



BRITISH COLUMBIA
COMMISSIONER FOR
TEACHER REGULATION

COMMISSIONER FOR **TEACHER REGULATION**



ANNUAL
REPORT

2019/2020



BRITISH COLUMBIA
COMMISSIONER FOR
TEACHER REGULATION

December 1, 2020

The Honorable Jennifer Whiteside
Minister of Education
Parliament Buildings
Victoria BC V8V 1X4

Dear Minister Whiteside:

It is my honour to present to you the 2019-2020 Annual Report for the Office of the Commissioner for Teacher Regulation. This report covers the period from July 1, 2019 to June 30, 2020.

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

Sincerely,

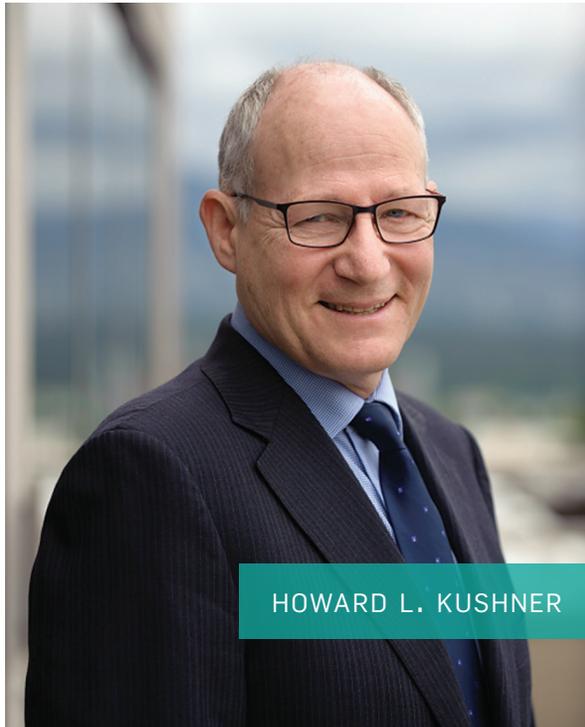
A handwritten signature in black ink, appearing to read "Howard L. Kushner".

Howard L. Kushner
Commissioner

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Commissioner's Message



HOWARD L. KUSHNER

The Annual Report of the Commissioner's Office follows the academic year (July 1 to June 30) not the calendar year. This report will therefore focus on the period of July 1, 2019 to June 30, 2020. This is important to note as the impact of the COVID-19 pandemic on both the educational system and consequently on the operations of my office are not fully represented in this report. The impact of the pandemic on the educational system has been substantial including the period of mid-March 2020 to the end of June. However, the impact on this office during this period is more structural than substantive. I will therefore divide my comments into two parts, Pre-Pandemic (July 2019 to February 2020) and Pandemic (March 2020 to June 2020).

Pre-Pandemic Period

One of my objectives for the 2019-2020 year was to reach out to the various educational stakeholders groups in order to re-connect with them. It has been two years since my appointment as Commissioner and it seemed an appropriate time to once again touch base with the numerous educational stakeholders. There have been some organizational and procedural changes within the workings of the office that I wanted to bring to their attention. Also, I wanted to engage with them in a discussion of the goals and objectives of the office. In this vein, I had meetings with representatives of the BC Teachers' Federation, the BC Principals' and Vice-Principals' Association, and the Association of BC Deans of Education, as well as with individual superintendents and school trustees. I was also scheduled to speak at the annual conference of the BC Confederation of Parent Advisory Councils planned for May 2020. However, due to the pandemic, the conference was cancelled. Further, as part of this process of dialogue and discussion, I have begun to meet regularly with the BC Teachers' Council to provide them with updates about the office and to initiate a discussion about issues of mutual interest. This allows me to interact with representatives of the various educational stakeholder associations in an effective and efficient manner. It generates a dialogue and provides valuable feedback to me about how the office and its operations may be perceived. As a result of these meetings and discussions, there are three topics that I would like to highlight: public awareness of the office, publication of discipline outcomes, and procedural changes to our intake process.

As you read through this report, you will see that the volume of cases coming into the office, both by way of complaints from members of the public (generally parents or guardians of a student attending a public or independent school) or reports from a school district or independent school authority, has decreased from previous years. In particular, complaints from members of the public have noticeably decreased (53 complaints compared to 74 and 88 complaints in the two previous years). The reason for this is unclear. Is it due to fewer concerns of alleged teacher misconduct, better information about internal complaint resolution processes at the school or district level (as outlined in last year's annual report), lack of awareness or confidence in this office, the impact of the pandemic in closing schools or all or none of the above? I had hoped through the initiatives being undertaken in 2019-2020 along with some additional publications expected in the 2020-2021 year (the Commissioner's Quarterly Newsletter and the No Further Action Paper) that knowledge and awareness of the office both within the profession and amongst education stakeholders and the public generally would be increased. Unfortunately, some of the planned public awareness activities were put on hold as a consequence of the pandemic.

