



BRITISH COLUMBIA  
COMMISSIONER FOR  
TEACHER REGULATION

# COMMISSIONER FOR **TEACHER REGULATION**



ANNUAL  
REPORT

2018/2019





BRITISH COLUMBIA  
COMMISSIONER FOR  
TEACHER REGULATION

September 30, 2019

The Honourable Rob Fleming  
Minister of Education  
Room 310, Parliament Buildings  
Victoria BC V8W 9E2

Dear Minister Fleming:

It is my honour to present to you the 2018-2019 Annual Report for the Office of the Commissioner for Teacher Regulation. This report covers the period from July 1, 2018 to June 30, 2019.

This report has been prepared and submitted in accordance with section 5 of the Teachers Act.

Sincerely,

A handwritten signature in black ink, appearing to read "Howard L. Kushner".

Howard L. Kushner  
Commissioner

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# Commissioner's Message



HOWARD L. KUSHNER

Your child returns home from school very upset and distressed about “something that happened at school.” You comfort your child, you listen to their concerns and you decide that “somebody” should take action about the “something that happened.” But who is the “somebody”? What is the appropriate action? And, what should you do?

There are a variety of mechanisms for raising concerns about “something that happened at school.” There are processes and procedures in place for both schools in the public school system and for schools in the independent school system, including ultimately raising the issue with the Ministry of Education and possibly the Ombudsperson of British Columbia. But not all “somethings” need to end up at the Ministry of Education or the Ombudsperson’s office. Further, depending on the desired outcome or the type

of “something that happened,” there may be other processes that adequately address both the concerns and the outcomes. Is the desired outcome limited to a specific classroom event or is it a broader concern? Is there a need to provide immediate relief or assistance to the student or does the concern involve changes to school district policies? Has the “something that happened” raised concerns about an educator’s behaviour / conduct / competence that needs to be addressed or is it a systemic issue? Answers to these questions may lead a parent or guardian to pursue a particular path or process. However, regardless of the ultimate path or process to be followed, the initial first steps ought to be the same – contact the school directly to speak with the teacher involved or, alternatively, to speak with the school administrators (the principal or vice principal).

Contacting the teacher or the school allows a parent or guardian to obtain further information and to obtain clarification about the “something.” It gives the teacher or the school administration an opportunity to provide more information and context. It also allows the teacher or the school administration an opportunity to address the concerns quickly and expeditiously. Further, it provides an opportunity for the teacher or the school administrator to apologize (if appropriate) for the “something.” British Columbia was the first province in Canada to introduce “Apology” legislation. The Apology Act allows individuals to apologize for their mistakes or errors without fear that the apology can be used as an admission of wrongdoing in a legal proceeding. Often an acknowledgment that “something” went wrong and that it will be corrected may be sufficient to resolve the concerns. If the “something that happened at school” involves a matter of teacher

misconduct or incompetence, contacting the office of the Commissioner for Teacher Regulation may be an option that a parent or guardian may wish to explore.

The BC Teachers' Council establishes professional standards for educators who hold a certificate of qualification and may teach in both the public school and independent school systems. The Independent School Teaching Certificate Standards Committee establishes professional standards for educators who hold an independent school teaching certificate. If a parent or guardian believes that a teacher has breached these standards, a complaint can be made to the Commissioner for Teacher Regulation. The Commissioner will review the complaint, determine what action it warrants (a dismissal, an investigation to obtain more information, a consent resolution or a hearing) and proceed accordingly. It is important to note that all the outcomes that flow from this process are teacher-centred. The various options available include a dismissal of the complaint, additional training for the teacher, a reprimand, a suspension and/or cancellation of a teaching certificate. The Commissioner does not have the power to order a school district to change a policy, to review or adjust a student's mark, to change the student's classroom placement, or to propose an individual education plan for a student. As a consequence, complaints that seek outcomes beyond the discipline of an individual teacher or educator are more effectively addressed directly with the school. If the matter is still unresolved, there are additional internal appeal processes available within the system. For example, every public school district must have an appeal process that allows parents or guardians to raise concerns about matters affecting the education, health or safety of a student. Such complaints would first go to the superintendent of schools for the district, then to the Board of School Trustees and ultimately to the Superintendent of Appeals under section 11.1 of the School Act. Independent schools would generally have their own similar internal complaint handling process.

The website of most school districts or independent schools will generally have information about their internal appeal processes.

Often when a person brings a complaint to the office of the Commissioner for Teacher Regulation, they are asking for a variety of outcomes. Some are focussed on the teacher/educator, others on the school system generally, and others on changes to benefit their child. Our office is focussed on the "discipline process" as it relates to certificate holders generally (teachers and school administrators) and their obligations and responsibilities as a member of the teaching profession. Our process is not a mechanism to introduce changes to school policies and directives or to direct an action in respect of a specific student.

So, if that "something that happened at school" involves teacher misconduct or incompetence, and if after further exploration by the parent or guardian with the school, an outcome focussed on "teacher discipline" is being asked for, then it is appropriate to contact our office. We will review the matter and proceed as outlined earlier. We will also advise the complainant of the outcome of the complaint. Hopefully, this brief explanation about the role of our office within the provincial education system provides some clarity about the role of the office of the Commissioner for Teacher Regulation.

On a somewhat different note, I want to acknowledge some of the events that have occurred in the past year that have impacted our office. Firstly, I want to congratulate the BC Teachers' Council on their revisions to the Professional Standards. As expressed by the Council, the Standards have been updated to reflect current terminology and the new BC curriculum and to further enhance concepts of diversity and inclusion in the classrooms. A new standard, Standard 9, has also been added that addresses the role of educators in the truth, reconciliation and healing process and the importance of embedding the

worldviews, cultures and histories of First Nations, Inuit and Métis in BC classrooms. I look forward to working with the Council as further development and refining of the Professional Standards occurs.

Secondly, in April 2019, the Commissioner and the BC Teachers' Council obtained their own individual websites. Having a website separate from the Ministry of Education further strengthens and emphasizes the independence of the Commissioner's office. The Commissioner's website can be found under the British Columbia Independent Boards, Commissions and Tribunals category at <https://www2.gov.bc.ca/gov/content/governments/organizational-structure/ministries-organizations/boards-commissions-tribunals/commissioner-for-teacher-regulation>. I encourage everyone to visit our website, which provides information about the discipline process for certified educators in BC and the process for filing a complaint or making a report.

During the past year, I met with representatives of various education stakeholder groups including the BC Teachers' Federation, the BC Principals' and Vice Principals' Association, the BC School Superintendents

Association, the BC School Trustees Association, the Federation of Independent School Associations of BC, the First Nations Education Steering Committee and the BC Confederation of Parent Advisory Councils. I also met with the chair and vice-chair of the BC Teachers' Council, as well as making two presentations to the Council itself. I believe it is important to maintain a good working relationship with the various stakeholder groups and for those groups to have a good understanding of the role of our office.

