

**DISCIPLINE COMMITTEE OF THE
ONTARIO COLLEGE OF TEACHERS**

BETWEEN:

ONTARIO COLLEGE OF TEACHERS

and

BARRY DAVID WILLIAMS

NOTICE OF HEARING

THE INVESTIGATION COMMITTEE OF THE ONTARIO COLLEGE OF TEACHERS, pursuant to section 26, subsection (5) of the *Ontario College of Teachers Act, 1996* (the "*Act*"), Statutes of Ontario, 1996, chapter 12, has directed that the matter hereinafter described regarding the conduct or actions of Barry David Williams, Certificate No. 491330, be referred to the Discipline Committee of the Ontario College of Teachers.

IT IS ALLEGED that Barry David Williams is guilty of professional misconduct as defined in the *Act* in that:

- (a) he failed to comply with the *Act* or the regulations or the by-laws, specifically section 26 of the by-laws, contrary to Ontario Regulation 437/97, subsection 1(14);
- (b) he failed to comply with the *Education Act*, Revised Statutes of Ontario, 1990, chapter E.2, and specifically subsection 264(1) thereof or the Regulations made under that Act, contrary to Ontario Regulation 437/97, subsection 1(15);

- (c) 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);
- (d) he engaged in conduct unbecoming a member, contrary to Ontario Regulation 437/97, subsection 1(19).

PARTICULARS OF THESE ALLEGATIONS ARE AS FOLLOWS:

1. Barry Williams David (the "Member") is a member of the Ontario College of Teachers with Inactive/Non-Practising status.
2. At all material times, the Member was employed by the Rainbow District School Board (the "Board") as an [XXX] teacher at [XXX] School (the "School") in [XXX], Ontario.
3. At all material times, Person A was a female former student who graduated from the School in June [XXX].
4. At all material times, Person B was a female former student who graduated from the School in June [XXX].
5. At all material times, Person C was a female former student who graduated from the School in June [XXX].
6. At all material times, Person D was a female former student and member of the School's [XXX] team coached by the Member. She graduated from the School in June [XXX].
7. At all material times, Person E was a female former student who graduated from the School in June [XXX].

Person A:

8. Between approximately July 1 and July 5, 2019, on one or more occasions, the Member sent electronic social media messages to Person A, including, but not limited to:
 - (i) telling her that he had been investigated by the Children's Aid Society for molesting a child , or words to that effect;
 - (ii) stating that he had been drinking and that she should come to his house because his wife and children were out of town, or words to that effect;
 - (iii) telling her that she was beautiful and intelligent and that he considered her to be one of his most trusted friends.

Person B:

9. Between approximately July 1 and July 6, 2019, on one or more occasions, the Member sent electronic social media messages to Person B, including, but not limited to:
 - (i) making reference to "[her] beautiful face";
 - (ii) telling her "Go to bed! Lol";
 - (iii) signing off his social media messages with "xoxo."

Person C:

10. Between approximately July 1, 2019 and September 9, 2019, on one or more occasions, the Member sent electronic social media messages to Person C, including, but not limited to:

- (i) asking her to be his mistress, or words to that effect;
- (ii) suggesting that she come over to his residence and have a drink.

Person D:

11. Between approximately July 1, 2019 and September 16, 2019, on one or more occasions, the Member sent electronic social media messages and/or photographs to Person D, including, but not limited to:
- (i) showing images of the Member camping;
 - (ii) making sexual advances to her;
 - (iii) acknowledging that he has a wife, but stating that she was “sick” and that “a man has needs”;
 - (iv) sending one or more images of himself shirtless;
 - (v) sending one or more images exposing his genitals;
 - (vi) requesting that Person D send him sexual photographs of herself.

Person E:

11. Between approximately July 1, 2019 and September 16, 2019, on one or more occasions, the Member sent electronic social media messages to Person E, inviting her to his house.

THE DISCIPLINE COMMITTEE WILL HOLD A HEARING pursuant to sections 30, 32 and 32.1 of the *Act* to decide whether the allegations are true and whether Barry David

Williams is guilty of professional misconduct. A copy of the *Rules of Procedure of the Discipline Committee and of the Fitness to Practise Committee* (the “*Rules of Procedure*”) will be provided upon request and is also available on the College’s website.