Another route for increasing knowledge and awareness of the office is through the publication of discipline outcomes whether achieved through a consent resolution agreement (CRA) or by a hearing panel's determination of a citation. Under sections 54(1) and 66(2) of the Teachers Act, publication of the terms of a CRA or the reasons of a hearing panel is mandatory. The Director of Certification must make these public, which may be accomplished by posting them on a [publicly accessible website](#) maintained by or on behalf of the Ministry of Education. Often, these reasons or the contents of a CRA are also reported upon by the media (through newspapers, radio, television, and internet), which may attract public attention and comment. The legislation mandating

publication does permit some limited discretion to restrict or summarize the details of the CRA or reasons of a hearing panel. The Commissioner (in respect of a CRA) or a hearing panel (in respect of its reasons in a particular case) may instead require that a summary be published that excludes identifying information, if it is determined that making the CRA or reasons public could identify and cause harm to victims of the teacher's misconduct. This ability to limit publication exists to balance the protection of vulnerable young people who are entitled to privacy while still maintaining the goal of a transparent system of teacher regulation. In publishing a summary, the intent is to provide as much information about a teacher as can be provided while protecting the identity of the victim. In cases involving sexual misconduct and other serious boundary violations, input from victims or their parents/guardians is sought before determining how much to publish. In addition to the publication of CRAs and reasons of a hearing panel, I have also initiated a Commissioner's Quarterly Newsletter. This newsletter will provide information about recent discipline outcomes and statistical information about the work of the office. The Commissioner's Quarterly Newsletter will be made available to all certificate holders, as well as representatives of other educational stakeholders. The newsletter will also be available to the public online.

The final topic to highlight is a concern that is sometimes raised about the time it takes for the office to resolve complaints and/or reports, in particular if the outcome results in a decision of no further action (that is, no formal disciplinary outcome). In September 2019, our intake process was adjusted to seek an earlier response from the certificate holder about whom a complaint has been made. In the past, complaints tended to be put into the investigative process to obtain such information. By making that request at an earlier stage, more information is made available to me at the initial intake stage (the preliminary review process). Consequently, I have been able to resolve

more matters at this stage (generally by way of a no further action decision) than was previously possible. This has resulted in more files being closed earlier in the process and has resulted in a decision being reached in a shorter time frame.

Pandemic Period

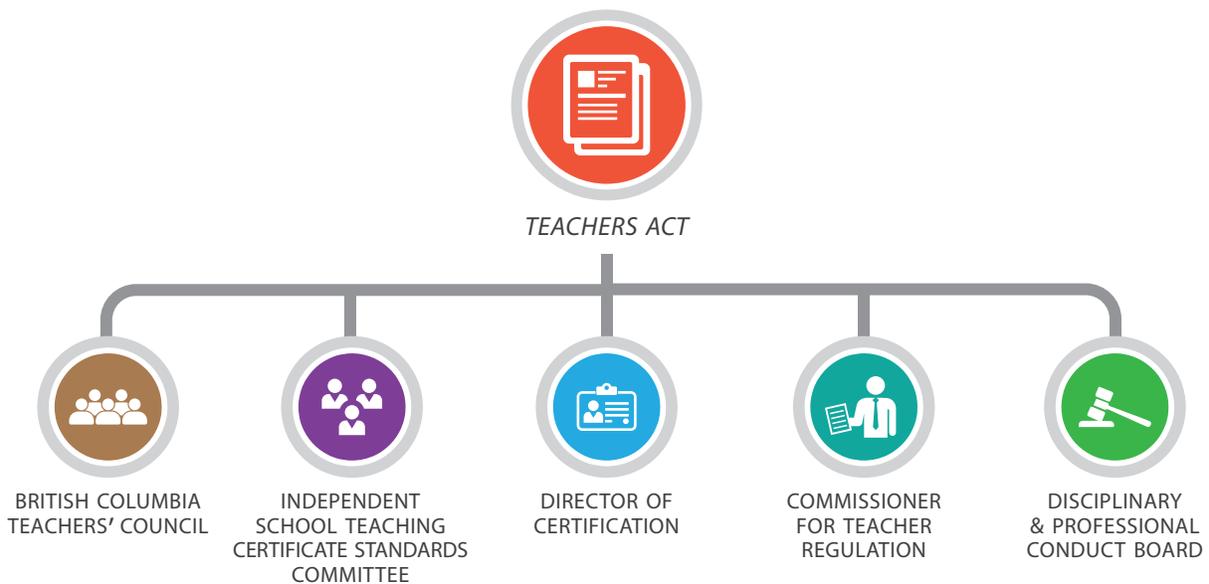
In March 2020 with the closing of schools and the restrictions established to limit the spread of the pandemic, the organization and work flow of the office and of the Ministry of Education staff assigned to the office was substantially impacted. I and most staff shifted to a “work from home” model. Case file meetings that previously were held in one of our conference rooms were held over the phone. Documents and files were moved electronically. Although many of the staff already worked a variation of “work at home/work at office” schedule, moving to a fully “at home” model had its challenges. Both our intake and investigation/consent resolution processes continued in a somewhat modified form. The initial volume of complaints and reports did not decrease. In part this reflects the fact that complaints and reports generally have a lag time from the date of the “original incident or incidents.” Often, before a matter comes to the attention of this office, it will have been subject to some form of review at the school or district level. Accordingly, the initial volume of work remained steady. I do expect that the office may experience a decrease in the volume coming to the office in the first half of our next reporting year (July 2020 – December

