the terms of this Agreement resolve the complaint in the public interest.

Gord Hough, Chair

Andrew Kane

Paul Brazeau