

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

BETWEEN:

ONTARIO COLLEGE OF TEACHERS

and

KENNETH GRANT BALDWIN, 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 Kenneth Grant Baldwin, Certificate No. 251388, be referred to the Discipline Committee of the Ontario College of Teachers.

IT IS ALLEGED that Kenneth Grant Baldwin is guilty of professional misconduct as defined in the *Act* in that:

- (a) he committed an act 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);

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

PARTICULARS OF THESE ALLEGATIONS ARE AS FOLLOWS:

1. Kenneth Grant Baldwin (the “Member”) is a member of the Ontario College of Teachers.
2. At all material times, the Member was employed by the Thames Valley District School Board (the “Board”) as a teacher at Saunders Secondary School in London, Ontario.
3. In or about the 2018/2019 academic year, the Member misused his Board allotted sick time when:
 - (a) on or around April 11, 2019, he performed at a concert in Sarnia, Ontario during the school day while on sick leave; and
 - (b) he performed at a concert in Montreal, Quebec while on sick leave.
4. On or around April 11, 2019, the Member engaged in activities which were inconsistent with the restrictions and limitations set out in the Member’s medical leave, including but not limited to:
 - (a) [XXX]; and
 - (b) [XXX].
5. From 2016 to 2019, the Member used his full allotment of sick time and returned to work each June in an attempt to ensure renewal of sick time allocations for the following year.

6. On or about September 5, 2019, the Member was terminated from his employment with the Board.

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 Kenneth Grant Baldwin 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 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 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 Jordan Glick of GlickLaw, solicitor for the College in this matter, at Suite 100, Simcoe Chambers, Toronto, ON M5H 4E2, telephone 416-596-2960.

Date: October 2, 2020

Registrar's Signature

Chantal Bélisle, EAO, LL.M.
Deputy Registrar
Ontario College of Teachers
101 Bloor Street West
Toronto, ON M5S 0A1

TO: Kenneth Grant Baldwin
[XXX][XXX]

AND TO: KNC Law
353 Eastern Avenue, Suite 201
Toronto, ON M4M 1B7

Jack Brown, Solicitor for the Member

B E T W E E N :

ONTARIO COLLEGE OF TEACHERS

- and -

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ONTARIO COLLEGE OF TEACHERS**

NOTICE OF HEARING

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