

ANNUAL
REPORT

2017/2018



BRITISH COLUMBIA
COMMISSIONER FOR
TEACHER REGULATION

COMMISSIONER FOR

TEACHER

REGULATION





BRITISH COLUMBIA
COMMISSIONER FOR
TEACHER REGULATION



BRITISH COLUMBIA
COMMISSIONER FOR
TEACHER REGULATION

September 30, 2018

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 2017-2018 Annual Report for the Office of the Commissioner for Teacher Regulation. This report covers the period from July 1, 2017 to June 30, 2018.

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

Sincerely,

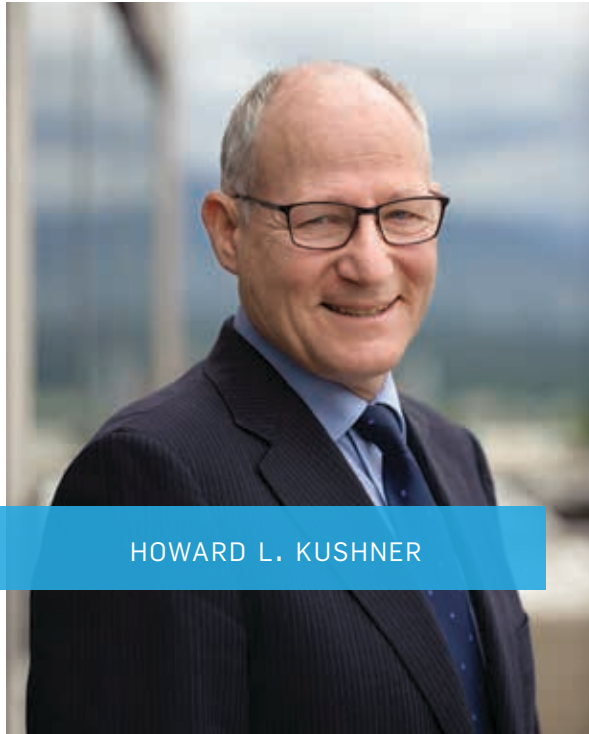
A handwritten signature in black ink, appearing to read "Howard L. Kushner", written over a horizontal line.

Howard L. Kushner
Commissioner

Table of Contents

COMMISSIONER'S MESSAGE	... 03
THE REGULATORY STRUCTURE	... 05
THE DISCIPLINE PROCESS	... 07
Complaints and Reports	... 07
The Intake Process	... 08
Preliminary Review	... 08
Deferral	... 08
Investigation	... 08
Consent Resolution	... 09
Hearings	... 09
STATISTICAL REVIEW 2017-2018	... 10
Reports, Complaints and Commissioner-Initiated Investigations	... 10
Who Initiated the Disciplinary Action?	... 12
What was the Resolution of the Disciplinary Action?	... 12
What were the Discipline Outcomes?	... 13
Categories of Misconduct	... 14
APPENDICES	... 16
A. Standards for the Education, Competence and Professional Conduct of Educators in BC	... 16
B. Independent School Teacher Conduct and Competence Standards	... 18
C. Justice Institute of BC Courses	... 20
D. Duty to Report	... 21
E. Resources	... 22

Commissioner's Message



HOWARD L. KUSHNER

What is a “Commissioner for Teacher Regulation”? This is often the first question I get when I tell people what I do. Unlike many other professions, teacher disciplinary regulation varies significantly across Canadian jurisdictions. In British Columbia, there is no College of Teachers that disciplines teachers; there is no government ministry that disciplines teachers. Instead there is an independent officer, the Commissioner for Teacher Regulation, appointed by the Lieutenant Governor-in-Council. The Commissioner oversees the disciplinary process from initial intake of complaints or reports of teacher misconduct or incompetence to outcomes ranging from the dismissal of the complaint/report to cancellation of a teacher’s certificate. The Commissioner determines which complaints/reports to investigate, what consequences appear most appropriate, if a consensual resolution

is possible and whether a citation and hearing is necessary. The Commissioner is not an employee of the Ministry of Education, although the Ministry provides the necessary administrative resources to carry out the Commissioner’s mandate.

