

ONTARIO COLLEGE OF TEACHERS
DISCIPLINE COMMITTEE
REASONS FOR DECISIONS AND ORDERS

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

AND IN THE MATTER OF discipline proceedings against Julia Ann Webb.

The Discipline Committee held a hearing on January 27, 2003 and March 21, 2003,

BETWEEN:

ONTARIO COLLEGE OF TEACHERS

- and -

JULIA ANN WEBB
CERTIFICATE #252725

PRESENT:

Members of the Panel

Nancy Hutcheson (Chair)
Bernard Adam
Karen Mitchell

Brian Gover, of Stockwoods, Independent Counsel to the Committee
[on January 27, 2003]

Christopher Wirth, of Stockwoods, Independent Counsel to the Committee
[on March 21, 2003]

David Leonard, Counsel for the Ontario College of Teachers

Maurice Green, Green and Chercover, Counsel for the member [on January 27, 2003] and
Susan Ursel, Green and Chercover, Counsel for the member [on March 21, 2003].

Julia Ann Webb was present during the hearing.

A Notice of Hearing, dated May 31, 2002 was served on Julia Ann Webb, requesting attendance before the Discipline Committee of the Ontario College of Teachers on January 27, 2003 and specifying the charges.

It is alleged that Julia Ann Webb is guilty of professional misconduct and/or is incompetent as defined in sections 30(2) and (3) of the Act in that:

- (a) she failed to maintain the standards of the profession, contrary to Ontario Regulation 437/97, subsection 1(5);
- (b) she abused a student or students physically, sexually, verbally, psychologically or emotionally, contrary to Ontario Regulation 437/97, subsection 1(7);
- (c) she failed to comply with the Act and the *Education Act*, R.S.O. 1990 c. E.2 and specifically section 264(1)(c) thereof or the regulations made under those Acts contrary to Ontario Regulation 437/97, subsections 1(14) and (15);
- (d) she committed acts that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional, contrary to Ontario Regulation 437/97, subsection 1(18);
- (e) she engaged in conduct unbecoming of a member, contrary to Ontario Regulation 437/97, subsection 1(19); and
- (f) she displayed a lack of knowledge, skill or judgment and/or a disregard for the welfare of students of a nature or extent 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.

The Notice of Hearing states that Julia Ann Webb is a member of the Ontario College of Teachers and therefore comes under the jurisdiction of the Ontario College of Teachers.

On January 27, 2003, the Discipline Committee of the Ontario College of Teachers conducted a hearing into whether Julia Ann Webb was guilty of professional misconduct. The Committee reconvened on March 21, 2003 to render their decision.

Proof of service of the Notice of Hearing was presented and accepted by the panel.

EVIDENCE

Counsel for the Ontario College of Teachers referred to the charges set out in the Notice of Hearing, alleging that Julia Ann Webb is guilty of professional misconduct in that her 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 and contrary to the Ontario College of Teachers Act, Sections 30(2) and (3).

Particulars of the alleged misconduct are set out in the Notice of Hearing and they are to the effect that:

1. Julia Ann Webb (the "Member"), is a member of the Ontario College of Teachers.
2. At all material times, the Member, whose date of birth is [REDACTED], was employed by the Thames Valley District School Board as a teacher at [REDACTED] in London.
3. During the [REDACTED] of the 1993-1994 school year, [REDACTED] was an [REDACTED] year old male student in [REDACTED].
4. In approximately May and June, 1994, the Member began an inappropriate relationship with [REDACTED]. This included the Member allowing [REDACTED] to attend in her classroom almost every day after school, going on long walks with [REDACTED] and meeting with him outside of school premises.
5. On or about 25 June 1994, the Member and [REDACTED] engaged in sexual intercourse at the residence of a mutual friend, following a party at that residence.

6. The Member thereafter engaged [REDACTED] in further inappropriate activity, including the Member taking [REDACTED] for drives in her car, and at least one other act of sexual intercourse in mid-July 1994, following which the relationship between them terminated.

Counsel for the College presented evidence that Julia Ann Webb is a member of the Ontario College of Teachers, (Exhibit 1, Tab A).