2020) corresponding to the period when schools were, for the most part, physically closed (March 2020 – September 2020). I also noted that there was an increase in the number of investigative files that were ready for my review during this period. This may have been the result of the investigators being able to focus more attention on files containing completed investigative work. During the early part of this period it was difficult to arrange for interviews with witnesses and certificate holders as we adapted to the new normal of working during a pandemic. Accordingly, the investigators used this time to complete the writing of files where all the “leg work” had been completed before the shutdown.

The work of this office is both challenging and rewarding. All the individuals doing the work of this office (both Ministry of Education employees and Ministry of the Attorney General employees) are committed to ensuring that there is a safe, secure and inclusive learning environment for all students and that certificate holders are accountable for their actions and act in the public interest. I am exceedingly proud of the staff who do this work for their commitment, dedication and professionalism. It has been a challenging year and they have met that challenge with a positive attitude and a willingness to adapt to change. The success and achievements of this office are a direct result of their efforts and enthusiasm.

The Regulatory Structure

The regulatory structure for BC certified teachers, administered by the Ministry of Education, consists of five 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 regarding 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 2019-2020 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 the 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 2019-2020 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.

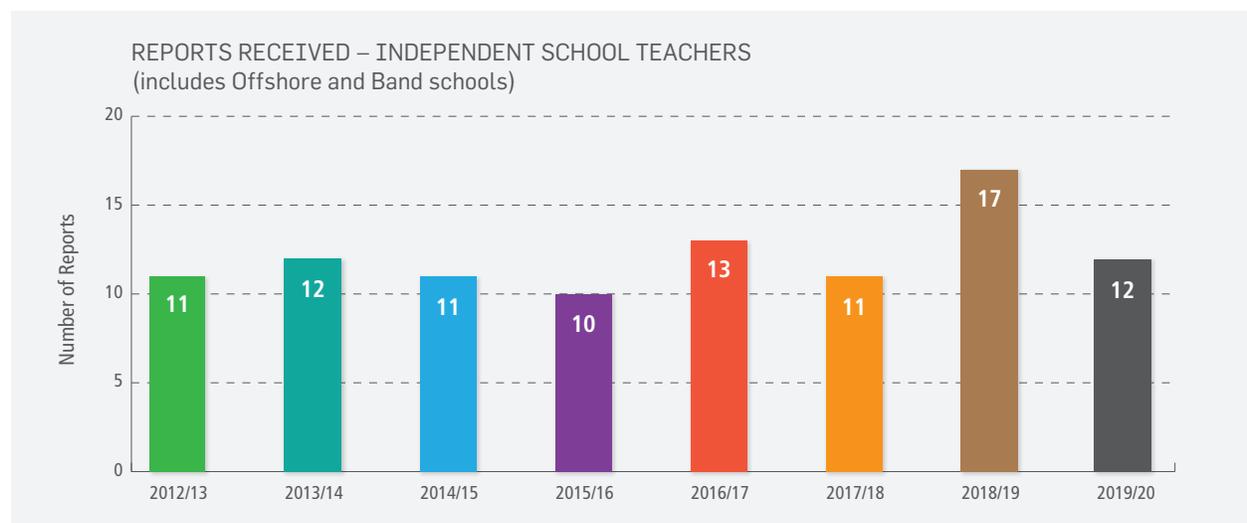
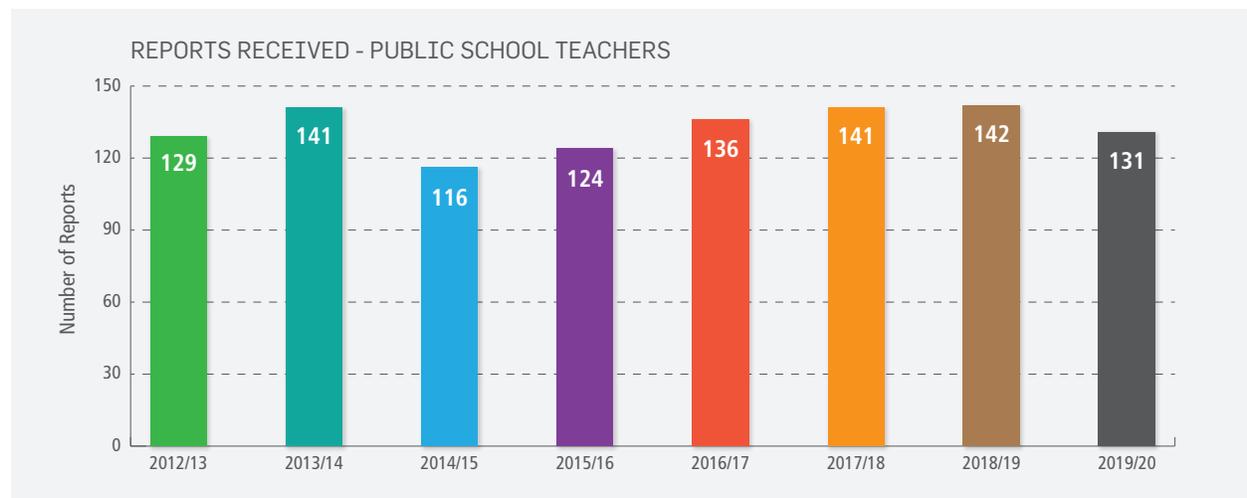
After a hearing is held, a panel must decide if the teacher is guilty of professional misconduct, conduct unbecoming or incompetence, or whether a citation should be dismissed and no further action taken. If misconduct or incompetence is found, the panel determines the consequences, which could include 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.

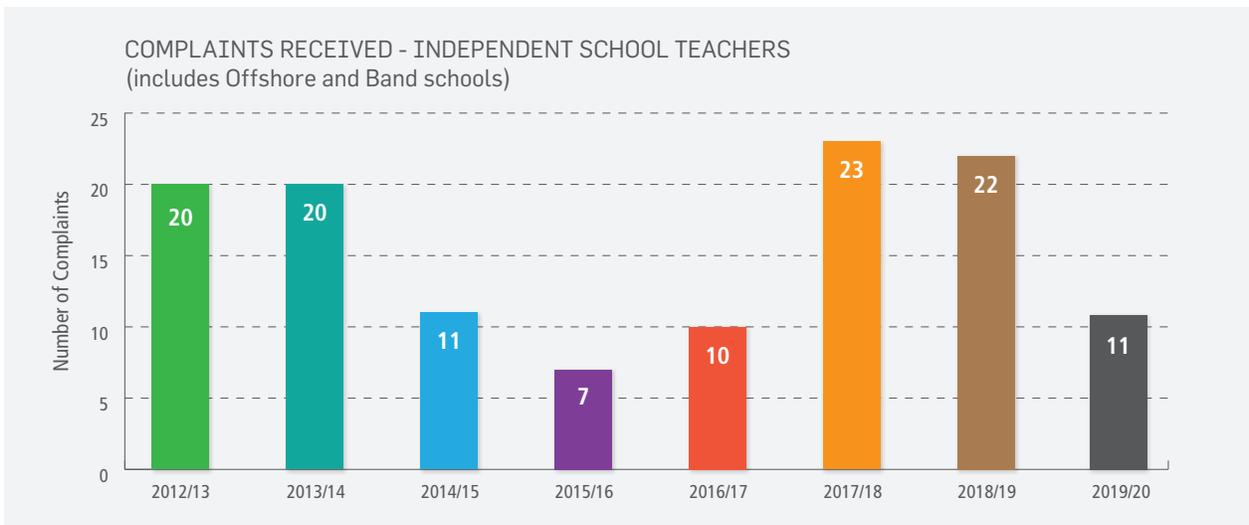
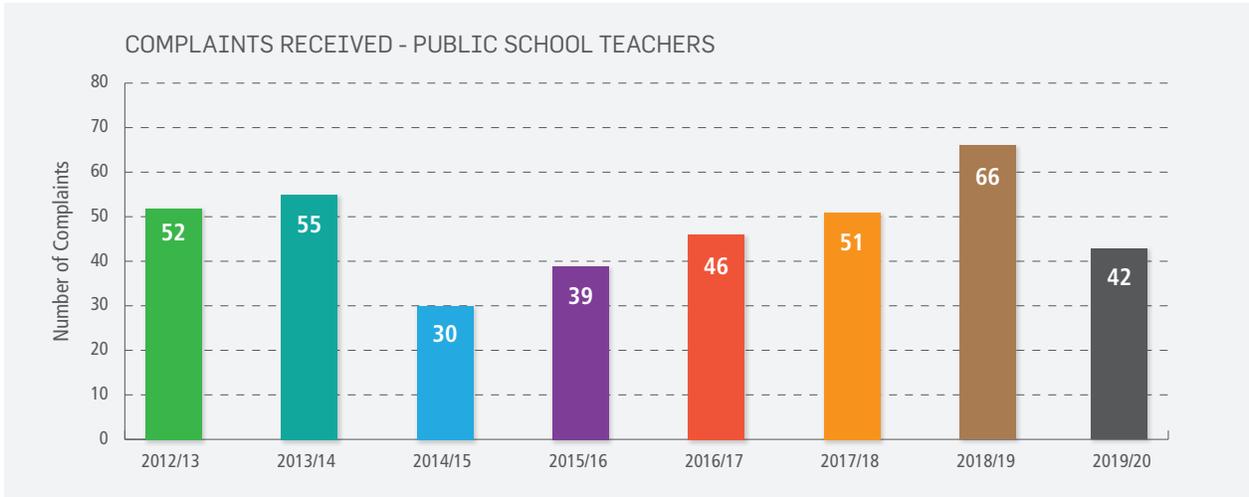
Statistical Review 2019-2020

