

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 Douglas Walker.

The Discipline Committee held a hearing on February 13, 2001,

BETWEEN:

ONTARIO COLLEGE OF TEACHERS

- and -

**WILLIAM DOUGLAS WALKER
CERTIFICATE #140381**

PRESENT:

Members of the Panel
Dick Malowney (Chair)
Guill Archambault
Karen Mitchell

The Honourable Lloyd Houlden, Independent Counsel to the Panel

Caroline Zayid, McCarthy Tétrault, Counsel for the Ontario College of Teachers, assisted by Trevor Evans, Senior Law Clerk

Josh Phillips, Green and Chercover, Defense Counsel

William Douglas Walker

A Notice of Hearing, dated April 6, 2000 was served on William Douglas Walker, requesting attendance before the Discipline Committee of the Ontario College of Teachers on April 25, 2000 to set a date for hearing, and specifying the charges. The date for hearing was eventually set for the week of February 12, 2001.

It is alleged that William Douglas Walker is guilty of professional misconduct 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 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 particularly section 264(1)(c) thereof and the Regulations made thereunder, contrary to Ontario Regulation 437/97, subsections 1(14) and (15);
- (d) 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, subsection 1(18);
- (e) he engaged in conduct unbecoming a member, contrary to Ontario Regulation 437/97, subsection 1(19); and
- (f) he displayed a lack of knowledge, skill or judgement and/or a disregard to the welfare of his 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 Douglas Walker is a member of the Ontario College of Teachers and therefore comes under the jurisdiction of the Ontario College of Teachers (Exhibit #3).

On February 13, 2001, the Discipline Committee of the Ontario College of Teachers conducted a hearing into whether William Douglas Walker was guilty of professional misconduct.

EVIDENCE:

Counsel for the Ontario College of Teachers referred to the charges set out in Exhibit #3, alleging that William Douglas Walker 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 Regulation 437/97 on December 4, 1997, in particular, subsections 1(5), (7), (14), (15), (18), and (19). He was also alleged to have displayed a lack of knowledge, skill or judgement and/or a disregard for the welfare of his 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.

Particulars of the alleged misconduct are set out in Exhibit #3 and they are to the effect that:

1. William Douglas Walker is a member of the Ontario College of Teachers.
2. At all material times, William Douglas Walker was employed by the York Region District School Board and its predecessor as a teacher.
3. In or about 1979 to 1980 school year, [REDACTED] was a grade [REDACTED] student at [REDACTED], where the member taught [REDACTED] and [REDACTED].

4. Between, in or about September 1979 and in or about June 1982, the member engaged student [REDACTED] in a sexual relationship, including but not restricted to sexual intercourse on at least fifty-six occasions at various locations off and on school property.
5. In and between school years 1980 to 1981 and 1981 to 1982, [REDACTED], [REDACTED], [REDACTED] and [REDACTED] were all students in grades [REDACTED] at [REDACTED] where William Douglas Walker was [REDACTED] and [REDACTED].
6. Both in and between the said school years, 1980 to 1981 and 1981 to 1982, the member purchased alcohol for the said students, [REDACTED], [REDACTED], [REDACTED] and [REDACTED] when he knew or ought to have known that they were under the legal age for consumption of alcohol.
7. In and between school years 1979 to 1980 and 1980 to 1981, [REDACTED] and [REDACTED] were grades [REDACTED] students at [REDACTED], taught [REDACTED] and [REDACTED] by the member.
8. In or between school years 1979 to 1980 and 1980 to 1981, the member inappropriately read explicit sexual material to students [REDACTED], [REDACTED] and [REDACTED] in the [REDACTED] storage room at [REDACTED].

Counsel presented evidence that William Douglas Walker was a member of the Ontario College of Teachers until his resignation on October 27, 2000, (Exhibit #1, Tab 2). At all material times, he was employed by the York Region District School Board, formerly York Board of Education, as a teacher.

An Agreed Statement of Facts was filed as Exhibit #4. That statement had been signed by William Douglas Walker, his counsel, Josh Phillips, Green and Chercover, and Caroline Zayid, Counsel for the Ontario College of Teachers, and included the following:

1. In or about 1979-1980, [REDACTED], whose date of birth is [REDACTED], was a grade [REDACTED] student at [REDACTED] where the member taught [REDACTED]. [REDACTED].
2. The member engaged [REDACTED] in a sexual relationship which included, but was not restricted to, sexual intercourse on at least fifty-six (56) occasions, taking place at various locations on and off school property as well as on [REDACTED].
3. The first incident of sexual intercourse took place in the member's car prior to which occasion [REDACTED] had never had sexual intercourse.
4. Throughout the time that the sexual relationship continued, the member continued to be [REDACTED]'s [REDACTED].
5. If called to testify, [REDACTED] would indicate that the sexual relationship began in or about September 1979, however the member would indicate that the relationship began in or about early 1981. The relationship ended in or about June of [REDACTED]'s grade [REDACTED] year.
6. During the years 1980-82, [REDACTED], [REDACTED], [REDACTED] and [REDACTED] were all students in grades [REDACTED] through [REDACTED] at [REDACTED] where Walker was [REDACTED] and [REDACTED].
7. Both in and between the school years 1980/1981 and 1981/1982, William Douglas Walker purchased alcohol for [REDACTED], [REDACTED], [REDACTED] and [REDACTED] when he knew or ought to have known that they were under the legal age for consumption of alcohol, and consumed alcohol with the said students.
8. From time to time, the member took groups of students out for dinner in or around [REDACTED], and purchased alcoholic beverages for them even though he knew they were under the legal age. On occasion, some students consumed sufficient alcohol to become intoxicated.