Lastly, as a result of an internal re-alignment of resources within the Ministry of Education, the Professional Conduct Unit (PCU) of the Ministry has been moved to the Governance and Analytics Division of the Ministry. The PCU provides the administrative support to the Commissioner's office, including intake, investigations, consent resolution and hearing processes. Without the dedicated work of the staff of PCU, this office would not be able to function. I want to express my appreciation for their hard work, and to thank them, as well as other members of the Ministry, who have provided assistance to the office in 2018-2019. Thank you for a job well done!

# The Regulatory Structure

The regulatory structure for BC certified teachers, administered by the Ministry of Education, consists of six separate and distinct bodies. Each plays a unique role under the Teachers Act.



The term “teacher,” used in this report, refers to an individual who holds a Certificate of Qualification, a Letter of Permission or an Independent School Teaching Certificate. “Teacher” includes superintendents, principals, vice-principals, and classroom teachers.



## Commissioner for Teacher Regulation

- Receives reports and complaints about teacher conduct and competence.
  - Oversees all disciplinary processes for teachers working in the public and independent school systems.
  - Conducts preliminary reviews of certification appeals.
  - Appoints three-member hearing panels to consider evidence and submissions at discipline hearings.
  - Appointed by Lieutenant Governor-in-Council.
  - Is supported by the Professional Conduct Unit of the Ministry of Education.
- 



## Disciplinary and Professional Conduct Board

- Consists of nine BC Teachers' Council members appointed by the Minister.
  - The Commissioner draws from this group as well as a pool of lay people with legal/adjudicative experience to serve on three-member hearing panels.
- 



## Director of Certification

- Issues, suspends and cancels Certificates of Qualification, Independent School Teaching Certificates and Letters of Permission.
  - Maintains the Online Registry of Certificate Holders, their certificate status, and any disciplinary action, if relevant. This list is publicly accessible on the Ministry of Education website.
  - Ministry of Education staff member.
- 



## BC Teachers' Council

- Consists of 15 elected or appointed members, and one non-voting Ministry of Education representative, for a total of 16 members.
  - Sets certification standards for applicants, sets competence and conduct standards for applicants and certificate holders, sets teacher education program approval standards, and determines if teacher education programs meet these standards.
- 



## Independent School Teaching Certificate Standards Committee

- Consists of three members who have been appointed by the Minister of Education.
- Establishes the standards that are required to be issued and to maintain an independent school teaching certificate.

# The Discipline Process

## Complaints and Reports

The School Act, Independent School Act, and Teachers Act consider a range of misconduct and incompetence that may be the subject of discipline at the regulatory level, from behaviour that harms, disadvantages or endangers students, to actions that bring the teaching profession into disrepute. When determining if a teacher's behaviour amounts to misconduct or incompetence, the conduct is measured against established sets of regulatory standards. In the case of teachers holding a certificate of qualification, the conduct is assessed against the Professional Standards for BC Educators (see Appendix A) as established by the British Columbia Teachers' Council under the Teachers Act; for teachers holding an independent school teaching certificate, the conduct is assessed against the Independent School Teacher Conduct and Competence Standards (see Appendix B) as established by the Independent School Teaching Certificate Standards Committee under the Independent School Act.

Under the Teachers Act, the discipline process can be initiated through three different avenues: when I

receive a report from a school district or independent school authority, when a member of the public submits a complaint about a teacher's misconduct or incompetence, or when I open an investigation upon becoming aware of a possible breach of the two different sets of standards (Standards for Educators in British Columbia). Legally, a school board or independent school principal must make a report to me when a teacher has been suspended, disciplined for serious misconduct or dismissed. If a teacher resigns, the superintendent or independent school principal must report the circumstances if it is in the public interest to do so. In addition, the superintendent or independent school principal must make a report, if it is in the public interest, when a teacher's conduct or competence is considered to be in breach of the Standards for Educators in British Columbia.

A Commissioner-initiated investigation may be triggered in a variety of ways, including publication of a media report, receipt of a self-report from a teacher or upon notification from the Ministry of Public Safety & Solicitor General or the Ministry of Attorney General.

Examples of reports and complaints that I receive include inadequate classroom management; physical, verbal or sexual misconduct; anger management issues; possession of child pornography; failure to supervise students; and off-duty misconduct.

## The Intake Process

Reports and complaints containing allegations of teacher misconduct/incompetence are handled administratively by intake officers in the professional conduct unit (the PCU). Intake officers play an important role as they are the first point of contact with the public, school boards and independent school authorities. Their role is to guide individuals through the complaint and report processes, offer information about any related legislation and ensure that anyone submitting a complaint understands the importance of providing accurate information. Intake officers create a file for each matter received, and they ensure that all the necessary documentation and data is available to allow me to conduct a preliminary review of the report or complaint.

## Preliminary Review

Each report or complaint that is submitted to me undergoes a preliminary review. During this process I examine, with the PCU staff, any material that accompanies the complaint or report. The Teachers Act provides that I determine whether:

- the matter is not within my jurisdiction (i.e. whether the matter relates to a current or previously certified teacher);
- the matter is frivolous or made in bad faith;
- the matter has no reasonable prospect of resulting in an adverse finding by a hearing panel;
- it is not in the public interest to take any further action; and
- the matter has not been pursued in a timely manner.

If any of these factors apply, I may decide to take no further action. During the 2018-2019 school year, 28 percent of complaints and reports were dismissed at this stage in the disciplinary process. If additional

information is required following a preliminary review, I may direct the matter to the investigation process for further evidence gathering.

## Deferral

In some cases I may defer a misconduct or incompetence matter while another process is concluded, such as a criminal court process or a medical or treatment process when the behaviour that gave rise to the conduct coincided with alcohol use, drug dependency or psychiatric disorders. With the conclusion of the other process, or if there is sufficient information to allow me to proceed with the regulatory discipline process, I may refer the file to investigation, propose a consent resolution, issue a citation or take no further action.

## Investigation

An investigation determines and records the facts pertaining to a complaint or report; it does not provide recommendations for resolution. The investigative report that is generated by our office is usually shared with the teacher who is under investigation. The teacher is provided the opportunity to identify errors or to explain any facts included in the report, which may prompt further examination. After the investigation process, I review the matter further with PCU staff and the Ministry of Attorney General lawyers who have been assigned to assist me. In the 2018-2019 school year, most of the investigations conducted resulted in a decision to take no further action. Otherwise, the matter typically enters the consent resolution stage.

## Consent Resolution

As an alternative to a hearing, the Teachers Act provides for a consent resolution process. Most of the cases resulting in disciplinary action are resolved through this voluntary process. At any time after a preliminary review and before a hearing, I may offer

or accept a consent resolution agreement. When I offer consent resolution, an agreement is drafted and provided to the teacher or the counsel representing the teacher. The agreement contains:

- the terms agreed upon by both the Commissioner and the teacher;
- one or more admissions of professional misconduct or incompetence related to a report, complaint or a Commissioner-initiated investigation; and
- the discipline consequences (e.g. reprimand, suspension or cancellation of a certificate or a requirement to undertake remedial education).