Reports, Complaints and Commissioner-Initiated Investigations

In previous annual reports, statistics were reported by calendar year and school year. The statistical review for 2019-2020 presents the statistics by school year only.

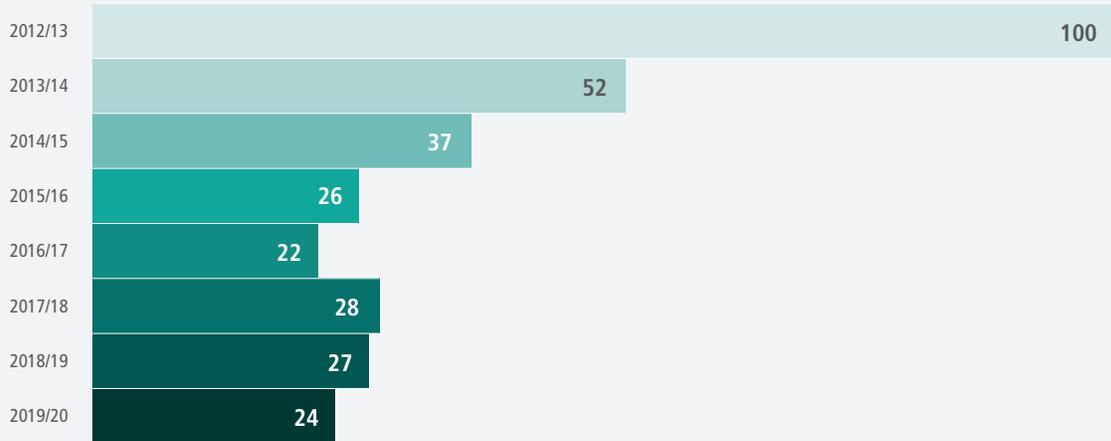


REPORT: a written report to the Commissioner about a teacher who has been suspended, dismissed, disciplined for misconduct that involves physical harm to a student, sexual abuse or sexual exploitation of a student, has caused significant emotional harm to a student; or is believed to have breached the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

