

**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 William Andrew Ghent.

The Discipline Committee held a hearing on February 13, 2003.

**BETWEEN:**

**ONTARIO COLLEGE OF TEACHERS**

**- and -**

**WILLIAM ANDREW GHENT**  
**CERTIFICATE #396809**

**PRESENT:**

Members of the Panel  
Karen Mitchell (Chair)  
Paul Charron  
Sheila Gifford

Nancy Spies, of Stockwood Spies LLP, Independent Counsel to the Committee

Awanish Sinha, McCarthy Tétrault LLP, Counsel for the Ontario College of Teachers,  
assisted by Trevor Evans, Senior Law Clerk

William Andrew Ghent was not represented by counsel and was not present.

A Notice of Hearing, dated November 5, 2002 was served on William Andrew Ghent, requesting attendance before the Discipline Committee of the Ontario College of Teachers on December 4, 2002 to set a date for hearing, and specifying the charges. The hearing date was set for February 13, 2003.

It is alleged that William Andrew Ghent is guilty of professional misconduct as defined in sections 30(2) and (40 (1.1) of the Act and/or is incompetent as defined in section 30(3) of the Act, 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, and/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 those Acts, contrary to Ontario Regulation 437/97, subsections 1(14) and (15);
- (d) he contravened laws and that contravention is relevant to his suitability to hold a certificate of qualification and registration contrary to Ontario Regulation 437/97, subsection 1(16);
- (e) he contravened a law, the contravention of which has caused a student who was under the Member's professional supervision to be put at or to remain at risk contrary to Ontario Regulation 437/97, subsection 1(17);
- (f) he 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);
- (g) he engaged in conduct unbecoming a member, contrary to Ontario Regulation 437/97, subsection 1 (19);
- (h) he engaged in sexual abuse of a student or students of a nature defined in sections 1 and 40(1.1) of the Act; and
- (i) he 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 his professional responsibilities or that the Member's certificate should be made subject to terms, conditions or limitations.

The Notice of Hearing states that William Andrew Ghent is a member of the Ontario College of Teachers and therefore comes under the jurisdiction of the Ontario College of Teachers.

On February 13, 2003, the Discipline Committee of the Ontario College of Teachers conducted a hearing into whether William Andrew Ghent was guilty of professional misconduct.

## **EVIDENCE**

Counsel for the Ontario College of Teachers referred to the charges set out in the Notice of Hearing alleging that William Andrew Ghent 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 Ontario Regulation 437/97, subsection 1 (19).

Counsel for the College presented evidence that William Andrew Ghent is a member of the Ontario College of Teachers. At all material times, William Andrew Ghent was employed by the Calgary Board of Education in Calgary, Alberta as a teacher at [XXX] School ("the School") in Calgary.

Counsel for the College presented evidence that William Andrew Ghent had been the subject of these same proceedings in criminal court in Calgary, Alberta, that he had been

convicted of sexual assault and sexual exploitation and that the time for notice of appeal had expired. Counsel submitted the following documents:

Exhibit #1 - Affidavit of Service of Danny Goshulak sworn November 13, 2000;

Exhibit #2 - Registered member information of William Ghent as at February 10, 2002.

Exhibit #3 - Certified copy of indictment dated November 24, 2000 of the Alberta Court of Queen's Bench.

Exhibit #4 - Certified copy of conviction of sexual assault dated July 16, 2000.

Exhibit #5 - Certified copy of conviction of criminal charge of sexual exploitation dated July 16, 2002.

Exhibit # 6 - Conditional sentence order dated July 3, 2002.

Exhibit #7 - Probation order dated July 3, 2002.

Exhibit #8 - Reasons for judgment of Mr. Justice Chrumka dated March 6, 2002.

Exhibit#9 - Reasons for sentence of Mr. Justice Chrumka dated July 3, 2002.

## **FINDINGS OF FACT:**

Based on the evidence and submissions presented to the Committee and having examined all of the Exhibits filed, the panel finds the following facts:

- (1) William Andrew Ghent (the "Member"), is a member of the Ontario College of Teachers.
- (2) At all material times the Member was employed by the Calgary Board of Education in Calgary, Alberta as a teacher at[XXX] School in Calgary.

- (3) At all material times, [XXX], was a [XXX] old grade [XXX] female student of the Member at the School.
- (4) During the 1998-1999 school year, the Member sexually fondled and touched [XXX] on two occasions on or around [XXX], while at the school. This included:
- a) After arranging to be alone in the [XXX] room of the school with [XXX], the Member asked for and received a hug from [XXX] He then placed his hand inside her clothing, rubbed her back and rubbed her along the back of both sides inside her clothing. He then squeezed her buttocks with both hands outside her clothing and kissed her on the cheek and down her neck; and
  - b) On the following day, or shortly thereafter, the Member, while alone in the classroom with the student after an examination, asked for and received a hug from [XXX] The Member then unzipped [XXX]'s coat, felt her back and squeezed her buttocks. When [XXX] announced that she was leaving, the Member touched [XXX]'s breast outside her fleece jacket.
- (5) On or about 24 November 2000, the Member was indicted before the Court of Queen's Bench of Alberta in the Judicial District of Calgary and charged that:
- (a) he on or about 17 January 1999, at or near Calgary, Alberta, did unlawfully commit a sexual assault upon [XXX], contrary to section 271 of the *Criminal Code of Canada*; and
  - (b) he on or about 17 January 1999, at or near Calgary, Alberta, being in a position of trust or authority toward or in a relationship of dependency with [XXX], a young person, did for a sexual purpose unlawfully touch, directly or indirectly, with a part of the body or with an object, a part of

the body of [XXX], contrary to section 153(1)(a) of the *Criminal Code of Canada*.

- (6) On or about 6 March 2002, the Member was found guilty of both charges.
- (7) On or about 3 July 2002, the Member was given a conditional sentence of six months to be followed by a period of probation for a term of 18 months. The Member was also prohibited, pursuant to section 109 of the *Criminal Code of Canada* from possessing any firearms, cross-bow, restricted or prohibited device, ammunition or explosive substances for ten years. He was also ordered to [XXX].

#### **DECISIONS AND ORDERS**

Having considered the evidence presented, in particular Exhibits Numbers 8 and 9, the Committee finds William Andrew Ghent guilty of professional misconduct

As defined in sections 30(2) and 40(1.1) and section 30(3) of the Act as alleged, and directs the Registrar and Chief Executive Officer to revoke William Andrew Ghent's Certificate of Qualification and Registration immediately.

Pursuant to Section 30 (5) (iii) of the Ontario College of Teacher's 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".

This decision is subject to a publication ban with respect to the name of the student, who shall be identified by two initials only.

DATED AT TORONTO, THIS 13<sup>th</sup> DAY OF FEBRUARY, 2003  
BY ORDER OF THE DISCIPLINE COMMITTEE

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Karen Mitchell, **Chair**

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Paul Charron

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Sheila Gifford