

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

BETWEEN:

ONTARIO COLLEGE OF TEACHERS

and

RYAN MICHAEL GATTO, 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 Ryan Michael Gatto, Certificate No. 467667, be referred to the Discipline Committee of the Ontario College of Teachers.

IT IS ALLEGED that Ryan Michael Gatto is guilty of professional misconduct as defined in the *Act* in that:

- (a) he failed to comply with the *Act* or the regulations or the by-laws, specifically section 26 of the by-laws, contrary to Ontario Regulation 437/97, subsection 1(14);
- (b) he failed to comply with the *Education Act*, Revised Statutes of Ontario, 1990, chapter E.2, and specifically subsections 264(1) or 265(1) thereof or the Regulations made under that Act, contrary to Ontario Regulation 437/97, subsection 1(15);

- (c) 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);
- (d) he engaged in conduct unbecoming a member, contrary to Ontario Regulation 437/97, subsection 1(19).

PARTICULARS OF THESE ALLEGATIONS ARE AS FOLLOWS:

1. Ryan Michael Gatto (the “Member”) is a member of the Ontario College of Teachers.
2. At all material times, the Member was employed by the Thunder Bay Catholic District School Board (the “Board”) as the Principal at [XXX]School (the “School”) in Thunder Bay, Ontario.
3. At all material times, Person 1, Person 2, Person 3, Person 4, Person 5, Person 6 and Person 7 were female colleagues who worked with the Member at the School.
4. Between in or around January 2021 and May 2022, the Member engaged in inappropriate conduct with Person 1, and/or engaged in conduct which he knew or should have known was unwelcome, including when he:
 - (a) massaged Person 1’s shoulders;
 - (b) stood or hovered over Person 1 at her desk;
 - (c) sent Person 1 text messages and/or made comments to Person 1 referring to traveling to Bora Bora with her;
 - (d) placed his hands on Person 1’s hips and/or buttocks while hugging her;
 - (e) touched Person 1’s hips and/or buttocks to move Person 1 over at or by a table during pizza lunch;

- (f) made a comment to Person 1 about the colour of her underwear;
 - (g) asked Person 1 on one or more occasions whether she was going to “get some,” or words to that effect, when she went home for lunch;
 - (h) sent Person 1 text messages at night unrelated to School.
5. Between in or around September 2019 and May 2022, the Member engaged in inappropriate conduct with Person 2, and/or engaged in conduct which he knew or should have known was unwelcome, including when he:
- (a) said to Person 2 words to the effect of, “If [Person 2] can do it, we can all do it”;
 - (b) said to Person 2 words to the effect of, “[Person 2] is not just a pretty face.”
6. Between in or around September 2021 and December 2021, the Member engaged in inappropriate conduct with Person 3, and/or engaged in conduct which he knew or should have known was unwelcome when he commented to Person 3 using words to the effect of, “going for a quickie.”
7. During the 2018-2019 academic year, the Member engaged in inappropriate conduct with Person 4, and/or engaged in conduct which he knew or should have known was unwelcome, when he touched Person 4’s shoulders in the library.
8. The Member engaged in inappropriate conduct with Person 5, and/or engaged in conduct which he knew or should have known was unwelcome, including when he:
- (a) sent a text message to Person 5 in or around February 2022, in which he suggested that some parents would like to see her in her pajamas;

- (b) asked Person 5 in or around April or May 2022, whether she would dance for him.
9. In a staff meeting during the 2020-2021 academic year, the Member engaged in inappropriate conduct and/or conduct which he knew or should have known was unwelcome, when he made a reference to Person 6's computer running slowly because she was "watching too much porn," or words to that effect.
 10. In or around January or February 2022, the Member engaged in inappropriate conduct and/or conduct which he knew or should have known was unwelcome, when he made a comment that Person 7 was happy her husband would be away because she "would not have to put out," or words to that effect.
 11. During the 2018-2019, 2019-2020 and 2020-2021 academic years, the Member looked at female colleagues' chests while speaking with them.
 12. From in or around 2019 to May 2022, the Member made comments about the physical appearance of mothers who entered the School, and/or deliberately spoke to the mothers who he had identified as physically attractive.

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 Ryan Michael Gatto 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 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 23, 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: Ryan Michael Gatto
[XXX][XXX]
AND TO: Catholic Principals' Council of Ontario
10 Carlson Court, Suite 640
Etobicoke, ON M9W 6L2

Elizabeth Creelman, Counsel for the Member

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