

**ONTARIO COLLEGE OF TEACHERS**

**DISCIPLINE COMMITTEE**

**REASONS FOR DECISIONS AND ORDERS**

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

**AND IN THE MATTER OF** discipline proceedings against George Joseph Lamoureux – Certificate No. 287059.

The Discipline Committee commenced a hearing on June 12, 2000,

**BETWEEN:**

**ONTARIO COLLEGE OF TEACHERS**

**- and -**

**GEORGE JOSEPH LAMOUREUX**

**PRESENT:**

Members of the Panel

Solette N. Gelberg (Chair)

Elizabeth Barkley

Larry Capstick

The Honourable Lloyd Houlden, Independent Counsel to the Panel

L. Thomas Forbes, Q.C. McCarthy Tétrault, Counsel for the Prosecution, assisted by Trevor Evans, Senior Law Clerk, and Dean Dalkie, law student.

Josh Phillips, Green Chercover, Defense Counsel

George Joseph Lamoureux

A Notice of Hearing, dated December 29, 1999 was served on George Joseph Lamoureux, requesting attendance before the Discipline Committee of the Ontario College of Teachers on January 10, 2000 to set a date for hearing, and specifying the charges. The date for hearing was set for June 12, 2000.

It is alleged that George Joseph Lamoureux is guilty of professional misconduct in that:

1. he failed to maintain the standards of the profession, contrary to Ontario Regulation 437/97, section 1, subsection (5);
2. he committed an act or acts that, having regard to all of the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional, contrary to Ontario Regulation 437/97, section 1, subsection (18);  
and
3. he engaged in conduct unbecoming a member contrary to Ontario Regulation 437/97, section 1, subsection (19).

The Notice of Hearing states that George Joseph Lamoureux is a member of the Ontario College of Teachers and therefore comes under the jurisdiction of the Ontario College of Teachers (Exhibit #1).

On June 12, 2000, the Discipline Committee of the Ontario College of Teachers commenced a hearing which had been scheduled. Both counsel were signatories to the request that the Notice of Hearing dated December 29, 1999 be withdrawn. However,

the panel was advised by its own legal counsel that it was limited in its powers to either granting a stay or turning the matter over to another panel of the Discipline Committee for a hearing of the charge.

George Joseph Lamoureux was in attendance at the hearing, and was represented by counsel. Proof of service of the Notice of Hearing was presented and accepted by the Committee (Exhibit #1).

**DECISIONS AND ORDERS:**

The Committee believes that within the education systems, there is a dearth of consistent, established policy regarding appropriate use of the Internet with guidelines for consequences when use is inappropriate.

The Committee notes that George Joseph Lamoureux's access to inappropriate Internet sites on the school's computer took place outside of school hours and did not involve any students.

The Committee accepts the explanation that George Joseph Lamoureux was under serious personal pressure at the time, and has since returning to Ontario, shown himself to be an effective and responsible teacher.

Therefore, the Discipline Committee decided to grant a permanent stay of the charges, conditional upon the following:

1. George Joseph Lamoureux will take a half-day sensitivity training program, satisfactory to the Registrar of the Ontario College of Teachers with proof of satisfactory completion to be provided to the Registrar as soon as possible.
2. George Joseph Lamoureux's provision to the Registrar of the Ontario College of Teachers of a copy of his current personnel file within 10 days of receiving this decision.
3. George Joseph Lamoureux's provision to the Registrar of the Ontario College of Teachers of a copy of his current personnel file from the school board where he is employed at June 15, 2001 and again at June 15, 2002.

The Committee orders that the facts and resolution of this charge will be publicized without reference to the name of the member.

**Notice:**

The Committee in granting the stay is in no way condoning the member's actions in accessing inappropriate materials through the school's network, albeit after hours. The Committee believes that the profession should be aware of the risks of accessing inappropriate materials on the Internet. The Committee further believes that school boards should ensure that appropriate policies for Internet use are in place for all employees and students.

**DATED AT TORONTO, THIS 10<sup>th</sup> DAY OF JULY, 2000  
BY ORDER OF THE DISCIPLINE COMMITTEE**

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**Solette N. Gelberg, Chair**

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**Elizabeth Barkley**

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**Larry Capstick**