

**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 Ross Lauchlin Wood.

The Discipline Committee held a hearing on November 29, 2001,

**BETWEEN:**

**ONTARIO COLLEGE OF TEACHERS**

**- and -**

**ROSS LAUHLIN WOOD  
CERTIFICATE #222437**

**PRESENT:**

Members of the Panel

Nancy Hutcheson (Chair)

Bernard J. Adam

Janet Cornwall

The Honourable Robert Montgomery, retired judge, Independent Counsel to the Panel

Sally P. Bryant, McCarthy Tétrault, Counsel for the Ontario College of Teachers, assisted by A. Trevor Evans, Senior Law Clerk

Ian Fellows, Green & Chercover, Counsel for the member

Ross Lauchlin Wood did not attend.

A Notice of Hearing dated August 22, 2001 was served on Ross Lauchlin Wood, requesting attendance before the Discipline Committee of the Ontario College of Teachers on September 17, 2001 to set a date for hearing, and specifying the charges. The hearing date was set for November 29, 2001.

It is alleged that Ross Lauchlin Wood is guilty of professional misconduct in that:

- (a) he failed to maintain the standards of the profession, contrary to Ontario Regulation 437/97, subsection 1(5);
- (b) he abused a student or students physically, sexually, verbally, psychologically, or emotionally, contrary to Ontario Regulation 437/97, subsection 1(7);
- (c) he failed to comply with the Act and the Education Act, Revised Statutes of Ontario, 1990, chapter E.2, and specifically section 264(1)(c) thereof or the Regulations made under that Act, contrary to Ontario Regulation 437/97, subsections 1(14) and (15);
- (d) he committed acts, having regard to all of the circumstances, would reasonably be regarded by members as disgraceful, dishonourable, or unprofessional, contrary to Ontario Regulation 437/97, subsection 1(18);
- (e) he engaged in conduct unbecoming a member, contrary to Ontario Regulation 437/97, subsection 1(19); and
- (f) he displayed a lack of knowledge, skill or judgement and/or a disregard for the welfare of a student of a nature or extent that demonstrates that the member is either unfit to carry out his professional responsibilities or that the member's Certificate should be made subject to terms, conditions or limitations.

The Notice of Hearing states that Ross Wood is a member of the Ontario College of Teachers and therefore comes under the jurisdiction of the Ontario College of Teachers.

On November 29, 2001, the Discipline Committee of the Ontario College of Teachers conducted a hearing into whether Ross Wood was guilty of professional misconduct.

Ross Wood was not in attendance at the hearing.

**EVIDENCE:**

Counsel for the Ontario College of Teachers referred to the charges set out in the Notice of Hearing alleging that Ross Wood is guilty of professional misconduct in that his 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).

It is alleged that Ross Wood is guilty of professional misconduct in that:

1. At all material times, the member was employed by the Peel District School Board as a teacher and guidance counsellor at Bramalea Secondary School.
2. [REDACTED], whose date of birth is [REDACTED], was a female student at Bramalea Secondary School up to the end of the 1995-1996 school year.
3. During the month of August 1996, [REDACTED] who was then 17 years old, accompanied the member and other members of the outdoor education club, which included other present and past students and teachers at Bramalea Secondary School, on a canoe

trip in the vicinity of Parry Sound, Ontario. On the night of August 14, 1996, which was the second day of the trip, the member asked [REDACTED] to go for a walk along the river and while doing so, smoked a cigarette with [REDACTED]. After walking along the river for approximately five minutes, the member and [REDACTED] sat down facing the river and conversed. While discussing the unwanted advances of a 16-year-old male towards [REDACTED], which had upset [REDACTED], the member told her that the interest of a 16 year old male in a 17 year old female was natural and commented on [REDACTED]'s attractiveness. [REDACTED] became further upset. She was crying and told the Member, "You did not have to tell me that."

4. The member then made a motion to hug [REDACTED] with the result that her back was up against his chest. He then began to rub [REDACTED]'s sides between her waist and her breasts and then moved both of his hands in a grazing motion down across her breasts. Immediately thereafter the member, in an upward motion, touched both of [REDACTED]'s breasts and tried to rub her nipples. [REDACTED], who was wearing clothing, pushed the member away.
5. The member then told [REDACTED] that, "I thought if you did not want me to do this, you would tell me to stop it." [REDACTED] then left to return to the campsite and shortly after that, the member came to her tent and asked to talk to her. During the course of that conversation, he told [REDACTED] that he would understand if she never talked to him again and that she sexually aroused him.
6. The member has acknowledged that he had, at various different times before August of 1996, hugged [REDACTED] and that he knew in August of 1996, that he was to be cautious about engaging in hugs or physical contacts with students.

