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Ontario
College of
Teachers
Steps to Take
If You Have a
Concern About
a Member

The College, under a mandate set out in the *Ontario College of Teachers Act*, investigates complaints of alleged professional misconduct, incompetence or incapacity made against members of the College.

The Public Interest

The College, under a mandate set out in the *Ontario College of Teachers Act*, investigates complaints against members of the College. A complaint must relate to alleged professional misconduct, incompetence or incapacity.

Teachers, principals and most of the supervisory officers in the public school system make up the College's 200,000 members. Many staff employed by independent and private schools are also members of the College.

Students, their parents and members of the profession all benefit from a publicly accountable profession. In addition to members of the College, members of the public sit on the College Council and on all committees of the College. Together the elected members and public appointees work to develop standards for teachers and to accredit ongoing professional learning programs.

Members of Council make up the three-person panels who preside at discipline and fitness to practise hearings.

Dispute Resolution

If you have concerns about a teacher, you should speak with the teacher, if appropriate, or go to the principal of the school and discuss your concerns. You may wish to contact your school board and speak to the superintendent who has responsibility for the school where the teacher works.

In certain circumstances, College staff may be able to assist in resolving the matter. If not, you may file a formal complaint with the College.

The Process

Suggested DOs and DON'Ts

Here are some DOs and DON'Ts to help you during this process:

DO call the College's Investigation and Hearings Department to learn more about the complaints investigation process.

DO try and provide as much detail as possible. This could be vital to resolving your concerns.

DO refer to the College web site at www.oct.ca to review information about the complaints and investigation process

DON'T confront the member after you have filed a complaint. We strongly advise that no contact be made with that person unless it has been arranged through the principal of the school where the member works or a superintendent at the school board. Your concerns will be addressed during the course of the investigation.

The *Ontario College of Teachers Act*, its regulations and the bylaws of the College set out a specific process for filing and investigating complaints.

- Your complaint to the College must be in writing.
- You must provide your name, address and telephone number.
- You must provide the name of the member and specific information about the nature of the allegation.
- The College will notify the member and tell him or her about your concerns.
- The member will have the opportunity to respond to the complaint.
- The College may share the member's response with you.
- Both you and the member will be asked for details about the incidents and names and addresses of any witnesses or anyone who may have more information about the complaint.
- The College investigator may contact these individuals for relevant information.

The Investigation Committee

The Investigation Committee of the College Council will meet to consider relevant information collected during the investigation. Neither you nor the member will be present at this meeting.

The Investigation Committee can refuse to proceed further with a complaint if it finds the complaint to be frivolous, vexatious or otherwise an abuse of process, or that it is outside the jurisdiction of the College.

The committee may:

- dismiss the complaint
- suggest voluntary dispute resolution
- caution or admonish the member in writing or in person, if issues need to be addressed but do not warrant discipline
- take other action which the committee views to be appropriate in the circumstances
- refer the matter in whole or in part to the Discipline Committee for a hearing if the information alleges professional misconduct or incompetence
- refer the matter to the Fitness to Practise Committee for a hearing if the information suggests that there may be health-related issues affecting the member's ability to teach.

The Decision

The College will send you and the member a copy of the Investigation Committee's written decision by mail.

Confidentiality

The College does not comment on investigations or complaints unless they are referred to a public hearing. The College does this to protect the complainant and the member in question and to avoid possible prejudice to the process.

During an investigation of allegations against a member, the College acts in a fair and impartial way to respect the member's rights while protecting the public interest.



Ontario
College of
Teachers

Ordre des
enseignantes et
des enseignants
de l'Ontario

Cette publication est également disponible en français sous le titre de
Quoi faire si le comportement d'une enseignante ou d'un enseignant vous préoccupe.

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