THE DISCIPLINE COMMITTEE WILL HEAR THIS MATTER on a date to be determined after consultation between College Counsel and you or your counsel and fixed by the Tribunals Office.

IF A DATE FOR THE HEARING AND/OR THE FORMAT OF THE HEARING ARE NOT AGREED UPON, THE DISCIPLINE COMMITTEE WILL CONVENE TO DEAL WITH THE PROCEDURAL MATTER OF SETTING A DATE FOR THE HEARING. The set date hearing will be held in-person on the 12th floor of the offices of the Ontario College of Teachers at 101 Bloor Street West, Toronto, Ontario or will be held electronically using audio or video conferencing equipment, pursuant to the *Rules of Procedure* and the *Statutory Powers Procedure Act*, R.S.O. 1990, c.S.22 (the “*SPPA*”).

YOU ARE ENTITLED TO BE PRESENT WHEN THE COMMITTEE CONVENES TO SET A DATE FOR THE HEARING AND TO BE REPRESENTED BY LEGAL COUNSEL. IF YOU DO NOT ATTEND BEFORE THE COMMITTEE TO SET A HEARING DATE, THE DISCIPLINE COMMITTEE MAY PROCEED IN YOUR ABSENCE TO SET A HEARING DATE. NOTICE OF THE HEARING DATE SET BY THE COMMITTEE WILL BE PROVIDED TO YOU IN WRITING AT YOUR LAST KNOWN ADDRESS AS SHOWN IN THE RECORDS OF THE COLLEGE.

YOU ARE ENTITLED TO BE PRESENT AT THE HEARING AND TO BE REPRESENTED BY LEGAL COUNSEL. The hearing will be held in-person on the 12th floor of the offices of the Ontario College of Teachers at 101 Bloor Street West, Toronto, Ontario or will be held electronically using audio or video conferencing equipment, pursuant to the *Rules of Procedure* and the *SPPA*.

IF YOU DO NOT ATTEND ON THE SCHEDULED HEARING DATE, IN ACCORDANCE WITH ANY DIRECTION FROM THE TRIBUNALS OFFICE WITH RESPECT TO THE MANNER OF PARTICIPATION, THE DISCIPLINE COMMITTEE MAY PROCEED WITH AN IN-PERSON HEARING OR ELECTRONIC HEARING IN YOUR ABSENCE AND YOU WILL NOT BE PROVIDED WITH ANY FURTHER NOTICE OF PROCEEDINGS.

IF YOU BELIEVE THAT AN ELECTRONIC HEARING OR ELECTRONIC SET DATE HEARING IS LIKELY TO CAUSE YOU SIGNIFICANT PREJUDICE, you must notify the Tribunals Office at 101 Bloor Street West, Toronto, Ontario, M5S 0A1, telephone 416-961-8800. The Discipline Committee will then determine whether the hearing will proceed electronically or not.

IF THE DISCIPLINE COMMITTEE FINDS YOU GUILTY of professional misconduct, you are liable to the penalties set out in section 30 of the *Act*.

A MEMBER whose conduct is being investigated in proceedings before the Discipline Committee may examine before the hearing any written or documentary evidence that will be produced or any report, the contents of which will be given as evidence at the hearing. You or your representative may contact the office of Caroline Zayid of McCarthy

Tétrault LLP, solicitor for the College in this matter, at Suite 5300, Toronto Dominion Bank Tower, Toronto, ON M5K 1E6, telephone 416-601-7768.

Date: May 18, 2022

Registrar's Signature

Chantal Bélisle, OCT
Interim Registrar and Chief Executive
Officer
Ontario College of Teachers
101 Bloor Street West
Toronto, ON M5S 0A1

TO: Barry David Williams
[XXX]
[XXX]

AND TO: Unified LLP
197 Spadina Ave., Suite 402
Toronto, ON M5T 2C8

Kirsty Niglas-Collins, Solicitor for the Member

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