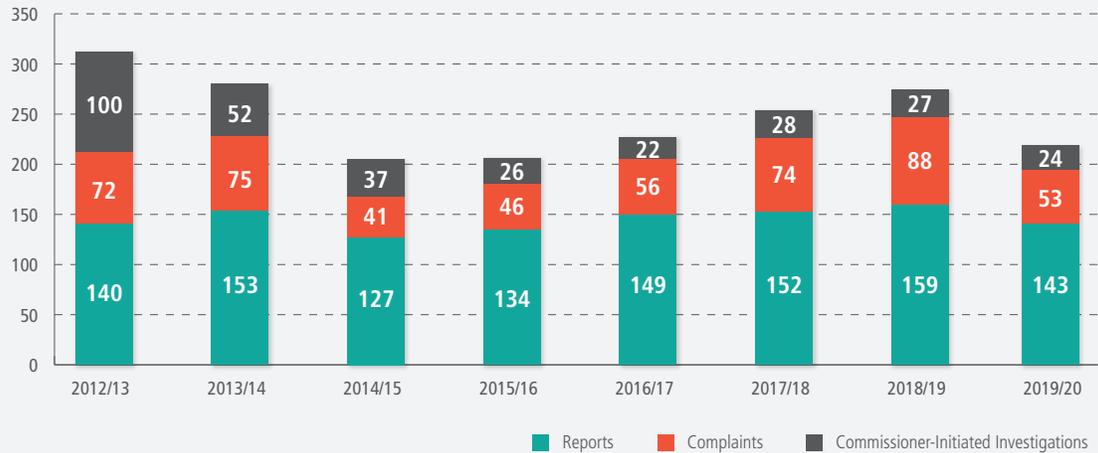


COMPLAINT: a written complaint, usually from a member of the public, to the Commissioner regarding the conduct or competence of a teacher who is believed to have breached the Standards for Educators in British Columbia.