The member, Julia Ann Webb pleaded no contest to Ontario Regulation 437/97, section 30 (2), subsection 1(5), (14), (15) and (18), and pleaded not guilty to subsection 1(7).

Allegations under subsection 1(19) of Ontario Regulation 437/97 and section 30(3) of the Ontario College of Teachers Act were withdrawn.

Evidence was submitted that:

1. Julia Ann Webb (the "Member"), is a member of the Ontario College of Teachers.
2. At all material times, the Member, whose date of birth is [REDACTED], was employed by the Thames Valley District School Board as a teacher at [REDACTED] in London.
3. At all material times, male student [REDACTED], whose birth date is [REDACTED], was a student in attendance at [REDACTED] in the 1993-1994 school year. During the [REDACTED] of the 1993-94 school year. [REDACTED] was a student [REDACTED].
4. In approximately May and June, 1994, the Member began an inappropriate relationship with [REDACTED]. This included the Member allowing [REDACTED] to attend in her classroom almost every day after school, going on long walks with [REDACTED] and meeting with him outside of school premises.

5. On or about 25 June 1994, the Member and [REDACTED] engaged in sexual intercourse at the residence of a friend of [REDACTED], following a party at that residence.
6. The Member thereafter engaged [REDACTED] in further inappropriate activity, including the Member taking [REDACTED] for drives in her car, and at least one other act of sexual intercourse in mid-July 1994, following which the relationship between them terminated.
7. In 1998, the relationship which had occurred with the student was reported to the Thames Valley District School Board. The school board suspended the Member on April 28, 1998, with pay, while it investigated. Ultimately, a hearing was held before the board's Discipline Review Committee (Exhibit 1, Tab C).
8. The Discipline Review Committee found that there had been a sexual relationship between the member and [REDACTED] between June 25, 1994 and July 1994, and recommended to the full board that the Member be suspended without pay for one semester.
9. The Thames Valley District School Board accepted the Discipline Review Committee's recommendation on September 8, 1998 (Exhibit 1, Tab D).
10. Pursuant to the requirements of the Thames Valley District School Board, the Member attended upon Dr. Gail Golden, Ph.D., Psychologist, who subsequently rendered her report to the board by letter, dated November 10, 1998 (Exhibit 1, Tab E).
11. The board accepted Dr. Golden's assessment (Exhibit 1, Tab F).

Julia Ann Webb testified on her own behalf, stating that she is very apologetic for her error in judgment. She stated that she felt embarrassed at allowing the sexual

relationship to occur with [REDACTED] and felt wretched that she has compromised her professional integrity. She also stated that she knew absolutely that she should not have had sex with [REDACTED]

Ms. Webb testified that she had spoken with [REDACTED]'s mother early in the relationship because his mother was concerned about the appropriateness of Ms. Webb's relationship with her son. Ms. Webb stated that she called [REDACTED]'s mother the day after she and [REDACTED] had had sexual intercourse to assure the mother that Ms. Webb would end the relationship with [REDACTED]

FINDINGS OF FACT:

Based on the evidence, the panel finds the following facts:

- (1) Julia Ann Webb is a member of the Ontario College of Teachers.
- (2) At all material times, the member, whose date of birth is [REDACTED], was employed by the Thames Valley District School Board as a teacher at [REDACTED] in London.
- (3) At all material times, male student [REDACTED], whose birth date is [REDACTED], was a student in attendance at [REDACTED] in the 1993-94 school year. During the [REDACTED] of the 1993-94 school year, [REDACTED] was a student [REDACTED].
- (4) In approximately May and June, 1994, the Member began an inappropriate relationship with [REDACTED]. This included the Member allowing [REDACTED] to attend in her classroom almost every day after school, going on long walks with [REDACTED] and meeting with him outside of school premises.
- (5) On or about 25 June, 1994, the Member and [REDACTED] engaged in sexual intercourse at the residence of a friend of [REDACTED], following a party at that residence.

