

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

BETWEEN:

ONTARIO COLLEGE OF TEACHERS

and

KIMBERLY ANNE MARIE SHAW

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 Kimberly Anne Marie Shaw, Certificate No. 705526, be referred to the Discipline Committee of the Ontario College of Teachers.

IT IS ALLEGED that Kimberly Anne Marie Shaw is guilty of professional misconduct as defined in the *Act* in that:

- (a) she 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*;
- (b) she engaged in sexual misconduct as defined in section 1 of the *Act*;

- (c) she contravened a law, the contravention of which is relevant to the member's suitability to hold a certificate of qualification and registration, contrary to Ontario Regulation 437/97, subsection 1(16);
- (d) she 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);
- (e) she engaged in conduct unbecoming a member, contrary to Ontario Regulation 437/97, subsection 1(19).

PARTICULARS OF THESE ALLEGATIONS ARE AS FOLLOWS:

1. At all material times, Kimberly Anne Marie Shaw (the "Member") was a member of the Ontario College of Teachers.
2. At all material times, the Member was employed by the Rainbow District School Board (the "Board") as a long term occasional teacher at [XXX] School in Sudbury, Ontario.
3. At all material times, the Student was a [XXX] year-old male student in a different school board.
4. Between in or about September 2022 and in or about December 2022, the Member engaged in a personal and/or dating relationship with the Student, including on one or more occasions:
 - (a) communicating with the Student on social media, including sending and/or receiving explicit photographs;
 - (b) inviting the Student to stay at her personal residence overnight;
 - (c) attending events with the Student, including a [XXX], [XXX] game, and/or [XXX] event; and/or

- (d) giving the Student a handwritten journal that detailed their relationship.
5. Between in or about September 2022 and in or about October 2022, the Member had sexual contact with the Student, including on one or more occasions:
 - (a) kissing the Student; and/or
 - (b) engaging in sexual intercourse with the Student at her personal residence and/or in her vehicle.
 6. On or about November 30, 2022, the Member was charged with sexual exploitation contrary to section 153 of the *Criminal Code* and sexual assault contrary to section 271 of the *Criminal Code*. The Member was released from custody on a release order that prohibited her from, among other things, communicating, directly or indirectly, with the Student.
 7. In or about December 2022, the Member breached a condition under her release order by communicating with the Student. The Member was charged with failure to comply with a condition of her release order contrary to section 145(5)(a) of the *Criminal Code*.
 8. On or about September 14, 2024, the Member was found guilty of the lesser included offence of assault contrary to section 266 of the *Criminal Code* and the other charges were withdrawn. The facts underlying the conviction included that the Member had been in a relationship with the Student between September 2022 and October 2022 and that she had touched the Student without his consent in a manner that made him uncomfortable.

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 Kimberly Anne Marie Shaw 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 Jordan Stone of Glick Feinberg Stone LLP, College Counsel in this matter, at 65 Front Street East, Suite 200, Toronto, ON M5E 1B5, telephone 416-596-2960.

Date: December 16, 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: Kimberly Anne Marie Shaw
[XXX][XXX]

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Glick Feinberg Stone LLP
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Counsel for the
Ontario College of Teachers