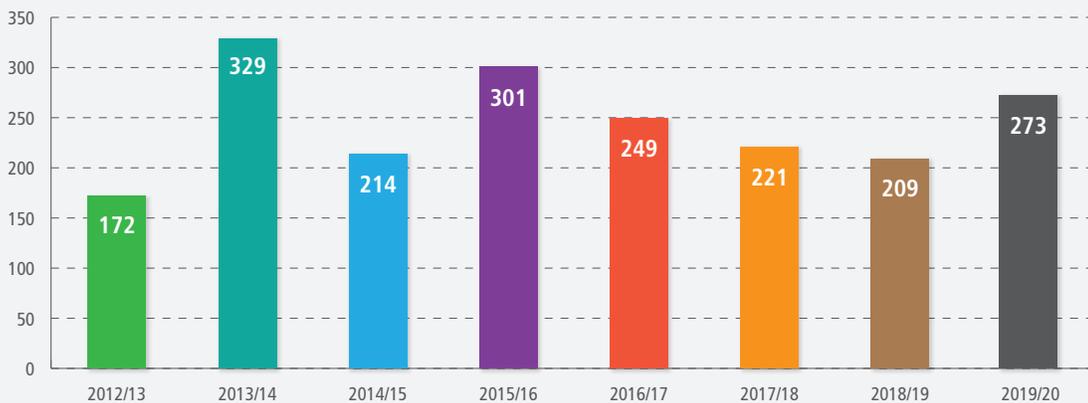
COMMISSIONER INITIATED-INVESTIGATIONS



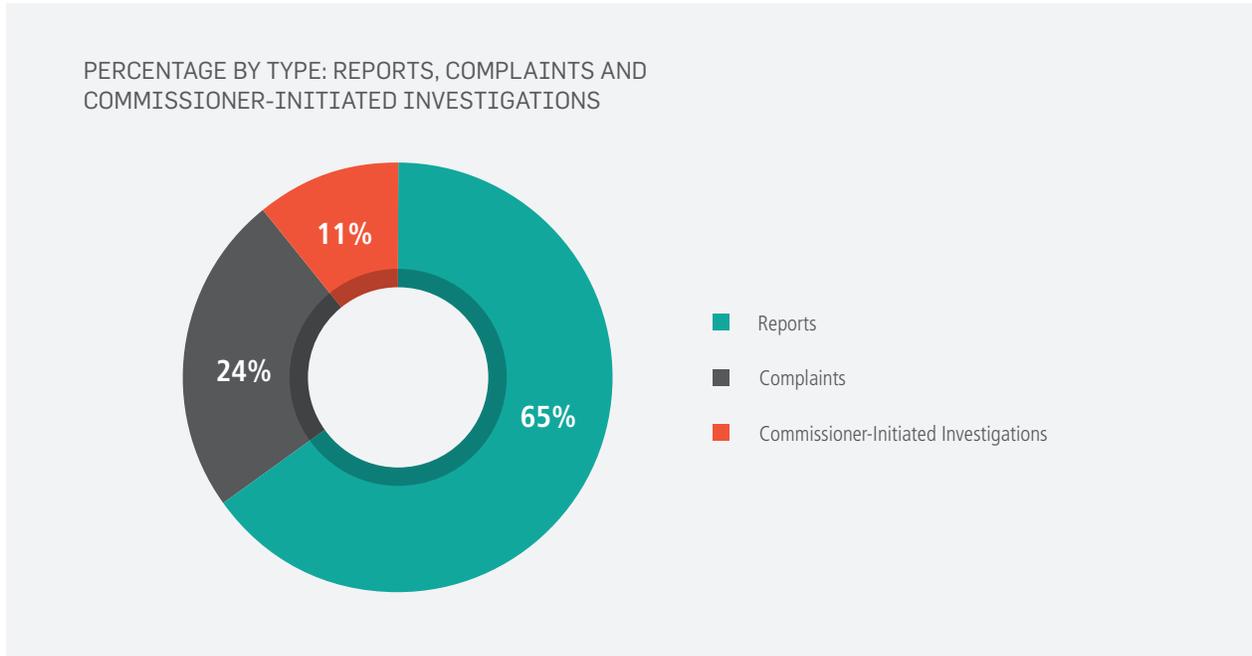
TOTAL REPORTS, COMPLAINTS AND COMMISSIONER-INITIATED INVESTIGATIONS



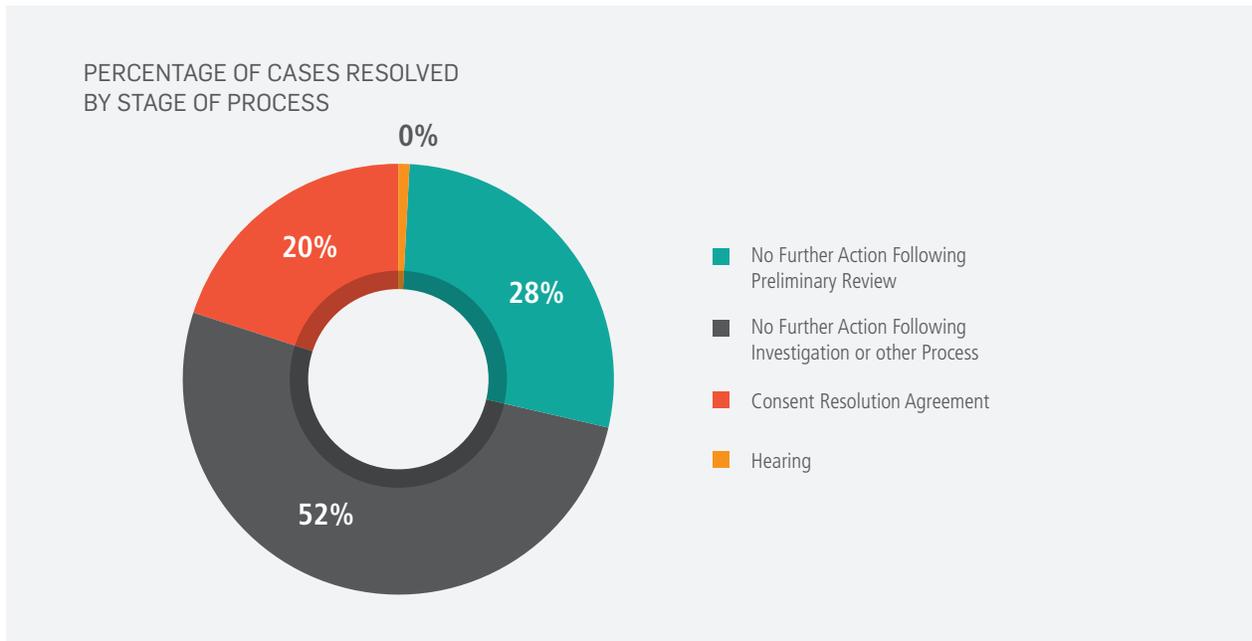
FILE CLOSURES



Who Initiated the Disciplinary Action?



What was the Resolution of the Disciplinary Action?

