

**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 David Wark,

The Discipline Committee held a hearing on May 6, 1998,

BETWEEN:

ONTARIO COLLEGE OF TEACHERS

- and -

**DAVID JAMES WARK
CERTIFICATE #287969**

PRESENT:

Members of the Panel

Marilyn Laframboise (Chair)

Kathleen McFadyen

Paul Charron

Caroline Zayid, Counsel for the Ontario College of Teachers

No one appearing for David James Wark

OVERVIEW OF THE PANEL

The Ontario College of Teachers gave Notice of Hearing, that alleges that David Wark is guilty of professional misconduct in that he engaged in sexual misconduct involving students under his care. Also that David Wark is a member of the Ontario College of Teachers and therefore comes under the jurisdiction of the Ontario College of Teachers.

David Wark did not appear. Proof of service of the Notice of Hearing was presented and accepted by the panel.

Counsel for the College of Teachers presented evidence in that David Wark is a member of the Ontario College of Teachers. At all material times, David Wark was employed by the former Lambton County Board of Education as a teacher and David Wark engaged in inappropriate sexual behavior over the course of a number of years.

FINDINGS OF THE PANEL

Evidence was presented by witnesses and by documentation to the panel which supported the allegations of professional misconduct.

David Wark had been found guilty of two counts sexual assault and two counts of indecent assault involving female students under the Criminal Code of Canada.

The panel was in unanimous agreement in finding David Wark guilty of professional misconduct under sections 1(7) and 1(18) of the Professional Misconduct Regulation.

PENALTY

The conduct of David Wark is so egregious that it calls for the most serious penalty that the legislation permits.

The panel orders the Registrar to revoke the certificate of qualification and registration of David Wark. The panel also 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 DAY OF MAY, 1998
BY ORDER OF THE DISCIPLINE COMMITTEE

Marilyn Laframboise

Kathleen McFadyen

Paul Charron