

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

BETWEEN:

ONTARIO COLLEGE OF TEACHERS

and

SVEN NORBERT JOEL GIBAUD, 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 Sven Norbert Joel Gibaud, Certificate No. 708058, be referred to the Discipline Committee of the Ontario College of Teachers (the “College”).

IT IS ALLEGED that Sven Norbert Joel Gibaud is guilty of professional misconduct as defined in the *Act* in that:

- (a) he abused a student or students psychologically or emotionally, contrary to Ontario Regulation 437/97, subsection 1(7.2);
- (b) 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);
- (c) he engaged in conduct unbecoming a member, contrary to Ontario Regulation 437/97, subsection 1(19).

PARTICULARS OF THESE ALLEGATIONS ARE AS FOLLOWS:

1. Sven Norert Joel Gibaud (the “Member”) is a member of the College.
2. At all material times, the Member was employed by the Conseil scolaire catholique MonAvenir (the “Board”) as a teacher. In the 2020-2021, 2021-2022, and 2022-2023 academic years, the Member taught at École [XXX](“School 1”) in [XXX], Ontario. In the 2023-2024 academic year, the Member taught at School 1 and at École [XXX](“School 2”) in [XXX], Ontario.
3. During the 2020-2021 academic year, Student 1 was a female Grade [XXX] student in the Member’s class at School 1.
4. During the 2020-2021 academic year, Student 2 was a female Grade [XXX] student in the Member’s class at School 1.
5. During the 2022-2023 academic year, Student 3 was a female Grade [XXX] student in the Member’s class at School 1.
6. During the 2022-2023 academic year, Student 4 was a female Grade [XXX] student in the Member’s class at School 1. During the 2023-2024 academic year, Student 4 was a female Grade [XXX] student at School 2.
7. During the 2023-2024 academic year, Student 5 was a female Grade [XXX] student at School 2.
8. During the 2023-2024 academic year, Student 6 was a female Grade [XXX] student at School 2. Student 6 was previously a student at School 1.
9. During the 2022-2023 academic year, Student 7 was a female Grade [XXX] student at School 2. Student 7 was previously a student at School 1.

10. During the 2023-2024 academic year, Student 8 was a female Grade [XXX] student at School 2. Student 8 was previously a student at School 1.
11. During the 2023-2024 academic year, Student 9 was a female Grade [XXX] student at School 2. Student 9 was previously a student at School 1.
12. During the 2023-2024 academic year, Student 10 was a female Grade [XXX] student at School 2. Student 10 was previously a student at School 1.
13. In or about 2021, the Member had physical contact with Student 1 when he:
 - (a) gave Student 1 a hug;
 - (b) wrote on Student 1's face.
14. In or about 2021, the Member told Student 2 that her leggings looked good on her, or words to that effect.
15. In the 2022-2023 school year, the Member had physical contact with Grade [XXX] students at School 1 when he:
 - (a) in or around March 2023, allowed students to climb on his back during a physical education class;
 - (b) in or around June 2023, placed his hands on Student 3's hips;
 - (c) on one occasion, did push-ups with Student 4 on his back.
16. Between 2022 and 2023 or thereabouts, told Student 4, "I have eyes for a reason," or words to that effect, after Student 4 asked him why he had been staring at her.
17. Between on or about June 28, 2023 and on or about October 19, 2023, the Member exchanged messages with Student 4 on TikTok for non-pedagogical reasons and outside of class hours.

18. In or about December 2023, the Member had photos of himself shirtless on his public Instagram account, knowing that his account was public and students could access it.
19. On August 10, 2023, the Member sent messages to Student 4 about the principal of School 1, to the effect of:
 - (a) “Lol. I completely understand. Most of the teachers (if not all) wanted to leave because he’s staying. Whereas when it was [a former principal] they were all fighting to stay. Don’t say this comes from me [winking face emoji]”;
 - (b) “But you know he does the same with us. He asks us to do more work, to share our long term and daily planifs but when we complain that it’s way too much he says it’s not him but the school board that asks for it. Dude, we know a bunch of other teachers in other schools and you’re the only one asking for that. It’s not the school board, it’s you. Just admit it”;
 - (c) “I wonder if he knows that everybody talks about [him] behind his back. And not to say good things.”
20. From in or about 2020 to in or about 2023, on several occasions, the Member:
 - (a) hugged students from School 1 and School 2;
 - (b) winked at students from School 1 and School 2.
21. From in or about 2020 to in or about 2023, the Member was followed by one or more students from School 1 and/or School 2 on social media.
22. From in or about 2020 to in or about 2023, the Member followed the TikTok and/or Instagram accounts of Student 3, Student 4, Student 5, Student 6, Student 7, and Student 8.

23. From in or about 2020 to in or about 2023, the Member made comments to students on social media, to the effect of:
- (a) on a video the Member posted on TikTok of himself doing push-ups, he commented:
 - (i) “I wanna see it!!! [smiling emoji] If you do it right we’ll do another one [winking face emoji],” or words to that effect;
 - (ii) “I’m still waiting for the push-up video [winking face emoji],” or words to that effect, a month after Student 9 commented that she was going to start training;
 - (b) on a video the Member posted on TikTok on July 5, 2023, oh him eating an onion ring in the shape of an “8”, the Member commented:
 - (i) “Shhh don’t tell them,” or words to that effect, after Student 10 said, “Definitely miss my class the most tho”;
 - (ii) on July 5, 2023, “I also have a great personality thank you so much #superficial [rolling eyes emoji]” after Student 4 made a comment about the Member’s arm;
 - (c) The Member responded on TikTok and/or Instagram with heart emojis, or something like that, to students from School 1 and/or School 2 after students told him they liked him;
 - (d) on a video the Member posted on TikTok of himself doing push-ups, he commented, “Show me what you can do and we’ll do a harder one [winking face emoji],” or words to that effect, after a student from School 1 or School 2 wrote, “This is light work Gibeau”;

- (e) on a video the Member posted on TikTok, he wrote “The photo or me,” or words to that effect, after a student from School 1 or School 2 wrote, “So beautiful!”

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 Sven Norbert Joel Gibaud 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 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 AT 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 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 Christine Lonsdale of McCarthy Tétrault LLP, College Counsel in this matter, at Suite 5300, Toronto-Dominion Bank Tower, Toronto, ON M5K 1E6, telephone: 416-601-8019).

Date: May 25, 2025

Registrar's Signature

Linda Lacroix, OCT, M. Ed.
Registrar and Chief Executive Officer
Ontario College of Teachers
101 Bloor Street West
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TO: Sven Norbert Joel Gibaud
[XXX][XXX]

AND TO: Goldblatt Partners LLP
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Lise Leduc, Counsel for the Member

B E T W E E N:

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- and -

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ONTARIO COLLEGE OF TEACHERS**

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