The establishment of an independent officer to oversee the disciplinary process for BC certified teachers is intended to increase public confidence in the education system. Teachers who fail to meet the Standards for Educators in British Columbia will be held accountable. The Commissioner is to act in the public interest. The legislation creating the position promotes the concepts of transparency and accountability. This annual report, which provides statistical information about the number of complaints/reports received during the year, the number of files closed, and the various methods of closure, is one mechanism to promote these principles. The website <https://www.bcteacherregulation.ca/ProfessionalConduct/CommissionersOffice.aspx> is another mechanism that promotes transparency and accountability. It provides the public with details about those complaints/reports that resulted in a disciplinary outcome (a reprimand, suspension or cancellation of a certificate) either by way of a consent resolution agreement or by a hearing panel determination.

Approximately 85 percent of the complaints/reports that I received did not have a disciplinary outcome. It is my intention to publish a report on those matters to ensure accountability, transparency and to inform the public, teachers and school employers, as I believe it is as important to report, in some fashion, on those matters that do not warrant a disciplinary outcome as it is to report on those matters that do. Such reports will, of course, need to be respectful of the teacher’s right to privacy and will need to be sufficiently anonymized to prevent the identification of specific cases.

It is difficult to measure whether public confidence in the teacher disciplinary process has increased as a result of the establishment of the Office of the Commissioner for Teacher Regulation (the Office) in 2012. In 2018-2019, it is my intention to gather information about the level of public awareness of the Office and, to take steps to increase outreach if that is required. The purpose of measuring public awareness is not to generate more complaints/reports coming to the Commissioner but rather to fulfill the mandate of increasing public confidence in the education system of the province.

On average, the Office receives between 225-250 complaints/reports a year. In 2017-2018, 254 complaints/reports were received and 221 files were closed, the vast majority being resolved without taking formal disciplinary action as reflected by the statistics presented later in this report. Often when we receive a complaint/report, we find that the teacher who is the subject of the complaint/report will have accessed relevant professional development resources, or is prepared to do so, to help improve their skills and knowledge even if no disciplinary action by the Commissioner has occurred. Such voluntary professional improvement action by the profession is to be encouraged and reflects well upon the teaching profession. This action also contributes to the improvement of British Columbia's education system.

The past year (2017-2018) was a particularly challenging time for the Office of the Commissioner as it was a year of transition and change. The five-year term of the first Commissioner, the Honourable Bruce Preston, ended in November 2017. Elena Miller, who was appointed the Acting Commissioner for Teacher Regulation and who had acted, on occasion when the Commissioner was otherwise unavailable, exercised the powers of the Commissioner from November 2017 up until my appointment in March 2018. Thus, in a span of nine months (July 2017 – March 2018), the Office had three different Commissioners. It is a testament to

the work of both Bruce and Elena and to the dedication of the staff at the Teacher Regulation Branch that the work of the Commissioner continued smoothly and unabated during this period. I want to express my thanks and gratitude for a job well done by Bruce, Elena and the staff with whom I work. I look forward to working with the staff and continuing the excellent work of my predecessors.

I also want to express a special thank you to Bruce, as the first Commissioner, for the work that was necessary at the outset in establishing procedures for the handling and investigating of complaints/reports. The challenges of being the first Commissioner in developing proper processes, in establishing a disciplinary system which is both timely and fair, and in respecting both the public interest in transparency and the privacy interests of certificate holders cannot be overstated. These challenges were met and the Office is in a much stronger state than when Bruce (and Elena) first started in 2012.

Teachers play a fundamental role in ensuring the success of our students. They interact with students daily providing leadership and guidance. The Commissioner's role in receiving and reviewing complaints and reports respecting teachers' competence and conduct contributes to maintaining the public confidence and trust in our education system.

The Regulatory Structure

The regulatory structure, administered by the Teacher Regulation Branch of 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 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.



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 Teacher Regulation Branch 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.



TEACHER REGULATION BRANCH

- Serves as the operational arm of the regulatory structure providing administrative support to the various regulatory bodies listed here.
- Administers the certification and disciplinary processes for teachers in the kindergarten to grade 12 public and independent school systems.
- Part of the Ministry of Education.

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 Standards for the Education, Competence and Professional Conduct of Educators in British Columbia (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 2017-2018 school year, 30 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 2017-2018 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. The Teacher Regulation Branch maintains a record of all disciplinary matters and outcomes.

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 on the Teacher Regulation Branch website, unless the panel determines that doing so would cause significant hardship to a person who has been harmed by the teacher.