The terms in a consent resolution agreement are typically proposed with a time limit, which is meant to encourage the prompt resolution of the matter before a citation for a hearing is issued, announced publicly and scheduled before a panel. The matter can still be concluded at any time before it proceeds to the hearing.

The disciplinary outcome of the consent resolution process varies depending on the misconduct or incompetence of the teacher. Outcomes can range from a reprimand to the cancellation of the teaching certificate. A record of all disciplinary matters and outcomes is maintained and is available at <https://www2.gov.bc.ca/gov/content/governments/organizational-structure/ministries-organizations/boards-commissions-tribunals/commissioner-for-teacher-regulation/discipline-outcomes-statistics>.

## Hearings

Reports and complaints that are not resolved after a preliminary review, the investigative process, or that cannot proceed further with consent resolution, move ahead to a citation and hearing.

The Teachers Act provides that I establish a panel to conduct a hearing and that each panel consists of three members. Two individuals are selected from a pool of nine Disciplinary and Professional Conduct Board members, and one individual is selected from a pool of lay people with legal experience and/or experience participating in administrative hearings.

Unless a panel determines otherwise, all hearings are open to the public. Under the Teachers Act, the panel can decide to close all or part of a hearing if it determines that the interests of a person affected by the proceedings or the public interest outweigh the benefits to the public of a public hearing.

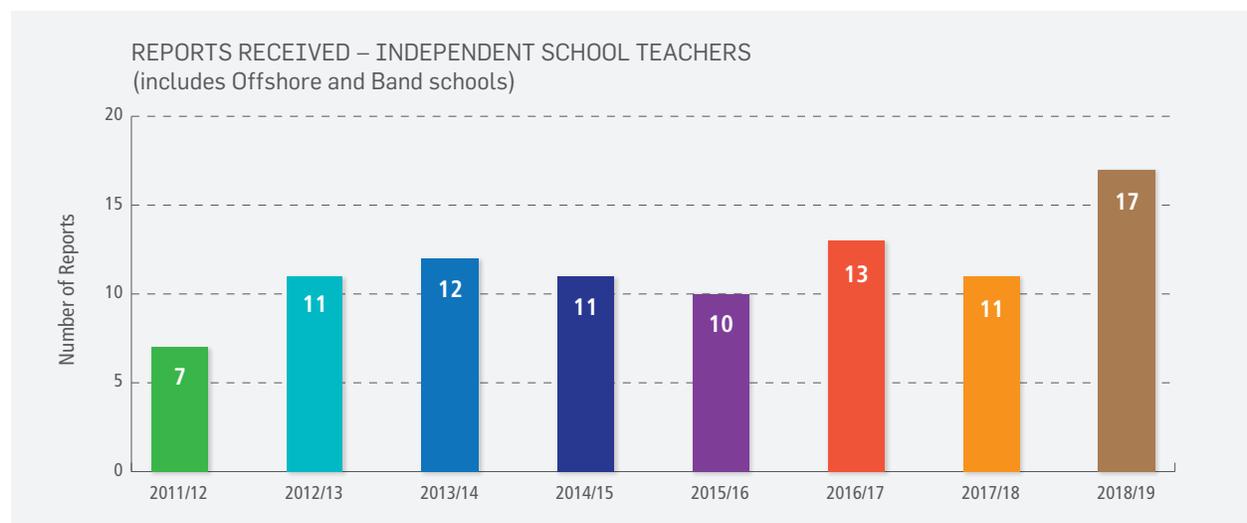
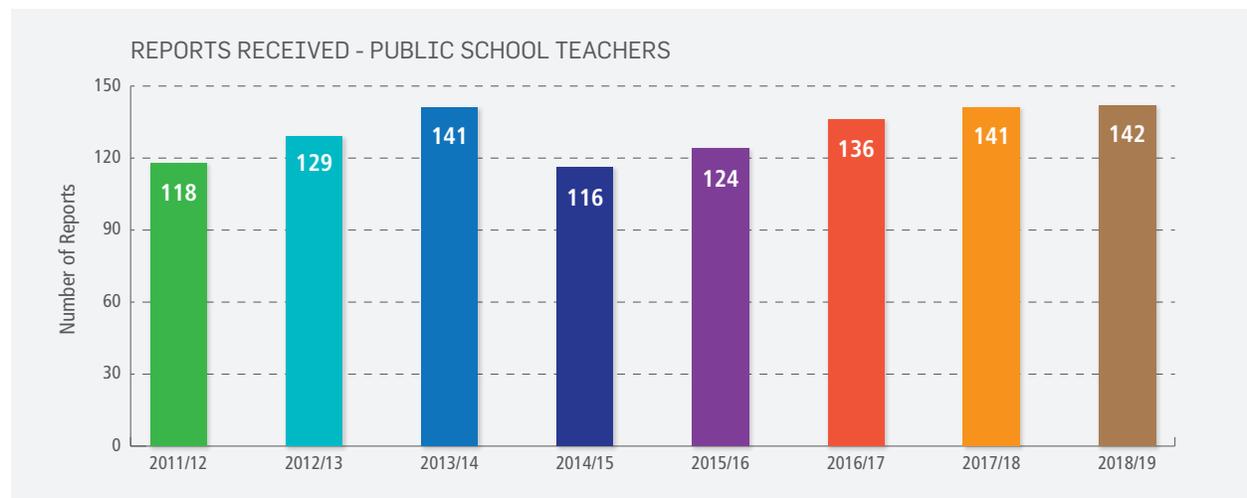
After a hearing is held, a panel must decide if the teacher is guilty of professional misconduct, conduct unbecoming or incompetence, or whether a citation should be dismissed and no further action taken. If misconduct or incompetence is found, the panel determines the consequences, which could include a reprimand, a suspension, the placement of limitations or conditions on a teaching certificate or the cancellation or no reissuance of a teaching certificate. The panel is required to give written reasons for its decisions. These decisions are published and are available online, unless the panel determines that doing so would cause significant hardship to a person who has been harmed by the teacher.

The hearing panels' reasons for decision provide guidance in the resolution of other disciplinary cases and may encourage those cases to be settled by consent.

