



Person Complaints against Certified Educators

Under the *Teachers Act*, members of the public may submit a written complaint to the Commissioner for Teacher Regulation regarding the conduct or competency of a certified educator whom they believe has failed to maintain the Standards for educators in BC. A matter must amount to a breach of the Standards in order to be under the jurisdiction of the Commissioner.

Role of the Commissioner for Teacher Regulation

The Commissioner is an independent statutory decision maker, appointed under the *Teachers Act*, who is responsible for overseeing the disciplinary process and ensuring that concerns about the conduct or competence of certified educators are addressed fairly and in the public interest.

Certified educators include teachers, vice-principals, principals, directors, and superintendents who hold a Ministry of Education and Child Care teaching certificate.

Frequently Asked Questions

Where should I go to express my concern or make an inquiry about an educator?

Most concerns are best dealt with at the school level. Before submitting a complaint to the Commissioner, you should discuss your concerns with the educator. If you are unable to resolve the issue, you should then go to the educator's supervisor, or if necessary the superintendent's office/independent school authority. Boards of education and independent school authorities each have their own policy and process for addressing complaints. Request a copy of your board/authority's policy and go through the local complaint process *before* initiating a complaint with the Commissioner. Parents can also ask a representative from their local parent advisory council, if applicable, to assist them in this process.

If your concern is not adequately addressed at the school level and you have questions about how to submit a complaint to the Commissioner, call the Teacher Regulation Branch (TRB) to speak with an Intake Officer whose role is to obtain initial information and explain the complaint process.

What happens after a complaint is submitted to the Commissioner?

Under the *Teachers Act*, the Commissioner must acknowledge receipt of a complaint and conduct a preliminary review of the matters raised.

What does the Commissioner consider during the preliminary review?

The Commissioner will review the file taking into consideration the nature of the allegations, whether the matter has been appropriately dealt with in another forum, whether the alleged conduct or incompetence could possibly amount to misconduct or a finding of incompetence, and whether the matter has also been reported through another avenue.

Complaint Tool Kit

Checklist: What you should do *before* you submit a complaint to the Commissioner

- ☐ Attempt to resolve concerns with the educator
- ☐ If a resolution is not reached, involve the educator's supervisor or, if necessary, the superintendent's office/independent school authority
- ☐ If a resolution is still not reached, confirm on the public online registry that the educator holds a BC-issued certificate to teach
- ☐ Examine the Standards for educators to confirm that the conduct or competence of the educator conflicts with the Standards. If it does not conflict, the matter will not be under the Commissioner's jurisdiction
- ☐ Review information about [how to make a complaint](#)

Standards for Educators

Professional standards describe the work of educators - what they know, what they are able to do, and how they must comport themselves as they serve the public. The conduct/competence of a certified educator is measured against the Standards when deciding upon discipline outcomes.

www2.gov.bc.ca/gov/content/education-training/k-12/teach/standards-for-educators

Checklist: What you should include in a complaint

- ☐ The full name of the certified educator who is the subject of the complaint, and the school or district where the educator works
- ☐ A description, including specific information related to the conduct/competency in question
- ☐ A summary of issues/concerns
- ☐ Information on steps taken to resolve the complaint
- ☐ Your contact information

What are the possible outcomes of a preliminary review?

Upon completing the preliminary review, the Commissioner may decide to:

- take no further action and provide reasons for this decision;
- initiate an investigation;
- make or accept a proposal for a consent resolution agreement; or
- issue a citation, which would lead to a hearing by a hearing panel.

What reasons would the Commissioner have for taking no further action?

Following a preliminary review, the Commissioner may decide not to take further action in respect of one or more of the matters raised in a complaint if the Commissioner determines that any of the following apply:

- the matter is not within his, or a panel's, jurisdiction;
- the matter is frivolous, vexatious or trivial or gives rise to an abuse of process;
- the report or complaint was made in bad faith or filed for an improper purpose or motive;
- there is no reasonable prospect the report or complaint will result in an adverse finding by a panel;
- it is not in the public interest to take further action in respect of the matter; or
- the matter has not been pursued in a timely manner.

Typically, most cases lead to no further action, often because they have been addressed satisfactorily by the boards/independent school authorities involved, they didn't raise a regulatory concern sufficient to send them to the disciplinary process, or there was no public interest in pursuing the matter further.

What happens if the Commissioner orders an investigation?

The Commissioner is obligated to notify the person who made the complaint, the certified educator in question, as well as the educator's current employer if employed by a board of education or independent school authority.

The investigation is an independent, fact-gathering process under the direction of the Commissioner. The manner in which the investigation is conducted is at the discretion of the Commissioner.

During the course of an investigation, the Commissioner may ask the complainant to take part in an interview with investigators. The Commissioner may also consider any previous decisions not to take further actions, as well as previous investigations, consent resolution agreements, including any findings and/or disciplinary actions taken under the *Teachers Act* and the *Teaching Profession Act* concerning the certified educator under investigation.

What are the possible outcomes if a certified educator is found to have breached the professional Standards?

Whether the matter is resolved through a disciplinary hearing or the consent resolution process, there are several options available. These include a reprimand, the suspension of a certificate, placing limits or conditions on a certificate, or the cancellation of a certificate.

Checklist: How to submit a complaint to the Commissioner

- Use the [Complaint Form](#) for all complaints. If you have a complaint about more than one educator, complete a separate form for each.
- The complaint form must be signed by the complainant(s). Unless you are named on, and have signed the complaint form, you are not considered a complainant.

- Submit completed forms to the Teacher Regulation Branch in one of four ways:

Email: trb.intake@gov.bc.ca and include any attachments

Fax: 604 775-4858

Mail: Teacher Regulation Branch,
Ministry of Education and Child Care
201-828 8th Ave W
Vancouver, BC V5Z 1E2 Canada

In person: at the address above

Resources

Commissioner responsibility

www2.gov.bc.ca/gov/content/governments/organizational-structure/ministries-organizations/boards-commissions-tribunals/commissioner-for-teacher-regulation

Complaint form

www2.gov.bc.ca/assets/gov/education/kindergarten-to-grade-12/teach/teacher-regulation/standards-for-educators/complaint_form.pdf

Online registry

<https://teacherregulation.gov.bc.ca/CertificateServices/FindATeacher.aspx>

Discipline outcomes and reasons for decisions

<https://teacherregulation.gov.bc.ca/ProfessionalConduct/DisciplineOutcomes.aspx>

Intake contact information

Email: trb.intake@gov.bc.ca

Phone: 604 775-4870 or toll-free at 1 800 555-3684 ext. 54870 (within North America)

Teachers Act

www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_11019_01