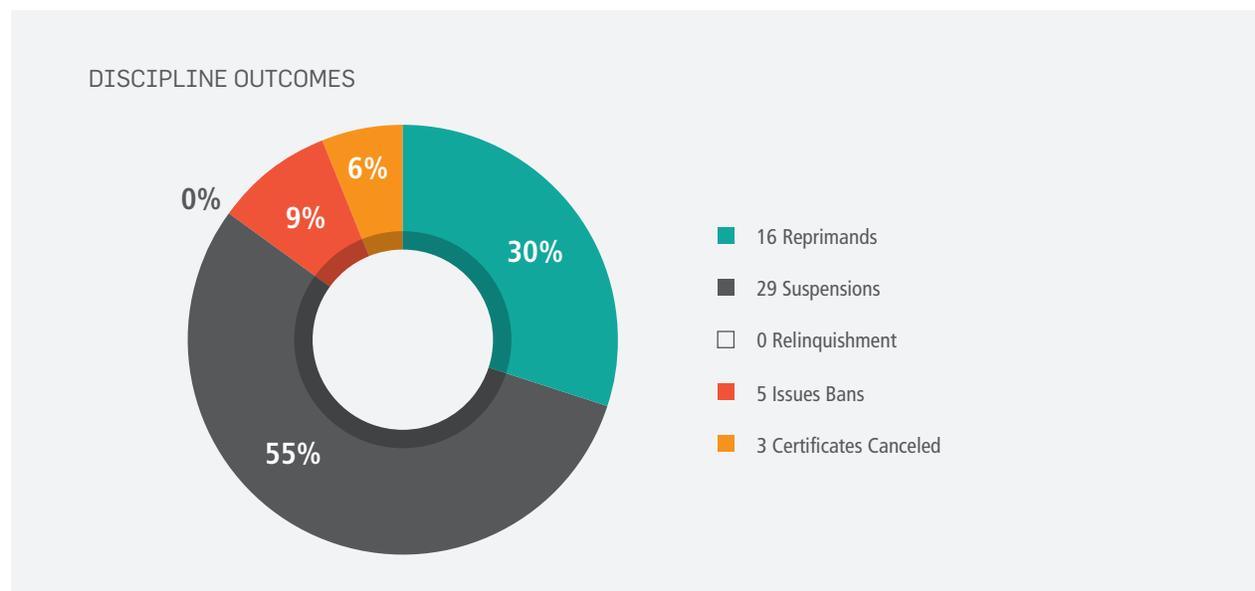


What were the Discipline Outcomes?

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 2019-2020 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.



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 220 reports, complaints or Commissioner-initiated investigations received in the 2019-2020 school year.

DIRECTLY STUDENT RELATED

Category Descriptor	Examples	Number	Percent
Emotional harm - student	<ul style="list-style-type: none"> Yelling at students Humiliation Demeaning comments Embarrassing students 	96	44%
Breach of school rules	<ul style="list-style-type: none"> Failure to follow critical incident protocols False reporting of student marks Failure to show up for duty Failure to attend to student medical emergencies Failure to follow shop safety rules Under the influence of alcohol or drugs at school Breach of student confidentiality 	92	42%

Category Descriptor	Examples	Number	Percent
Inappropriate behaviour before the class	Showing inappropriate videos Angry outbursts Swearing Yelling Talking about inappropriate subjects Thoughtless actions and statements	57	26%
Boundary violation - non-sexual - students or minors	Inappropriately befriending student	31	14%
Physical harm -- student	Physical violence of any nature toward students	29	13%
Failure to supervise	Losing track of students Prolonged absence from classroom Leaving student(s) unattended	16	7%
Boundary violation - sexual - students or minors	Overt sexual advances Grooming behaviour Sexual innuendo Sexual touching	15	7%
Failure to plan manage implement or record	Lack of daily and long-term planning Fails to accommodate different learning styles Fails to present new content clearly Reporting of student progress inadequate	13	6%
Social media violation	Posting inappropriate material on social media Inappropriately communicating with students on social media Disclosing private student information on social media	12	5%
Special needs student	Inappropriate failure to follow Individual Education Plans Rude or taunting behaviour toward special needs students Inappropriate discipline of special needs students	10	4%

NOT DIRECTLY STUDENT RELATED

Category Descriptor	Examples	Number	Percent
Other	Terminated without cause Issues not school related Failure to communicate with parents Insubordination Has received previous direction/discipline on similar issue Harassment – parent	48	22%
Harassment - colleague	Harassing behaviour toward colleagues Sexual harassment of colleague	11	5%
Failure to supervise- colleague	Principal fails to supervise teacher Teacher fails to supervise education assistant	4	2%
Fraudulent behaviour	Creation of fraudulent documents Fraudulent claims of sick leave or other leave	3	1%
Theft of School Monies		2	<1%
Misappropriation of school property		0	0%

Appendices

A | Professional Standards for BC Educators

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

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

In 2019-2020, the Justice Institute of BC continued to offer the following courses: Reinforcing Respectful Professional Boundaries and Creating a Positive Learning Environment. A third course, The Mindful Educator in Managing Conflict, was not held. 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

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

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

Intake area – to ask questions about making a complaint
Email: 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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