- (6) The Member thereafter engaged [REDACTED] in further inappropriate activity including the Member taking [REDACTED] for drives in her car, and at least one other act of sexual intercourse in mid-July 1994, following which the relationship between them terminated.
- (7) In 1998, the relationship which had occurred with the student was reported to the Thames Valley District School Board. The school board suspended the Member on April 28, 1998, with pay, while it investigated. A hearing was held before the board's Discipline Review Committee (Exhibit 1, Tab C).
- (8) The Discipline Review Committee found that there had been a sexual relationship between the member and [REDACTED] between June 25, 1994 and July 1994, and recommended to the full board that the Member be suspended without pay for one semester.
- (9) The Thames Valley District School Board accepted the Discipline Review Committee's recommendation on September 8, 1998 (Exhibit 1, Tab D).
- (10) Pursuant to the requirements of the Thames Valley District School Board, the Member attended upon Dr. Gail Golden, Ph.D., Psychologist, who subsequently rendered her report to the board by letter, dated November 10, 1998 (Exhibit 1, Tab E).
- (11) The board accepted Dr. Golden's assessment (Exhibit 1, Tab F).
- (12) The panel accepts that Julia Ann Webb is sincerely remorseful for her conduct.

DECISIONS AND ORDERS:

After careful consideration of the evidence and submissions of Counsel, the Committee finds that Julia Ann Webb's conduct in this case is reprehensible. Sexual relationships

between teachers and students will not be condoned. The factors considered by the Committee in deciding upon an appropriate penalty include:

- (1) Julia Ann Webb has no prior record of misconduct.
- (2) Julia Ann Webb acknowledged her wrongdoing and expressed remorse.
- (3) Dr. Golden's assessment of Ms. Webb indicates that she does not pose a threat to students and that it is very unlikely that Ms. Webb would engage in sexually inappropriate behaviour with another student.
- (4) Julia Ann Webb is a dedicated, competent and compassionate teacher whose community would be ill served by the revocation of her certificate of registration and qualification.

Although the Committee determined that a serious penalty was certainly warranted, it did not consider revocation to be appropriate in this circumstance.

The Committee accepts Julia Ann Webb's pleas of no contest to professional misconduct as defined in sections 30(2) and (3) of the Act in that:

- (a) she failed to maintain the standards of the profession, contrary to Ontario Regulation 437/97, subsection 1(5);
- (b) she failed to comply with the Act and the *Education Act*, R.S.O. 1990 c. E.2 and specifically section 264(1)(c) thereof or the regulations made under those Acts contrary to Ontario Regulation 437/97, subsections 1(14) and (15);
- (c) she committed acts that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional, contrary to Ontario Regulation 437/97, subsection 1(18).

The Committee finds Julia Ann Webb guilty of professional misconduct as defined in sections 30(2) and (3) of the Act in that she abused a student or students physically,

sexually, verbally, psychologically or emotionally, contrary to Ontario Regulation 437/97, subsection 1(7).

After careful consideration, the Committee has decided to impose the following penalty:

The Committee directs the Registrar to suspend Julia Ann Webb's Certificate of Qualification and Registration for a period of one year, such penalty to include the seven months suspension already served by the member. The remaining five months of the suspension shall be suspended provided that the following conditions are met:

- (1) Ms. Webb must attend, at her own cost, a boundary violations course satisfactory to the Registrar, within six months of the date of this order.
- (2) Ms. Webb must meet quarterly with a counsellor acceptable to the Registrar, at her own expense, for the period of one year.
- (3) Ms. Webb's counsellor must make a report to the Registrar at the end of the year.
- (4) The report must confirm that Ms. Webb is unlikely to reoffend and does not constitute a threat to students.
- (5) Ms. Webb must present herself to the Discipline Committee to receive a reprimand immediately following the adjournment of this hearing.

Should Ms. Webb fail to fulfill any of the above conditions, then the balance of her suspension will be served, to commence on a date to be fixed by the Registrar.

Pursuant to Section 30 (5)(iii) of the Ontario College of Teachers Act, 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, *Professionally Speaking/Pour parler profession.*

The Committee also orders that, in any publication, the name of the student not be published and that he only be identified by two initials.

Julia Ann Webb did appear before the Discipline Committee on March 21, 2003. A verbal reprimand was issued on that date.

**DATED AT TORONTO, THIS 21st DAY OF MARCH 2003
BY ORDER OF THE DISCIPLINE COMMITTEE**

Nancy Hutcheson, **Chair**

Bernard Adam

Karen Mitchell