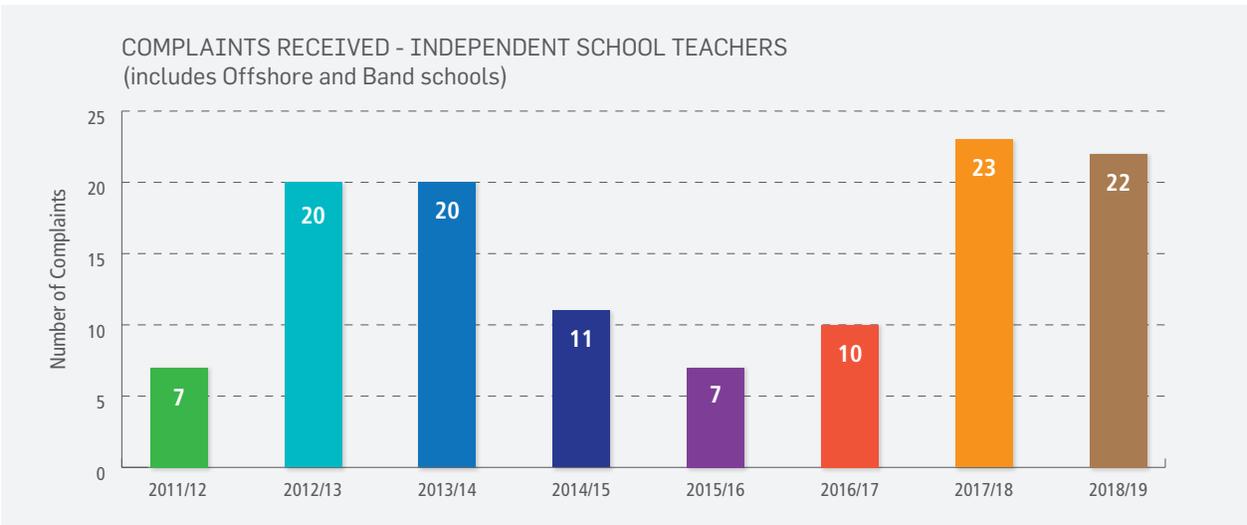
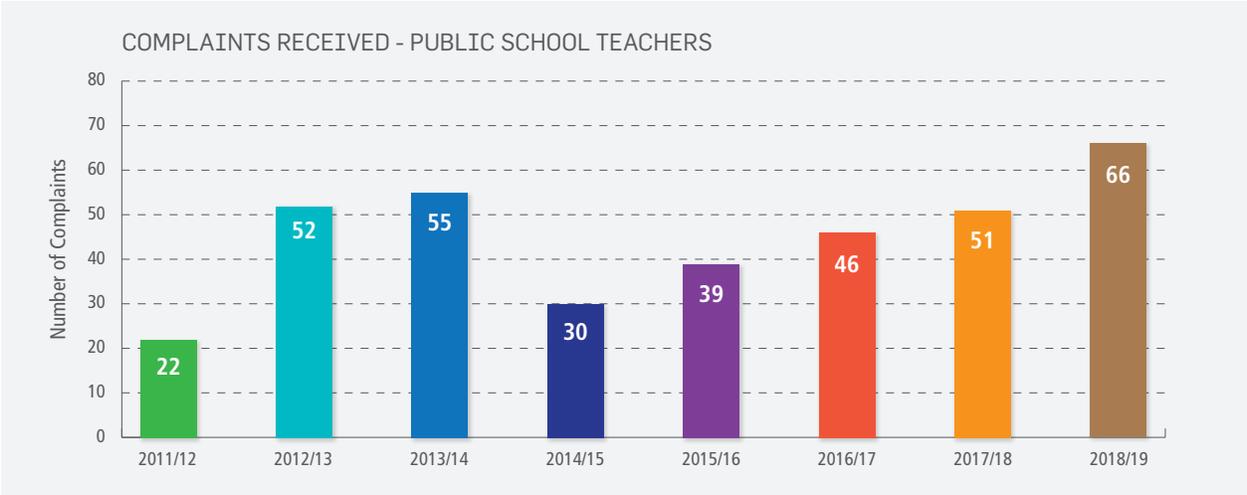
# Statistical Review 2018-2019

## Reports, Complaints and Commissioner-Initiated Investigations

In previous annual reports, statistics were reported by calendar year and school year. The statistical review for 2018-2019 presents the statistics by school year only.

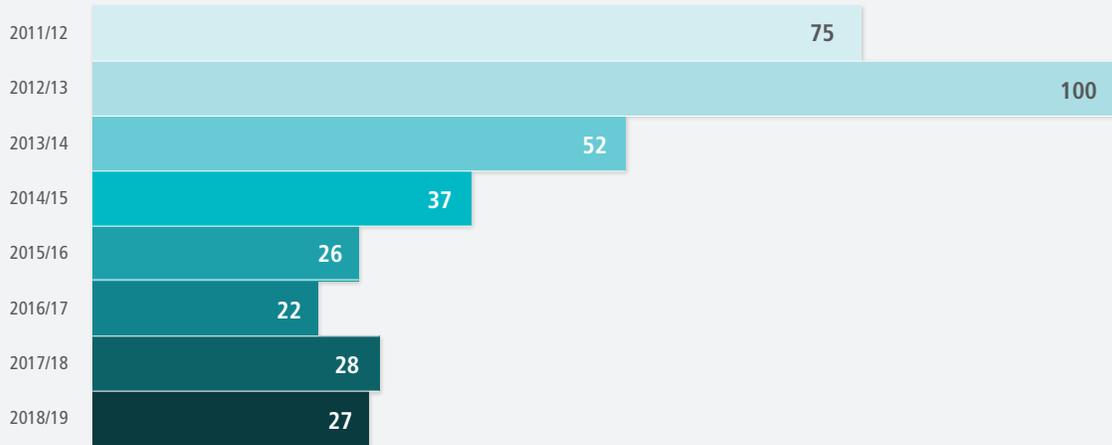


**REPORT:** a written report to the Commissioner about a teacher who has been suspended, dismissed, disciplined for misconduct that involves physical harm to a student, sexual abuse or sexual exploitation of a student, has caused significant emotional harm to a student; or is believed to have breached the Standards for Educators in British Columbia.

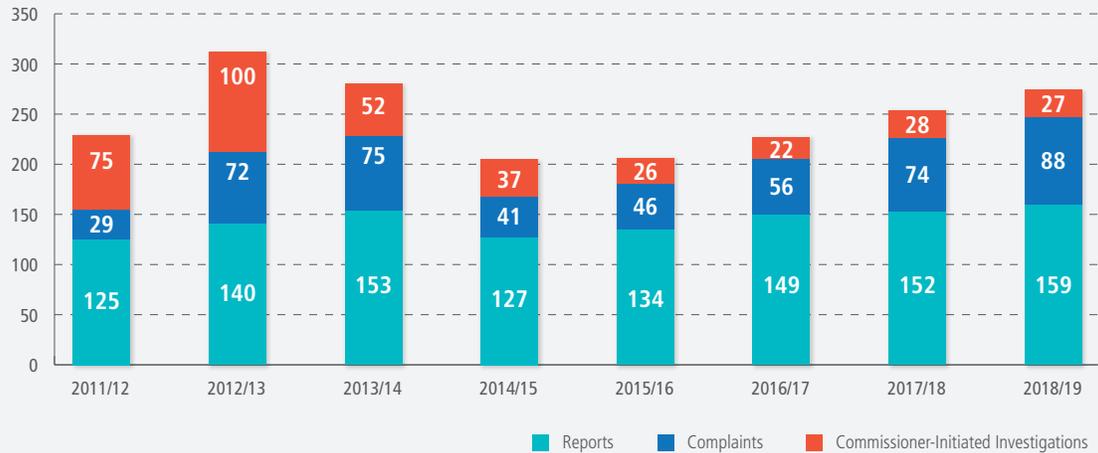


**COMPLAINT:** a written complaint, usually from a member of the public, to the Commissioner about the conduct or competence of a teacher who is believed to have breached the Standards for Educators in British Columbia.

