

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

BETWEEN:

ONTARIO COLLEGE OF TEACHERS

and

DAVID MICHAEL COCKBURN, 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 David Michael Cockburn, Certificate No. 435683, be referred to the Discipline Committee of the Ontario College of Teachers.

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

- (a) he abused a student or students verbally, contrary to Ontario Regulation 437/97, subsection 1(7);
- (b) he abused a student or students physically, contrary to Ontario Regulation 437/97, subsection 1(7.1);

- (c) he abused a student or students psychologically or emotionally, contrary to Ontario Regulation 437/97, subsection 1(7.2);
- (d) he 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*;
- (e) he engaged in sexual misconduct as defined in section 1 of the *Act*;
- (f) 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).

PARTICULARS OF THESE ALLEGATIONS ARE AS FOLLOWS:

1. David Michael Cockburn (the “Member”) is a member of the Ontario College of Teachers.
2. At all material times, the Member was employed by the District School Board of Niagara (the “Board”).
3. Between in or around [XXX] 2021 and in or around [XXX] 2021, the Member worked as a teacher at [XXX]School (“School 1”) in St. Catharines, Ontario.
4. In or around the 2020-2021, 2021-2022, and 2022-2023 academic years, the Member worked as a teacher at [XXX]School (“School 2”) in St. Catharines, Ontario.
5. Between in or around [XXX] 2021 and in or around [XXX] 2021, Student 1 was a [XXX]-year-old female student at School 1.
6. Between in or around [XXX] 2021 and in or around [XXX] 2021, while teaching at School 1, the Member made comments of an inappropriate and/or sexual nature to Student 1, including but not limited to:

- (a) after Student 1 fell and stated that her “butt” hurt, or words to that effect, stating “because of how big it is,” or words to that effect, in reference to Student 1’s buttocks; and/or
 - (b) stating that Student 1 was “hot like a dryer,” or words to that effect.
7. In or around the 2021-2022 academic year, Student 1 was a female student in Grade [XXX] at School 2.
8. In or around the 2021-2022 academic year, the Member made physical contact with Student 1 that crossed professional boundaries, was done without consent, and/or that he knew or ought to have known was inappropriate, including but not limited to giving Student 1 a side hug.
9. In or around the 2020-2021 and 2021-2022 academic years, Student 2 was a female student at School 2 in Grades [XXX] and [XXX] respectively.
10. In or around the 2020-2021 and 2021-2022 academic years, the Member made comments of an inappropriate and/or sexual nature to Student 2, including but not limited to:
- (a) “your ass is nice,” or words to that effect;
 - (b) “your mom is hot,” or words to that effect;
 - (c) “you are hot,” or words to that effect;
 - (d) “if [Student 2’s boyfriend] wasn’t in the picture, I would be in the picture,” or words to that effect;
 - (e) “you can’t eat red meat – but I know you still like meat – you know what I’m talking about,” or words to that effect;

- (f) "I like your outfit, your body looks curvy," or words to that effect; and/or
 - (g) "you horny little girl," or words to that effect.
11. In or around the 2021-2022 and 2022-2023 academic years, Student 3 was a female student at School 2 in Grades [XXX] and [XXX] respectively.
12. In or around the 2021-2022 and 2022-2023 academic years, the Member made comments of an inappropriate and/or sexual nature to Student 3, including but not limited to:
- (a) "your thighs are hot," or words to that effect;
 - (b) "your mom is attractive," or words to that effect;
 - (c) "your mom is hot," or words to that effect; and/or
 - (d) commenting about Student 3's mother's breasts.
13. In or around the 2022-2023 academic year, the Member made physical contact with Student 3 that was sexual in nature, crossed professional boundaries, was done without consent, and/or that he knew or ought to have known was inappropriate, including but not limited to grabbing, squeezing, and/or rubbing her upper thigh.

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 David Michael Cockburn 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: March 12, 2026

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: David Michael Cockburn
[XXX]
[XXX]

AND TO: Ursel Phillips Fellows Hopkinson LLP
555 Richmond St W, Suite 1200
Toronto ON M5V 3B1

Parmbir Gil, Counsel for the Member

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