

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

BETWEEN:

ONTARIO COLLEGE OF TEACHERS

and

EUGENE TIMOTHY SPANIER, 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 Eugene Timothy Spanier, Certificate No. 253436, be referred to the Discipline Committee of the Ontario College of Teachers.

IT IS ALLEGED that Eugene Timothy Spanier is guilty of professional misconduct as defined in the *Act* in that:

- (a) 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);
- (b) he failed to co-operate in a College investigation, contrary to Ontario Regulation 437/97, subsection 1(22);

- (c) he failed to respond adequately or within a reasonable time to a written inquiry from the College, contrary to Ontario Regulation 437/97, subsection 1(25).

PARTICULARS OF THESE ALLEGATIONS ARE AS FOLLOWS:

1. At all material times, Eugene Timothy Spanier (the “Member”) was a member of the Ontario College of Teachers.
2. In or about September 2022, the College received a complaint regarding the conduct of another member of the College (“Teacher 1”). In or about December 2022, the Registrar initiated an investigation into the conduct of Teacher 1.
3. During the investigation into Teacher 1, the complainant was interviewed by a College investigator and advised the investigator that the Member was a witness to events relevant to the complaint against Teacher 1.
4. In or about January 2023, a College investigator emailed the Member and asked to arrange a time to speak with him regarding the investigation into Teacher 1. The Member agreed to participate in an interview on January 19, 2023.
5. On the morning of January 19, 2023, the College investigator advised the Member that the interview would take place through videoconferencing. The Member refused to participate in a video interview and advised that he would only speak on the phone. The Member was advised that failure to participate in a video interview could result in potential investigation and/or discipline for failure to cooperate with a College investigation. Notwithstanding this warning, the Member refused to participate in a video interview.
6. On or about April 21, 2023, a College investigator emailed the Member and asked to schedule a video interview with him. The Member did not respond to this email.

7. On or about May 29, 2023, a College investigator emailed the Member and asked to schedule a video interview with him. In that email, the College investigator reminded the Member of his duty to cooperate with the College's investigation and asked that he respond no later than June 12, 2023. The Member did not respond to this email.
8. On or about September 22, 2023, a College investigator emailed the Member and asked to schedule a video interview with him. In that email, the College investigator reminded the Member of his duty to cooperate with the College's investigation and asked that he respond no later than October 6, 2023. The Member did not respond to this email.
9. On or about October 11, 2023, a College investigator called the Member and left a voicemail requesting that he call her back. The Member did not call the investigator or respond by email or other means.
10. On or about October 16, 2023, a College investigator sent a letter by courier to the Member's last known address in the College's records. In that letter, the College investigator reminded the Member of his duty to cooperate with the College's investigation. The Member was asked to respond to the College investigator's request for a video interview no later than October 20, 2023, failing which an investigation would be opened into the Member's failure to cooperate. The Member did not respond to this letter or contact the investigator.

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 Eugene Timothy Spanier 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 "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 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 Stone of Glick Feinberg Stone LLP, College Counsel in this matter, at 65 Front Street East, Suite 200, Toronto, ON M6B 2A9, telephone 416-596-2960.

Date: June 4, 2025

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: Eugene Timothy Spanier
[XXX][XXX]

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ONTARIO COLLEGE OF TEACHERS**

NOTICE OF HEARING

Glick Feinberg Stone LLP
65 Front Street East, Suite 200
Toronto ON M5E 1B5

Jordan Stone
Tel. 416-596-2960 ext. 102

Counsel for the
Ontario College of Teachers