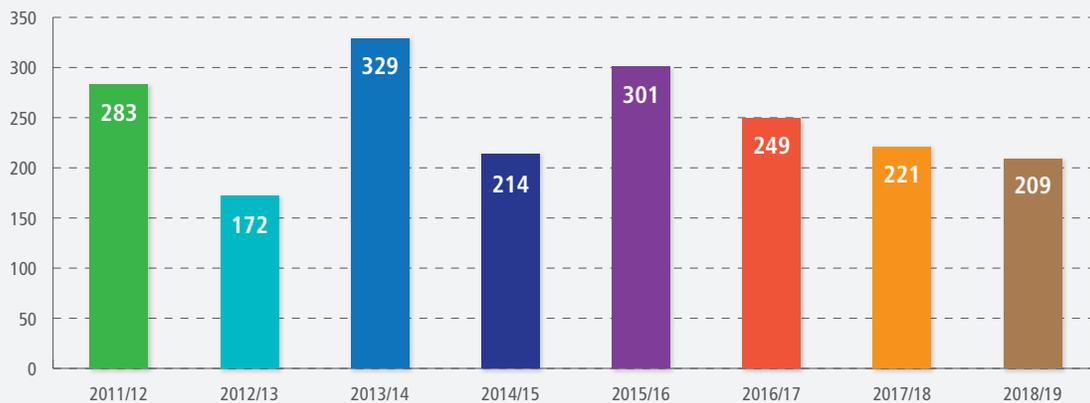
### COMMISSIONER INITIATED-INVESTIGATIONS