7. On or about September 17, 1997, [ ] had a conversation with the member which she tape recorded without his knowledge. During the course of the discussion the member confirmed to [ ] the actions and statements expressed in paragraphs 3 – 6 above.
8. On or about March 31, 1999, the member was charged that between July 1 and August 31, 1996, at the District of Parry Sound in the Northeast Region, he being in a position of trust and authority towards [ ], a young person, did for a sexual purpose touch directly the body of [ ], with a part of his body, to wit his hands, contrary to section 153(a) of the Criminal Code of Canada. On May 2, 2000, following a trial, the member was found guilty of the said charge.
9. On or about May 8, 2000, the member retired from the Peel Board of Education.
10. On or about July 5, 2000, the member was given a conditional discharge with a period of probation for 18 months with conditions including:
  - (a) that he not communicate with [ ]
  - (b) that he not teach or counsel any female persons 17 years of age or younger; and
  - (c) that he performs 150 hours of community service work.
11. On or about December 8, 2000, the member retired as a member of the Ontario College of Teachers.
12. The member pleaded no contest to the allegations at the Discipline Hearing.

At all material times, Ross Lauchlin Wood was a member of the Ontario College of Teachers (Exhibit #1).

## FINDINGS OF FACT:

The panel finds the following facts:

1. At all material times, Ross Lauchlin Wood was a member of the Ontario College of Teachers.
2. At all material times, the member was employed by the Peel District School Board as a teacher and guidance counsellor at Bramalea Secondary School.
3. [REDACTED], whose date of birth is [REDACTED], was a female student at Bramalea Secondary School up to the end of the 1995-1996 school year.
4. During the month of August 1996, [REDACTED] who was then 17 years old, accompanied the member and other members of the outdoor education club, which included other present and past students and teachers at Bramalea Secondary School, on a canoe trip in the vicinity of Parry Sound, Ontario. On the night of August 14, 1996, which was the second day of the trip, the member asked [REDACTED] to go for a walk along the river and while doing so, smoked a cigarette with [REDACTED]. After walking along the river for approximately five minutes, the member and [REDACTED] sat down facing the river and conversed. While discussing the unwanted advances of a 16-year-old male towards [REDACTED], which had upset [REDACTED], the member told her that the interest of a 16 year old male in a 17 year old female was natural and commented on [REDACTED]'s attractiveness. [REDACTED] became further upset. She was crying and told the Member, "You did not have to tell me that."
5. The member then made a motion to hug [REDACTED] with the result that her back was up against his chest. He then began to rub [REDACTED]'s sides between her waist and her breasts and then moved both of his hands in a grazing motion down across her breasts.

Immediately thereafter the member, in an upward motion, touched both of [REDACTED]'s breasts and tried to rub her nipples. [REDACTED], who was wearing clothing, pushed the member away.

6. The member then told [REDACTED] that, "I thought if you did not want me to do this, you would tell me to stop it." [REDACTED] then left to return to the campsite and shortly after that, the member came to her tent and asked to talk to her. During the course of that conversation, he told [REDACTED] that he would understand if she never talked to him again and that she sexually aroused him.
7. The member has acknowledged that he had, at various different times before August of 1996, hugged [REDACTED] and that he knew in August of 1996, that he was to be cautious about engaging in hugs or physical contacts with students.
8. On or about September 17, 1997, [REDACTED] had a conversation with the member which she tape recorded without his knowledge. During the course of the discussion the member confirmed to [REDACTED] the actions and statements expressed in paragraphs 4 - 7 above.
9. On or about March 31, 1999, the member was charged that between July 1 and August 31, 1996, at the District of Parry Sound in the Northeast Region, he being in a position of trust and authority towards [REDACTED], a young person, did for a sexual purpose touch directly the body of [REDACTED], with a part of his body, to wit his hands, contrary to section 153(a) of the Criminal Code of Canada. On May 2, 2000, following a trial, the member was found guilty of the said charge.
10. On or about May 8, 2000, the member retired from the Peel Board of Education.
11. On or about July 5, 2000, the member was given a conditional discharge with a period of probation for 18 months with conditions including:

(d) that he not communicate with [REDACTED]

(e) that he not teach or counsel any female persons 17 years of age or younger; and

(f) that he performs 150 hours of community service work.

12. On or about December 8, 2000, the member retired as a member of the Ontario College of Teachers.

13. The member pleaded no contest to the allegations at the Discipline Hearing.

#### **DECISIONS AND ORDERS:**

Based on the evidence given and having examined the exhibits filed, the Committee finds Ross Lauchlin Wood guilty of professional misconduct under subsections 1(7), (18) and (19) of the Professional Misconduct Regulation, as alleged. This decision will be reflected on the Register.

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 and his plea of no contest, be published in the official publication of the Ontario College of Teachers.

The Committee also orders that, in any publication, the names of the students not be published and that they may only be identified by two initials.

**DATED AT TORONTO, THIS 7th DAY OF DECEMBER, 2001  
BY ORDER OF THE DISCIPLINE COMMITTEE**

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Nancy Hutcheson, **Chair**

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Bernard J. Adam

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Janet Cornwall