

**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
Kent Richard Stidwill, a member of the Ontario College of Teachers.

PANEL: Rosemary Fontaine (Chair)
 Jacques Tremblay
 John Tucker

BETWEEN:)	
	)	Brian Wasyliv,
	)	McCarthy Tétrault LLP,
ONTARIO COLLEGE OF TEACHERS	)	for Ontario College of Teachers,
	)	assisted by Trevor Evans,
- and -	)	Senior Law Clerk
)	
	)	Kent Richard Stidwill,
	)	represented by Bernard Hanson,
KENT RICHARD STIDWILL	)	Cavalluzzo Hayes Shilton
(CERTIFICATE #444815)	)	McIntyre & Cornish LLP
)	
	)	Christopher Wirth,
	)	Stockwoods LLP,
	)	Independent Legal Counsel
)	
	)	Heard: November 1, 2007

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 3, 2006.

Kent Richard Stidwill was not in attendance.

Counsel for the College indicated that if this matter were to go to a full hearing, it would be uncertain there would be a finding of professional misconduct and/or incompetence. Counsel for the Member agreed and further submitted that if the matter were to proceed to a hearing, there would be concerns expressed with respect to jurisdiction (i.e. statutory evaluation procedures) and with respect to the teacher performance appraisal process followed by the Board.

The Committee was further advised that the Member had entered into an undertaking agreeing to take additional ABQ courses and a course in classroom management. A request is to be made by the Member to a new employer to conduct performance appraisals and forward the outcome to the College. If this did not occur, the Member was to request the Board to advise the College of any concerns with his teaching practice. Any breach in this undertaking could result in the Member being referred back to the Discipline Committee. A Notation of the Member's undertaking is to be placed on the Public Register of the Ontario College of Teachers.

Independent legal counsel advised the Committee that it 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.

Having considered the submissions of College Counsel and Counsel for the Member, and on consent of the parties, the Committee authorizes the College to withdraw the allegations of

professional misconduct and incompetence against Kent Richard Stidwill as set out in the *Notice of Hearing* dated January 3, 2006.

The Committee is satisfied that this resolution balances the interests of the students and the Member and is in the public interest.

Date: November 1, 2007

Rosemary Fontaine
Chair, Discipline Panel

Jacques Tremblay
Member, Discipline Panel

John Tucker
Member, Discipline Panel