

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

BETWEEN:

ONTARIO COLLEGE OF TEACHERS

and

JULIE ANN RIESBERRY, 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 Julie Ann Riesberry, Certificate No. 423491, be referred to the Discipline Committee of the Ontario College of Teachers.

IT IS ALLEGED that Julie Ann Riesberry is guilty of professional misconduct as defined in the *Act* in that:

- (a) she signed or issued, in the member's professional capacity, a document that the member knew or ought to have known contained a false, improper or misleading statement, contrary to Ontario Regulation 437/97, subsection 1(12);
- (b) she falsified a record relating to the member's professional responsibilities, contrary to Ontario Regulation 437/97, subsection 1(13);

- (c) she 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);
- (d) she failed to comply with the *Education Act*, Revised Statutes of Ontario, 1990, chapter E.2, and specifically subsection 264(1) thereof or the Regulations made under that Act, contrary to Ontario Regulation 437/97, subsection 1(15);
- (e) 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);
- (f) she engaged in conduct unbecoming a member, contrary to Ontario Regulation 437/97, subsection 1(19).

PARTICULARS OF THESE ALLEGATIONS ARE AS FOLLOWS:

1. Julie Ann Riesberry (the “Member”) is a member of the Ontario College of Teachers.
2. At all material times, the Member was employed by the Halton Catholic District School Board (the “Board”). The Member was Principal at [XXX] School (the “School”) from September 2015 to April 2020. The Member was transferred to [XXX] School (“[XXX]”) by the Board and began her principalship at [XXX] in May 2020.
3. At all material times, Person A was a male teacher at the School.
4. On or about April 21, 2016, the Member:
 - (a) called Person A into her office to discuss an incident that had occurred at his daughter’s [XXX] game and told him that his wife should not have made a comment and/or comments to another parent because it implied racism;

- (b) threatened to “write up” Person A regarding the incident in paragraph (a) above.
- 5. In or around February 2019, the Member used the full N-word while telling Person A that the Member’s [XXX] used the N-word in a text message to a friend.
- 6. In or around April and/or May 2019, the Member:
 - (a) used the full N-word in the presence of Person A and a colleague while discussing an incident involving a student;
 - (b) instructed a staff member at the School to use the full N-word in front of her students to explain to the students why using the same word was not permitted at the School.
- 7. On or about December 18, 2019, during a School potluck, the Member made a comment to the effect of, “What Black kid doesn’t like fried chicken[?]”.
- 8. In or around January 2020, the Member made comments to the effect of:
 - (a) not wanting to “tick off the Black Lives Matter parents”;
 - (b) in reference to an author being considered as a speaker at the School, said, “Oh, is she Black enough[?]”.
- 9. In or around February 2020, the Member:
 - (a) made a comment in front of colleagues, to the effect of, “I know what I am giving up for Lent, Black Lives Matter”;

- (b) when asked if she was wearing the colours of the Jamaican flag for Black History Month, said words to the effect of, “Yes, [my colleague] and I were going to get [t-shirts] that said N1 and N2,” in reference to the N-word.
- 10. In or around March 2020, during a meeting with the School Vice-Principal and another colleague, the Member made a comment that she was “giving up Black Lives Matter for Lent,” or words to that effect.
- 11. On or about April 28, 2020, while discussing a Black student with a colleague, the Member made comments to the effect of:
 - (a) “That family always uses the race card”;
 - (b) “All those parents care about is Black Lives Matter”.
- 12. On or about May 26, 2020, when the Member was asked by a colleague at [XXX] about her tan and/or if she had been on vacation, the Member made a comment to the effect of, “No [Person A], I didn’t go to Jamaica”.
- 13. In or around November 2020, the Member:
 - (a) altered the attendance record of a student without adequate authorization and/or justification;
 - (b) altered the attendance record of a student to create the false impression that the student was not in attendance on a specified date;
 - (c) altered the attendance record of a student to undermine an allegation made regarding her conduct.
- 14. The Member was suspended without pay by the Board for a period of 10 days.

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 Julie Ann Riesberry 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 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 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: January 11, 2023

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: Julie Ann Riesberry
[XXX][XXX]
AND TO: Catholic Principals' Council of Ontario
2300 Yonge Street, Suite 3030
Toronto, ON M4P 1E4

Irena Brooks, Counsel for the Member

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