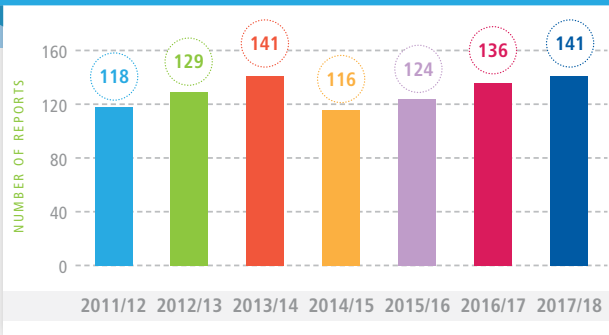
The hearing panels' reasons for decision provide guidance in the resolution of other disciplinary cases and may encourage those cases to be settled by consent.

Statistical Review 2017-2018

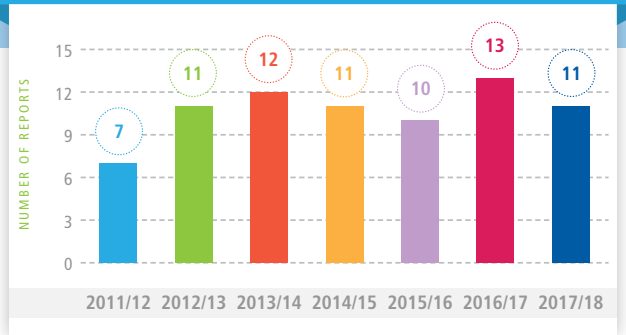
Reports, Complaints and Commissioner-Initiated Investigations

In previous annual reports, statistics were reported by calendar year and school year. The statistical review for 2017-2018 presents the statistics by school year only.

REPORTS RECEIVED – PUBLIC SCHOOL TEACHERS

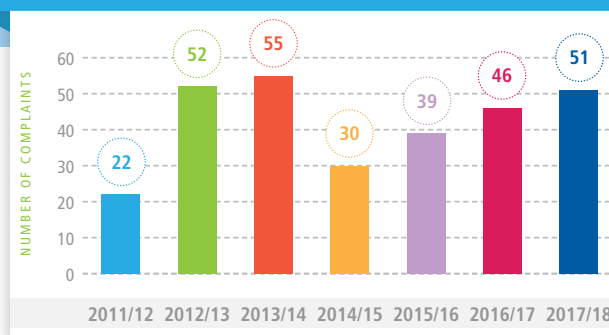


REPORTS RECEIVED – INDEPENDENT SCHOOL TEACHERS (includes Offshore and Band schools)

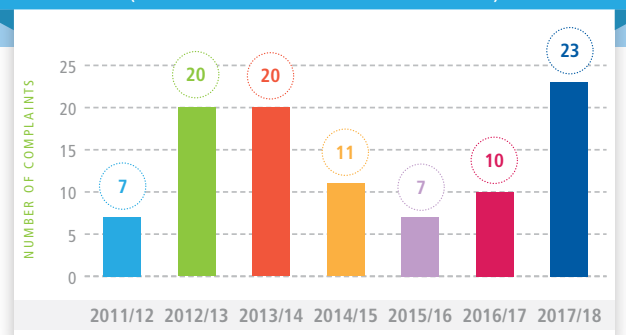


REPORT: a written report to the Commissioner regarding a teacher who has been suspended, dismissed, disciplined for misconduct that involves physical harm to a student, sexual abuse or sexual exploitation of a student, has caused significant emotional harm to a student; or is believed to have breached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

COMPLAINTS RECEIVED – PUBLIC SCHOOL TEACHERS



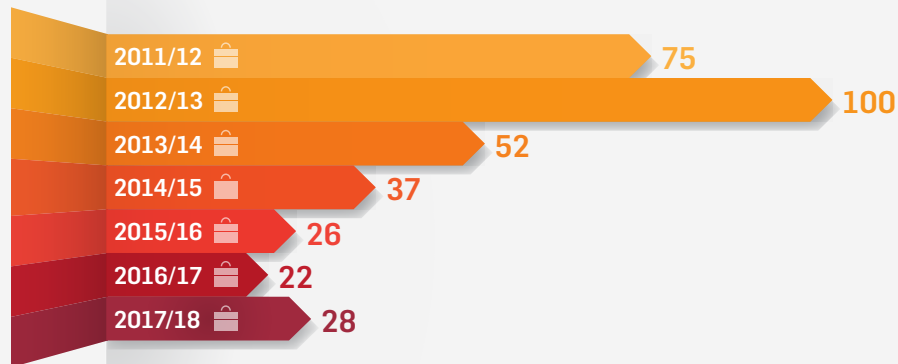
COMPLAINTS RECEIVED – INDEPENDENT SCHOOL TEACHERS (includes Offshore and Band schools)