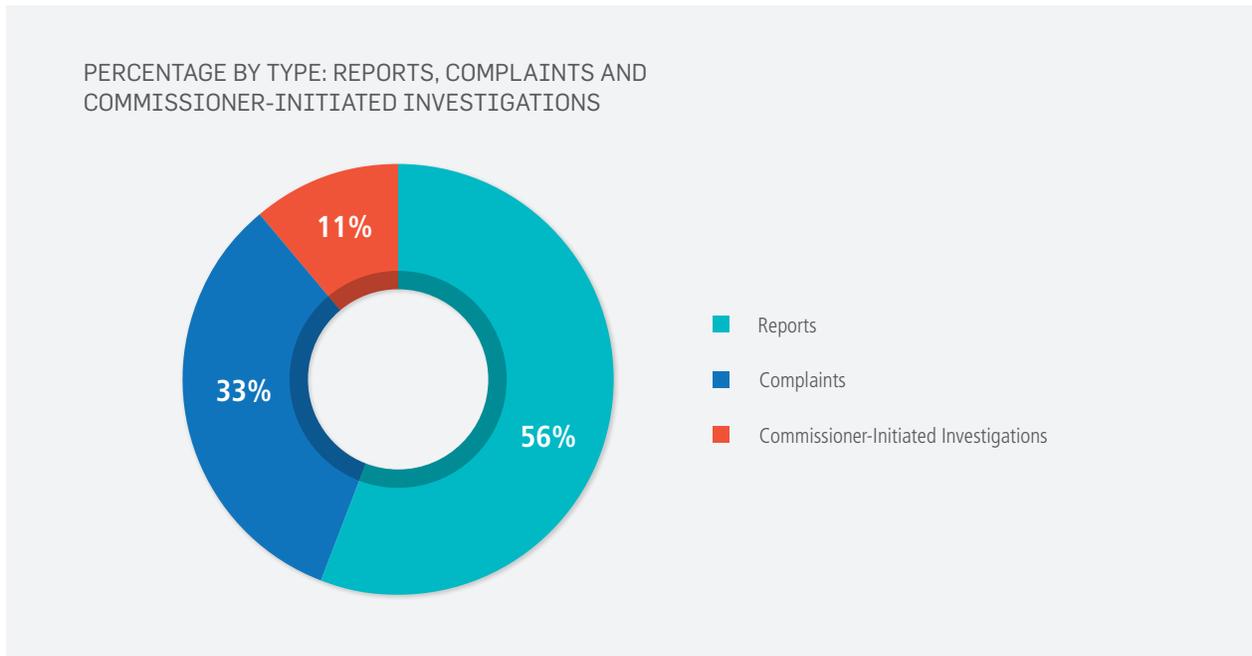
### TOTAL REPORTS, COMPLAINTS AND COMMISSIONER-INITIATED INVESTIGATIONS



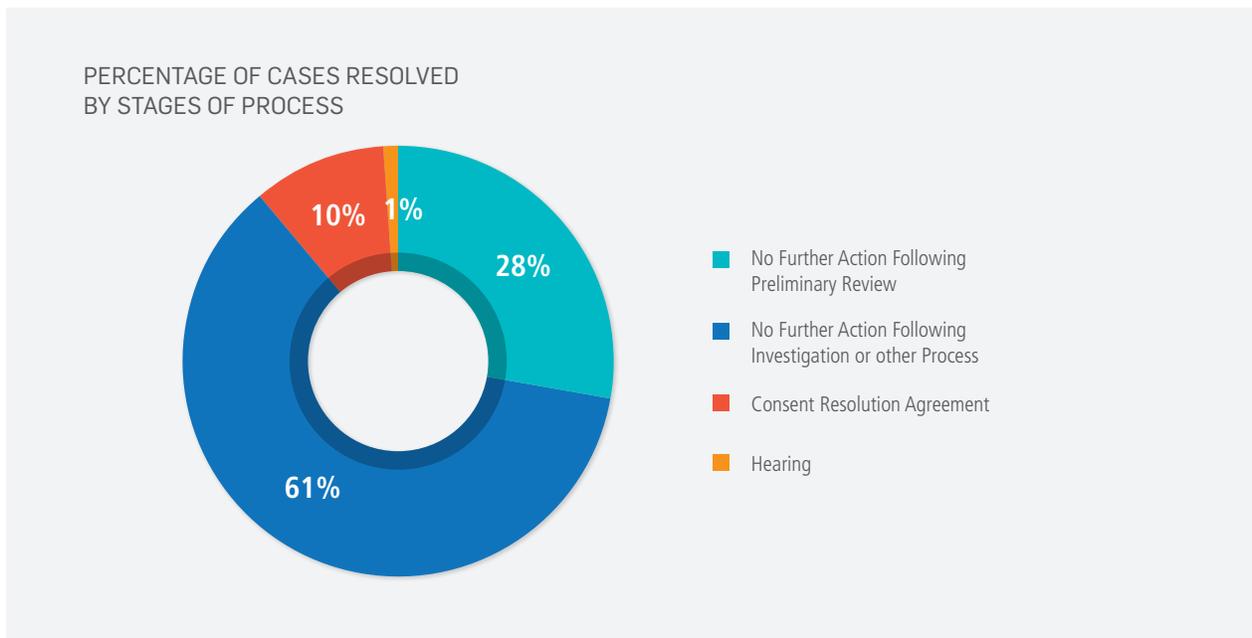
### FILE CLOSURES



## Who Initiated the Disciplinary Action?



## What was the Resolution of the Disciplinary Action?



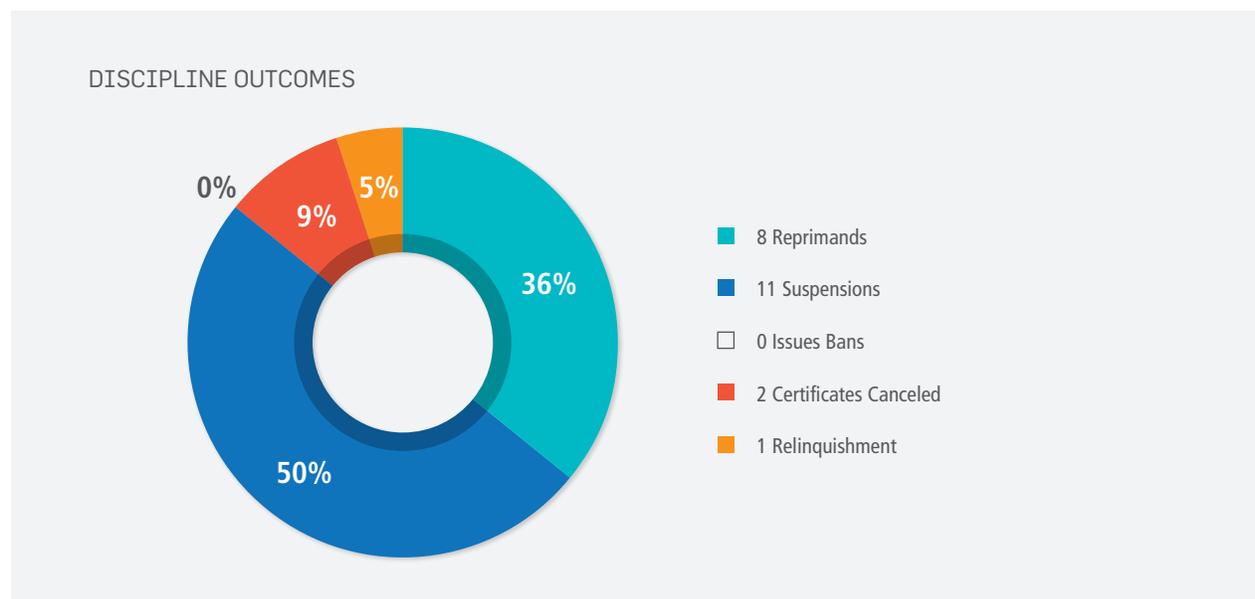
## What were the Discipline Outcomes?

The types of sanctions that may be imposed on a teacher who has been found guilty, at the regulatory level, of breaching the Standards for Educators in British Columbia are provided in the Teachers Act. The sanctions vary depending on the severity of the breach and may include:

- a reprimand;
- suspension of a teaching certificate for a fixed period, until certain conditions are met, or until an individual shows he/she is capable of teaching;
- the placement of limitations and conditions on a certificate;
- cancellation of a teaching certificate; or
- a ban on issuance of a teaching certificate for a fixed or indeterminate period of time.

The most commonly imposed sanction in the 2018-2019 school year was a suspension followed by a reprimand. In some cases, there was also the imposition of a requirement that the teacher complete a training course. The Ministry of Education has contracted with the Justice Institute of BC to provide training courses in managing conflict, classroom management and professional boundaries (see Appendix C), to which we have referred teachers. The least common sanction continues to be the cancellation of a teaching certificate.

Annually, a small number of cases are closed as the matter is combined with another case pertaining to the same teacher and has resulted in a single discipline outcome that resolves both matters.



The Commissioner ensures that concerns about the competence and conduct of teachers are addressed independently, fairly, transparently, in a timely manner, and in the public interest.

## Categories of Misconduct

The following tables show the categories of misconduct and the number of reports or complaints that fall into each category. Categories are set out in bold face and the examples of the types of misconduct included in that category are included to the right of them. In some circumstances, a report or complaint of misconduct by a teacher falls into one or more categories. As a result, the percentages showing may exceed 100 percent.

Sexual misconduct is extremely serious and will usually result in the cancellation of the teacher's teaching certificate and the likelihood that he or she will be barred from teaching children for life. Even the accusation of sexual misconduct damages a teacher immeasurably. Sexual misbehaviour, especially toward a child over whom a teacher exercises authority, carries a stigma that exceeds most other forms of misconduct. Extreme care is exercised in dealing with complaints of this nature. Behaviour that exposes a student to physical or emotional harm is also singled out by the legislation for special scrutiny.

Tracking of the categories started in January 2017. Previously, misconduct was more broadly categorized. This table reflects the 274 reports, complaints or Commissioner-initiated investigations received in the 2018-2019 school year.

### DIRECTLY STUDENT RELATED

Category Descriptor	Examples	Number	Percent
<b>Emotional harm - student</b>	<ul style="list-style-type: none"> <li>Yelling at students</li> <li>Humiliation</li> <li>Demeaning comments</li> <li>Embarrassing students</li> </ul>	<b>114</b>	<b>40%</b>
<b>Breach of school rules</b>	<ul style="list-style-type: none"> <li>Failure to follow critical incident protocols</li> <li>False reporting of student marks</li> <li>Failure to show up for duty</li> <li>Failure to attend to student medical emergencies</li> <li>Failure to follow shop safety rules</li> <li>Under the influence of alcohol or drugs at school</li> <li>Breach of student confidentiality</li> </ul>	<b>96</b>	<b>34%</b>

