

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

BETWEEN:

**ONTARIO COLLEGE OF TEACHERS**

**and**

**JOHN WILFRED MARTIN JOHNSTON, OCT**

**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 John Wilfred Martin Johnston, Certificate No. 168913, be referred to the Discipline Committee of the Ontario College of Teachers.

**IT IS ALLEGED** that John Wilfred Martin Johnston is guilty of professional misconduct as defined in the *Act* 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 psychologically or emotionally, contrary to Ontario Regulation 437/97, subsection 1(7.2);
- (c) he failed to supervise adequately a person who is under the professional supervision of the member, contrary to Ontario Regulation 437/97, subsection 1(11);
- (d) he failed to comply with the *Act* or the regulations or the by-laws, contrary to Ontario Regulation 437/97, subsection 1(14);

- (e) 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);
- (f) 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); and
- (g) he engaged in conduct unbecoming a member, contrary to Ontario Regulation 437/97, subsection 1(19).

**PARTICULARS OF THESE ALLEGATIONS ARE AS FOLLOWS:**

1. John Wilfred Martin Johnston (the “Member”) is a member of the Ontario College of Teachers.
2. At all material times, the Member was employed by the Simcoe County District School Board (the “Board”) as an occasional teacher at [XXX] School (the “School”) in [XXX], Ontario.
3. At all material times, the Student was a female student at the School.
4. On or about March 31, 2015, while the Member was on assignment in a Grade [XXX] class at the School, made inappropriate comments to students and/or staff, in that he said words to the effect of:
  - (a) “it is an emergency – she (the Student) is looking at me with killer eyes”;
  - (b) told the Student that she was not welcome in class;
  - (c) “if the Student is here, I’m not here”;
  - (d) “I’m a guest – you should treat me like a guest”;

- (e) “I’ve never come across a Principal like this before – that doesn’t discipline at all”;
- (f) “the Principal doesn’t discipline enough”;
- (g) “this is not a safe environment in the classroom and/or in the School”;
- (h) “I don’t know why she (the Student) came back – I didn’t want her to be here”;
- (i) “that girl (the Student) keeps staring at me. She has a look of evil in her eyes”;
- (j) “[XXX] school is an unsafe environment”.

5. On or about March 31, 2015, the Member used his cell phone during instructional time.

6. On or about March 31, 2015, the Member failed to treat a student and/or students with respect and/or failed to use classroom management strategies that respect the dignity of students and/or enhance the learning environment.

**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 John Wilfred Martin Johnston is guilty of professional misconduct. A copy of the *Rules of Procedure of the Discipline Committee and of the Fitness to Practise Committee* will be provided upon request.

**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 Hearings Office.

**IF A DATE FOR THE HEARING OF THIS MATTER IS NOT AGREED UPON, THE DISCIPLINE COMMITTEE WILL CONVENE TO SET A DATE FOR THE HEARING. 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 take place on the 12th floor of the offices of the Ontario College of Teachers at 101 Bloor Street West, Toronto, Ontario.

**IF YOU DO NOT ATTEND ON THE SCHEDULED HEARING DATE, THE DISCIPLINE COMMITTEE MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE PROVIDED WITH ANY FURTHER NOTICE OF PROCEEDINGS.**

**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: 7 February 2018

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**Michael Salvatori, OCT**  
Chief Executive Officer and Registrar  
Ontario College of Teachers  
12<sup>th</sup> Floor, 101 Bloor Street West  
Toronto, ON M5S 0A1

TO: John Wilfred Martin Johnston  
[XXX]  
[XXX]

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