

**DECISION OF THE INVESTIGATION COMMITTEE
OF THE ONTARIO COLLEGE OF TEACHERS
IN THE MATTER OF**

**A COMPLAINT SUBMITTED BY THE REGISTRAR
REGARDING WILLIAM DAVID SPARKS**

PANEL: Anne Marie Levesque, Paul Brazeau, Nick Forte

IMPORTANT NOTICE

The Investigation Committee has disposed of this matter without a full investigation. The information contained within the following summary has been provided by the Complainant(s) and does not contain any input from the Member, William David Sparks. Unless otherwise stated in its Decision, no determination has been made by the Investigation Committee in respect to the veracity, or otherwise, of the allegations and information provided by the Complainant(s).

On December 7, 2006, the Ontario College of Teachers (the "College") received a copy of a letter dated November 30, 2006, from Jim Wibberley, Director of Education with the Grand Erie District School Board (the "Board"). Mr. Wibberley wrote the College about William David Sparks, pursuant to section 43.2(1) of the *Ontario College of Teachers Act, 1996*.

William David Sparks (the "Member") is a member of the College in good standing.

Mr. Wibberley's letter states that the Member was an elementary school teacher with the Board. On November 27, 2006, the Member's employment with the Board was terminated as a result of several incidents involving the Member's inappropriate and unprofessional interactions with students, spanning a period between 1997 and 2006.

The Board's information indicates that the CAS has been involved with numerous investigations surrounding the Member and that they have also written to the College about the Member.

The Member, his Federation and the Board entered into a "Last Chance Agreement" in August 2003, which required that the Member participate in a program of anger management counselling. The agreement also stated that "after a complete and thorough investigation, any future incident of culpable behaviour relating to unprofessional interaction with students would result in the immediate termination of the employee's employment for cause."

The Board's letter indicated that an incident occurred on September 19, 2006. Investigations by the principal of the school and by the CAS concluded that the Member used physical force on a student. In a letter dated November 24, 2006, the Member submitted his resignation of employment with the Board effective immediately. In a letter dated November 27, 2006, the Board acknowledged the Member's letter and stated that the Board would not be accepting his notice of retirement, but would be proceeding to terminate the Member's employment, with cause. The Board stated that the Member's actions on September 19, 2006, constitute culpable behaviour relating to unprofessional interactions with students and as a result, in accordance with the "last chance Agreement," the Member's employment was terminated effective November 27, 2006.

On May 16, 2008, the complaint against the Member was assessed as suitable for the College's Dispute Resolution Program. On May 17, 2008, the parties indicated that they were amenable to participating in dispute resolution.

In April, 2008, the parties signed a Memorandum of Agreement (the "MOA") which, in their opinion, resolved the issues raised by the complaint. The MOA is attached for the consideration of the Investigation Committee.

Allegations

The Registrar alleges that William David Sparks, while employed as a teacher by the Grand Erie District School Board, acted inappropriately, and/or unprofessionally, in that he:

1. between the years 1997 and 2006, exhibited unacceptable behaviour towards students and parents, including but not limited to the following:
 - a. shouting, name-calling, using sarcasm, profanity and hitting;
 - b. grabbing a student's shirt and putting the student up against a wall;
 - c. acting in an unprofessional manner when speaking with a parent and his daughter by raising his voice;
 - d. regularly yelling and getting mad at students;
 - e. telling students to "shut up"; and,
 - f. grabbing a student by the neck.

Documents Considered by the Committee

- Request for Ratification
- Board Notification Letter, dated November 30, 2006.
- Board letter to Member, dated November 28, 2006.

- Board recommendation for termination, dated November 27, 2006
- Additional Board Documents
- Memo - Registrar initiating complaint, dated February 27, 2007
- Request to Initiate Investigation, signed February 21, 2007
- Letter of Notification to Member, dated February 27, 2007
- Member's reply
- Letter from Board enclosing additional Board documents, dated January 15, 2007
- Memorandum of Agreement signed by the parties

Decision of the Committee

On June 19, 2008, a panel of the Investigation Committee considered this complaint and, in accordance with the provisions of 26(5)(d) of the *Ontario College of Teachers Act, 1996*, the Investigation Committee ratified the attached Memorandum of Agreement. This is based on the opinion of the Committee that the terms of this Agreement resolve the complaint in the public interest.

(s) Anne Marie Levesque

Anne Marie Levesque Chair

(s) Paul Brazeau

Paul Brazeau

(s) Nick Forte

Nick Forte