Category Descriptor	Examples	Number	Percent
<b>Inappropriate behaviour before the class</b>	Showing inappropriate videos Angry outbursts Swearing Yelling Talking about inappropriate subjects Thoughtless actions and statements	<b>47</b>	<b>17%</b>
<b>Boundary violation - non-sexual - students or minors</b>	Inappropriately befriending student	<b>31</b>	<b>11%</b>
<b>Physical harm -- student</b>	Physical violence of any nature toward students	<b>29</b>	<b>10%</b>
<b>Failure to supervise</b>	Losing track of students Prolonged absence from classroom Leaving student(s) unattended	<b>27</b>	<b>10%</b>
<b>Boundary violation - sexual - students or minors</b>	Overt sexual advances Grooming behaviour Sexual innuendo Sexual touching	<b>25</b>	<b>9%</b>
<b>Special needs student</b>	Inappropriate failure to follow Individual Education Plans Rude or taunting behaviour toward special needs students Inappropriate discipline of special needs students	<b>24</b>	<b>9%</b>
<b>Failure to plan manage implement or record</b>	Lack of daily and long-term planning Fails to accommodate different learning styles Fails to present new content clearly Reporting of student progress inadequate	<b>20</b>	<b>7%</b>
<b>Social media violation</b>	Posting inappropriate material on social media Inappropriately communicating with students on social media Disclosing private student information on social media	<b>6</b>	<b>2%</b>

## NOT DIRECTLY STUDENT RELATED

Category Descriptor	Examples	Number	Percent
<b>Other</b>	Terminated without cause Issues not school related Failure to communicate with parents	<b>50</b>	<b>18%</b>
<b>Harassment - colleague</b>	Harassing behaviour toward colleagues Sexual harassment of colleague	<b>18</b>	<b>6%</b>
<b>Fraudulent behaviour</b>	Creation of fraudulent documents Fraudulent claims of sick leave or other leave	<b>9</b>	<b>3%</b>
<b>Failure to supervise- colleague</b>	Principal fails to supervise teacher Teacher fails to supervise education assistant	<b>9</b>	<b>3%</b>
<b>Misappropriation of school property</b>		<b>3</b>	<b>1%</b>
<b>Theft of School Monies</b>		<b>1</b>	<b>&lt;1%</b>

# Appendices

## A | Professional Standards for BC Educators

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Established by the British Columbia Teachers' Council for individuals who hold a certificate of qualification.

- 1. Educators value the success of all students. Educators care for students and act in their best interests.**  
Educators have a privileged position of power and trust. Educators are responsible for the physical and emotional safety of students. Educators respect and value the diversity in their classrooms, schools and communities, inclusive of First Nations, Inuit and Métis, and other worldviews and perspectives. Educators foster students' positive personal identity, mental and physical wellbeing, social and personal responsibility, and intellectual development. Educators engage students in meaningful participation in their own learning. Educators treat students equitably with acceptance, dignity and respect. Educators understand the importance of confidentiality, and protect student privacy, unless disclosure is required by law. Educators do not abuse or exploit students or minors for personal, sexual, ideological, material or other advantage.
- 2. Educators act ethically and maintain the integrity, credibility and reputation of the profession.**  
Educators are role models. Educators are held to a higher standard and are accountable for their conduct on duty and off duty. Educators understand the law as it relates to their duties. Educators' individual conduct contributes to the perception of the profession as a whole. Educators know and recognize the importance of the Professional Standards for BC Educators.
- 3. Educators understand and apply knowledge of student growth and development.**  
Educators are knowledgeable about how children and youth develop as learners and social beings. Educators demonstrate an understanding of individual learning differences and needs. Educators recognize the importance and connection of cultural identity, ways of being and worldviews to student learning. Educators use this knowledge to inform decisions about curriculum, instruction and assessment. Educators work to create a positive, safe and inclusive learning environment to best meet the diverse needs of students.
- 4. Educators value the involvement and support of parents, guardians, families and communities in schools.**  
Educators understand, respect and encourage the participation of families and communities in student learning and development. Educators consider the perspectives of parents/guardians regarding their children. Educators communicate effectively and in a timely manner with parents/guardians.
- 5. Educators implement effective planning, instruction, assessment and reporting practices to create respectful, inclusive environments for student learning and development.**  
Educators have the knowledge and skills to facilitate learning for students, including learning experiences that reflect individual contexts and local environments. Educators value collaborative practice. Educators recognize and understand the interconnectedness of all aspects of teaching and learning and employ a variety of

instructional and assessment strategies. Educators communicate effectively in either English or French. Educators know when to seek support for their practice and for students.

6. **Educators demonstrate a broad knowledge base and an understanding of areas they teach.**

Educators understand the curriculum and methodologies of areas they teach. Educators teach curricula from Canadian, First Nations, Inuit, Métis, and global perspectives. Educators build upon student capacity for intercultural understanding, empathy and mutual respect. Educators cultivate the values, beliefs and knowledge of Canada's democratic and inclusive society.

7. **Educators engage in professional learning.**

Educators engage in professional learning and reflective practice to support their professional growth. Educators recognize and meet their individual professional needs through various learning opportunities. Educators develop and refine personal philosophies of education, teaching and learning that are informed by research, practice and the Professional Standards for BC Educators.

8. **Educators contribute to the profession.**

Educators honour the profession by supporting, mentoring or encouraging other educators and those preparing to enter the profession. Educators contribute their expertise in a variety of ways, including opportunities offered by schools, districts, school authorities, professional organizations, post-secondary institutions and communities. Educators contribute to a culture of collegiality.

9. **Educators respect and value the history of First Nations, Inuit and Métis in Canada and the impact of the past on the present and the future. Educators contribute towards truth, reconciliation and healing. Educators foster a deeper understanding of ways of knowing and being, histories, and cultures of First Nations, Inuit and Métis.**

Educators critically examine their own biases, attitudes, beliefs, values and practices to facilitate change. Educators value and respect the languages, heritages, cultures, and ways of knowing and being of First Nations, Inuit and Métis. Educators understand the power of focusing on connectedness and relationships to oneself, family, community and the natural world. Educators integrate First Nations, Inuit and Métis worldviews and perspectives into learning environments.

## B | Independent School Teacher Conduct and Competence Standards

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Established by the Independent School Teaching Certificate Standards Committee for individuals who hold an independent school certificate.

1. **Educators value and care for all students and act in their best interests.**

Educators are responsible for fostering the social, emotional, intellectual, and vocational development of students. Educators are responsible for the emotional and physical safety of students. Educators treat students with respect and dignity. Educators respect the diversity in their classrooms, schools and communities. Educators

have a privileged position of power and trust. They respect confidentiality unless disclosure is required by law. Educators do not abuse or exploit students or minors for personal, sexual, ideological, material or other advantage.

2. **Educators are role models who act ethically and honestly.**

Educators act with integrity, maintaining the dignity and credibility of the profession. They understand that an individual educator's conduct contributes to the perception of the profession as a whole. Educators are accountable for their conduct while on duty, as well as off duty, where that conduct has an effect on the education system. Educators have an understanding of the diversity within the education system in BC and the law as it relates to their duties.

3. **Educators understand and apply knowledge of student growth and development.**

Educators are knowledgeable about how children develop as learners and as social beings, and demonstrate an understanding of individual learning differences and special needs. This knowledge is used to assist educators in making decisions about curriculum, instruction, assessment and classroom management.

