

**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
Thaddeus Wyka, a member of the Ontario College of Teachers.

PANEL: Don Cattani (Chair)
 Amin Saab
 Jacques Tremblay

BETWEEN:)	
)	
	)	Brian Wasyliv,
	)	McCarthy Tétrault LLP,
ONTARIO COLLEGE OF TEACHERS	)	for Ontario College of Teachers,
	)	assisted by Trevor Evans,
	)	Senior Law Clerk
- and -)	
	)	Jennifer Keating,
THADDEUS WYKA	)	Sack Goldblatt Mitchell LLP,
(CERTIFICATE #216543)	)	for Thaddeus Wyka
)	
	)	Johanna Braden,
	)	Stockwoods LLP,
	)	Independent Legal Counsel
)	
	)	Heard: February 13, 2006

REASONS FOR DECISION AND DECISION ON MOTION

Counsel for the College brought a motion to seek leave from the Committee to withdraw the allegations set out in the *Notice of Hearing* dated January 7, 2005.

Independent legal counsel advised the Committee that the Committee had jurisdiction to make the order requested, pursuant to section 4.1 of the *Statutory Powers Procedure Act*, which provides that if the parties consent, a proceeding may be disposed of by a decision of the Committee without a hearing.

The Committee considered the submissions of College counsel and Counsel for the Member. Upon the consent of the parties, the Committee authorizes the College to accept the *Undertaking and Acknowledgement* of the Member and withdraws the allegations of professional misconduct and incompetence against Thaddeus Wyka set out in the *Notice of Hearing*, on the agreed upon terms outlined in the *Undertaking and Acknowledgement* as follows:

1. The Member will, immediately following the withdrawal of the *Notice of Hearing*, resign his membership in the Ontario College of Teachers and will immediately surrender his original Certificate of Qualification and Registration to the Registrar of the Ontario College of Teachers, or alternatively immediately provide an affidavit to the Registrar outlining the efforts he has undertaken to locate it.
2. The Member undertakes that he will not seek reinstatement of his Certificate of Qualification and Registration, for a period of at least two years from the date of his resignation.
3. The Member acknowledges that the withdrawal of the *Notice of Hearing* is in exchange for his resignation and undertaking, and understands that if he breaches any aspect of this *Undertaking and Acknowledgement*, the Ontario College of Teachers will be at liberty to reinstitute these proceedings.

4. The Member acknowledges that the Public Register of the Ontario College of Teachers will indicate that the Member's status is "Cancelled-Resigned" and that the Member has undertaken not to apply for reinstatement of his registration for a period of two years from the date of his resignation. The Public Register will not indicate that the Member resigned with a disciplinary hearing pending and nothing will be published in the blue pages with respect to the allegations of misconduct or the Member's resignation.

5. The Member acknowledges that he has received advice from his legal counsel about the scope, purpose and effect of his execution of this *Undertaking and Acknowledgment*.

Date: February 13, 2006

Don Cattani
Chair, Discipline Panel

Amin Saab
Member, Discipline Panel

Jacques Tremblay
Member, Discipline Panel