9. The member also purchased alcohol and consumed alcohol with students who were on school trips with him. Exhibits A, B and C were attached to the Agreed Statement of Facts (Exhibit #4) as photographs of the member shown with a group of students consuming alcohol.

William Douglas Walker testified on his own behalf, stating that he felt deep remorse for his actions and embarrassment that his behaviour has caused himself, his victim, his family and members of the profession. He indicated that it has affected his self-confidence, he has become withdrawn, that he has entertained suicidal thoughts and all he wishes to do now is proceed with his life, pick up the pieces and attempt to rebuild.

Exhibit #6 was a Victim Impact Statement from [REDACTED]. In this statement, [REDACTED] indicated that she had attended the [REDACTED], and obtained her Bachelor of Education degree by [REDACTED]. She has successfully taught for [REDACTED]. She indicates “a sense of deep sorrow at the loss of my youth and my trust.” She stated, “I abhor the actions that have led us to the point of a statement about what makes me a victim.” She also stated, “As a result of his decision to seduce me, I never had a boyfriend in high school, and his secret twisting of friendships took away normal healthy relationships between friends and with my brother. Our circle of secrecy lead me to abuse alcohol with him.” She continued, “I gave him all of my innocent first love and adoration, and he took everything.” She also declared that he used the force of his position of power over her. She stated that as a teacher, she now fully comprehends the power teachers hold over students and why teachers must be vigilant “so that predators like Douglas Walker cannot scar our children.” She stated, “In

adulthood, I trace my failed first marriage to the abuse that twisted my experiences...I had no healthy relationships, and didn't know what to look for in a marriage". She testified that "Every day my face is rubbed in the mess Doug Walker made of my sense of self. Every day I am embarrassed at how I was taken in by this twisted man...I feel dirty and tainted by the exploitation of my childhood. I feel used and guilty that somehow it was I who should have known better. I was used and discarded." She summarized by indicating "He took advantage of me, of his wife, of my brother, of my friends, and of my youth...you would think I could get over this...I can't and I don't know if I ever will."

FINDINGS OF FACT:

Based on the Agreed Statement of Facts, the panel finds the following facts:

- (1) William Douglas Walker was a member of the Ontario College of Teachers until his voluntary resignation on October 27, 2000.
- (2) From January 1979 until June, 2000 William Douglas Walker was employed by the York Regional District School Board, and its predecessor, as a [REDACTED] at [REDACTED] and elsewhere.
- (3) At all material times, [REDACTED] was a student at [REDACTED] where the member taught [REDACTED].
- (4) [REDACTED]'s date of birth is [REDACTED].
- (5) Walker engaged in an inappropriate sexual relationship with [REDACTED], including but not restricted to, sexual intercourse on at least 56 occasions on and off school property as well as on [REDACTED] trips away from school.
- (6) [REDACTED]'s first experience of sexual intercourse took place in the member's car.

(7) During the years 1980 to 1982, William Douglas Walker purchased alcohol for students and engaged in consumption of alcohol with them when he knew or ought to have known that they were under legal age. On occasion, the students consumed enough alcohol to become intoxicated. The member also purchased alcohol for the students while on a school trip.

DECISIONS AND ORDERS:

Based on the findings and/or evidence given by the witnesses and having examined the Exhibits filed, the Committee finds William Douglas Walker guilty of professional misconduct under subsections 1(5), (7), (14), (15), (18) and (19) of the Professional Misconduct Regulation, as alleged. Further, the Committee finds that the member displayed a lack of judgement and complete disregard for the welfare of a student, demonstrating that he is unfit to carry out his professional responsibilities.

William Douglas Walker held a position of trust and authority. He is expected to know and respect the boundaries of the teacher/student relationship and the importance of maintaining those boundaries between his students and himself at all times. As a teacher, he is expected to set an example of good moral behaviour to students, and parents with the care of their children. In this matter, he let the parents down.

As to the matter of sexual abuse, he violated one of the most sacred trusts possible in the student relationship. It is clear that he did not understand the importance of establishing boundaries and his actions in this regard were reprehensible.

The Committee orders that the member be verbally reprimanded. The Committee believes that had the member not resigned from the College, his certificate would certainly have been revoked.

The Committee is of the view that the member's inappropriate conduct dictates the need for a fine. A fine of \$2000.00 (two thousand dollars) is imposed upon William Douglas Walker. This fine is to be paid to the Minister of Finance for the Consolidated Revenue Fund to emphasize to William Douglas Walker, and to other members of the profession, that actions such as the member's are not to be tolerated.

The Committee also orders that the member immediately sign an Undertaking agreeing not to teach in any jurisdiction at any time in the future (attached).

The Ontario College of Teachers Register shall show that the member had voluntarily resigned, that a Discipline Committee Hearing was convened at which he was found guilty of professional misconduct, that he made an undertaking not to teach, that he was issued a verbal reprimand and that he received a \$2000.00 (two thousand dollars) fine.

Pursuant to Section 30(5)(iii) of the Ontario College of Teachers 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.

**DATED AT TORONTO, THIS 27rd DAY OF FEBRUARY, 2001
BY ORDER OF THE DISCIPLINE COMMITTEE**

Dick Malowney, Chair

Guill Archambault

Karen Mitchell