4. **Educators value the involvement and support of parents, guardians, families and communities in schools.**

Educators understand, respect and support the role of parents as primary educators and the role of the community in the education of students. Educators communicate effectively and in a timely manner with parents and consider their advice on matters pertaining to their children.

5. **Educators implement effective practices in areas of classroom management, planning, instruction, assessment, evaluation and reporting.**

Educators have the knowledge and skills to facilitate learning for all students and know when to seek additional support for their practice. Educators thoughtfully consider all aspects of teaching, from planning through reporting, and understand the relationships among them. Educators employ a variety of instructional and assessment strategies.

6. **Educators have broad knowledge bases and understand the subject areas they teach.**

Educators understand the curricular, conceptual and methodological foundations of education and of the subject areas they teach. Educators must be able to communicate effectively in English or French. Educators teach students to understand relevant curricula in a Canadian, Aboriginal, and global context. Educators convey the values, beliefs and knowledge of our democratic society.

7. **Educators engage in career-long learning.**

Educators engage in professional development and reflective practice, understanding that a hallmark of professionalism is the concept of professional growth over time. Educators develop and refine personal philosophies of education, teaching and learning that are informed by theory and practice. Educators identify their professional needs and work to meet those needs individually and collaboratively.

#### 8. Educators contribute to the profession.

Educators support, mentor or encourage other educators and those preparing to enter the profession. Educators contribute their expertise to activities offered by their schools, districts, independent school authorities, professional organizations, post-secondary institutions or contribute in other ways.

## C | Justice Institute of BC Courses

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In 2018-2019, the Justice Institute of BC continued to offer the following two courses: Reinforcing Respectful Professional Boundaries and Creating a Positive Learning Environment. A third course, The Mindful Educator in Managing Conflict, was canceled due to low registration. The JIBC's calendar provided a description for each course:

### Reinforcing Respectful Professional Boundaries

Teachers in the K-12 sector face a multitude of pressures and challenges in the modern classroom. Boundaries between the professional educator and the student can become blurred. With evolutions in social media and "student-centred" educational approaches, the potential for the blurring of boundaries increases. Through discussion and scenario analysis, this 3-day, face-to-face course will explore the moral and ethical gray zones that surface in professional relationships. You will define and identify the types of behaviours and situations that could threaten professional teacher conduct and stature. Finally, you will acquire assertive communication strategies to respectfully and clearly articulate professional boundaries when challenged. You will then be able to connect authentically with students while maintaining boundaries.

### Creating a Positive Learning Environment

Designed for educators in the K-12 system, in this 3-day course you will deepen classroom management skills by exploring ways to respond to challenging classroom situations where the pressures are numerous, complex, and potentially contentious. You will examine how to deal constructively with teaching content process and student/faculty relationship issues, heightened emotion, challenging participant behaviours, and conflict. Scenario-based simulations will provide the opportunity to practice relevant communication and intervention skills. Reflective practice will be encouraged through self-reflection and peer feedback.

### The Mindful Educator in Managing Conflict

Through self-reflection, dialogue, exercises, and scenario practice, this 21-hour course will increase your awareness of how you perceive and personify your role as an educator in the K-12 sector in the face of conflict and anger. You will gain a working knowledge of Emotional Intelligence competencies as they relate to managing conflict and learn practical ways to enhance self-awareness, self-regard, self-regulation, assertiveness, stress tolerance and impulse control. With this gained insight, you will begin to construct more productive ways to address such challenges. This will increase capacity to make sound decisions, build mutually supportive relationships, and to handle stress and anger effectively. You will learn the necessary skills and approaches to help manage your own angry feelings and behaviours, and to effectively respond to anger in others. Topics such as anger triggers, self-management, defusing skills, the origins of personal expressions of anger and disengaging from angry encounters are explored.

Although these courses were developed as remedial courses for teachers as part of the consent resolution process, they were offered in the general course offerings of the Justice Institute of British Columbia. They were available to the public and dealt with topics of interest to most teachers.

## D | Duty to Report

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Under the Teachers Act, the School Act, the Independent School Act, and the Criminal Records Review Act, teachers and employers are required to report or self-report any instance of misconduct or incompetence of a teacher even if discipline has already been imposed at the employment level. The duty to report to the regulatory level protects the safety of children within the public and independent school systems and ensures that teachers who fail to meet the Standards for competence and conduct are held accountable.

### Teachers' duty to report

Under section 38 of the Teachers Act, a teacher must promptly provide to the Commissioner a written and signed report if he/she has reason to believe that another teacher has engaged in conduct that involves any of the following:

- Physical harm to a student
- Sexual abuse or sexual exploitation of a student
- Significant emotional harm to a student

### Self-reports of relevant or specified offences

Under section 17.9 of the Criminal Records Review Act, teachers are required to self-report promptly to the Director of Certification if they are criminally charged or convicted in relation to a "relevant offence or specified offence." These are offences listed in Schedule 1 or Schedule 3 of the Criminal Records Review Act.

### Employers

Under section 16 of the School Act and section 7 of the Independent School Act, boards of education, superintendents and independent school principals or authorities have a duty to report the following to the Commissioner:

- A suspension or dismissal
- A resignation, if it is in the public interest to report the matter
- Discipline for misconduct involving:
  - Physical harm to a student or minor,
  - Sexual abuse or sexual exploitation of a student or minor, or
  - Significant emotional harm to a student or minor
- Conduct or competence considered to be in breach of the certification standards, if it is in the public interest to do so.

## E | Resources

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### RESOURCES FOR THE PUBLIC AND EDUCATION STAKEHOLDERS

#### Applicable legislation

[Teachers Act](#)

[Commissioner's Regulation](#)

[Commissioner's Rules](#)

[School Act](#)

[Independent School Act](#)

#### Other relevant legislation

[Criminal Records Review Act](#)

[Administrative Tribunals Act](#)

#### Standards for Educators in BC

[Professional Standards for BC Educators](#)

[Independent School Teacher Conduct and Competence Standards](#)

[Understanding Your Duty to Report Brochure](#)

#### Complaints

[Making a Complaint FAQs and Toolkit](#)

[Complaint Form](#)

#### Contact Information

Commissioner for Teacher Regulation – to make comments

Email: [CommissionerTeacherRegulation@gov.bc.ca](mailto:CommissionerTeacherRegulation@gov.bc.ca)

Intake area – to ask questions about making a complaint

Email: [trb.intake@gov.bc.ca](mailto:trb.intake@gov.bc.ca)

To obtain a copy of these resources or to get more information on the work of the Commissioner, visit <https://www2.gov.bc.ca/gov/content/governments/organizational-structure/ministries-organizations/boards-commissions-tribunals/commissioner-for-teacher-regulation>



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# COMMISSIONER FOR **TEACHER REGULATION**

ANNUAL  
REPORT

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2018/2019