

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

BETWEEN:

ONTARIO COLLEGE OF TEACHERS

and

DANIEL JAMES JOSEPH BROWNE

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 Daniel James Joseph Browne, Certificate No. 677089, be referred to the Discipline Committee of the Ontario College of Teachers.

IT IS ALLEGED that Daniel James Joseph Browne is guilty of professional misconduct as defined in the *Act* in that:

- (a) he abused a student or students physically, contrary to Ontario Regulation 437/97, subsection 1(7.1);
- (b) he abused a student or students psychologically or emotionally, contrary to Ontario Regulation 437/97, subsection 1(7.2);
- (c) he abused a student or students sexually, contrary to Ontario Regulation 437/97, subsection 1(7.3) and/or engaged in sexual abuse of a student or students as defined in section 1 of the *Act*;

- (d) he failed to comply with the *Act* or the regulations or the by-laws, specifically section 32 of the by-laws, contrary to Ontario Regulation 437/97, subsection 1(14);
- (e) 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);
- (f) he engaged in conduct unbecoming a member, contrary to Ontario Regulation 437/97, subsection 1(19).

PARTICULARS OF THESE ALLEGATIONS ARE AS FOLLOWS:

1. Daniel James Joseph Browne (the “Member”) is an inactive/non-practising member of the Ontario College of Teachers (the “College”), effective April 20, 2024. At all material times, the Member was a member of the College.
2. At all material times, the Member was employed by the Conseil des écoles catholiques du Centre-Est (the “Board”) as an [XXX] teacher at École secondaire catholique [XXX] (the “School”) in Ottawa, Ontario.
3. At all material times, Student 1 was a [XXX]-year-old female student in a Grade [XXX] class taught by the Member.
4. At all material times, Student 2 was a [XXX]-year-old female student in a Grade [XXX] class taught by the Member.
5. Between in or around September [XXX] and in or around November [XXX], the Member engaged in preferential and/or disparate treatment towards Student 1 in the classroom, in that he:
 - (a) asked Student 1 how her day or her weekend went, whereas he did not ask such questions to other students in his class;
 - (b) never yelled at Student 1 whereas he did yell at other students in the class.

6. Between in or around September [XXX] and in or around November [XXX], the Member stared at Student 1's buttocks when she bent over to pick an object up from the floor in the classroom.
7. Between in or around September [XXX] and in or around November [XXX], the Member touched Student 2 with his hand in the area of her crotch over top of her pants.
8. On or around November 6 [XXX], the Member touched Student 1 with his hand on her back and/or buttocks over top of her clothing.

THE DISCIPLINE COMMITTEE WILL HOLD A HEARING pursuant to sections 30, 30.2, 32 and 32.1 of the *Act* to decide whether the allegations are true and whether Daniel James Joseph Browne 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.

YOU ARE ENTITLED TO BE PRESENT AT THE HEARING AND TO BE REPRESENTED BY LEGAL COUNSEL. The hearing 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*").

IF YOU DO NOT ATTEND ON THE SCHEDULED HEARING DATE, THE DISCIPLINE COMMITTEE MAY PROCEED WITH THE 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. The Discipline Committee will then determine whether the hearing will proceed in person, electronically, in writing, or by a combination of these formats.

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 AND/OR ESTABLISHING THE FORMAT FOR THE HEARING. The procedural hearing will be held electronically using audio or video conferencing equipment, pursuant to the *Rules of Procedure* and the *SPPA*.

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

IF THE DISCIPLINE COMMITTEE FINDS YOU GUILTY of professional misconduct, you are liable to the penalties set out in sections 30 and 30.2 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, College Counsel in this matter, at Suite 5300, Toronto Dominion Bank Tower, Toronto, ON M5K 1E6, telephone 416-601-7768.

Date: July 16, 2024

Registrar's Signature

Linda Lacroix, OCT, M. Ed.
Registrar and Chief Executive Officer
Ontario College of Teachers
101 Bloor Street West
Toronto, ON M5S 0A1

TO: Daniel James Joseph Browne
[XXX]

AND TO: Engel & Associates
210-116 Lisgar Street
Ottawa, ON K2P 0C2

Bruce Engel, Counsel for the Member

BETWEEN:

ONTARIO COLLEGE OF TEACHERS

- and -

DANIEL JAMES JOSEPH BROWNE

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

NOTICE OF HEARING

McCarthy Tétrault LLP

Suite 5300

Toronto Dominion Bank Tower

Toronto ON M5K 1E6

Caroline R. Zayid

Tel.: 416-601-7768

Email: czayid@mccarthy.ca

Christine L. Lonsdale

Tel.: 416-601-8019

Email: clonsdale@mccarthy.ca

Counsel for the
Ontario College of Teachers