

**DISCIPLINE COMMITTEE
OF THE ONTARIO COLLEGE OF TEACHERS**

IN THE MATTER OF *the Ontario College of Teachers Act, 1996, S.O. 1996, c. 12 and the Regulation (Ontario Regulation 437/97) thereunder;*

AND IN THE MATTER OF discipline proceedings against
Clément Ruracenyeka, a member of the Ontario College of Teachers.

PANEL: Dean Favero, OCT, Chair
 Robert Gagné
 Jacques Tremblay, OCT

BETWEEN:)	
	)	Christine Lonsdale,
	)	McCarthy Tétrault LLP,
ONTARIO COLLEGE OF TEACHERS	)	for the Ontario College of Teachers,
	)	assisted by Lisa Filgiano
)	
- and -)	
	)	Julie Skinner
CLÉMENT RURACENYEKA	)	Nelligan O'Brien Payne, LLP,
(CERTIFICATE #450776)	)	for Clément Ruracenyeka
)	
	)	Paul Marshall,
	)	Emond Harnden, LLP,
	)	Independent Legal Counsel
)	
	)	Heard: December 14, 2010

DECISION ON MOTION

Counsel for the College brought a motion to seek leave from the Discipline Committee to withdraw the allegations set out in the *Notice of Hearing* dated February 9, 2009.

Clément Ruracenyeka was not in attendance at the hearing, but was represented by legal counsel.

The Committee examined the evidence produced by Counsel for the College, in the presence of Counsel for the Member. The latter submitted that the allegations set out in the *Notice of Hearing* concerned the Member's incompetence and misconduct further to three unsatisfactory teacher performance appraisals and one satisfactory teacher performance appraisal.

Having considered the submissions of Counsel for the College and for the Member, and upon the consent of the parties, the Committee authorizes the College to withdraw the allegations of professional misconduct and incompetence against Clément Ruracenyeka as set out in the *Notice of Hearing* dated February 9, 2009.

The Committee is satisfied and finds that the withdrawal of the *Notice of Hearing* in these circumstances is reasonable and protects the public interest.

Date: December 14, 2010

Dean Favero, OCT
Chair, Discipline Panel

Robert Gagné
Member, Discipline Panel

Jacques Tremblay, OCT
Member, Discipline Panel