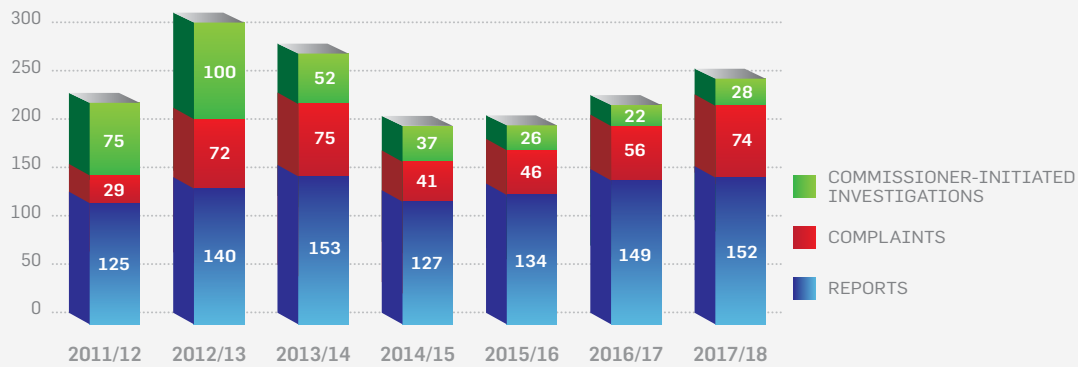
COMPLAINT: a written complaint, usually from a member of the public, to the Commissioner regarding the conduct or competence of a teacher who is believed to have breached the Standards for Educators in British Columbia.

COMMISSIONER-INITIATED INVESTIGATIONS

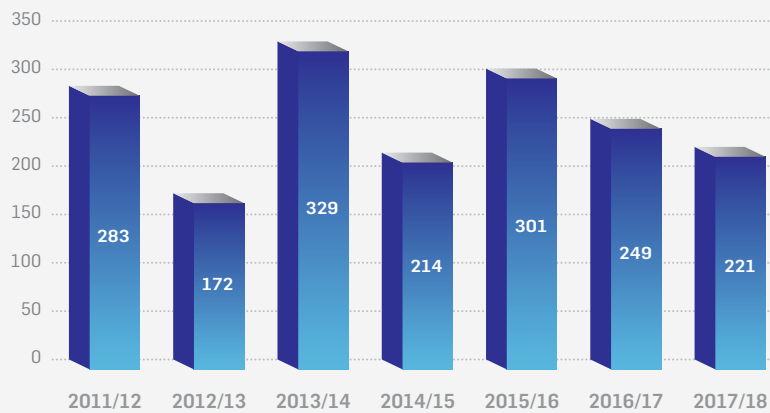
INCLUDING 5-YEAR CRIMINAL RECORD CHECKS



TOTAL REPORTS, COMPLAINTS AND COMMISSIONER-INITIATED INVESTIGATIONS



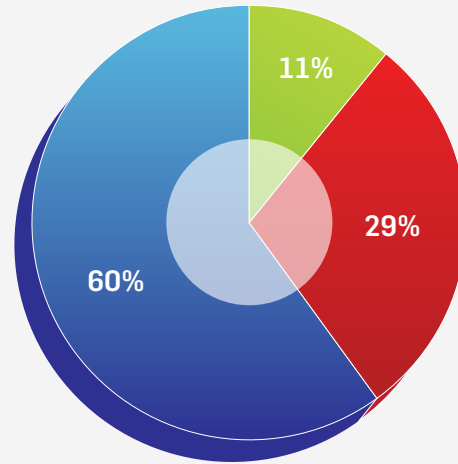
FILE CLOSURES



Who Initiated the Disciplinary Action?

PERCENTAGE BY TYPE: REPORTS, COMPLAINTS AND COMMISSIONER-INITIATED INVESTIGATIONS

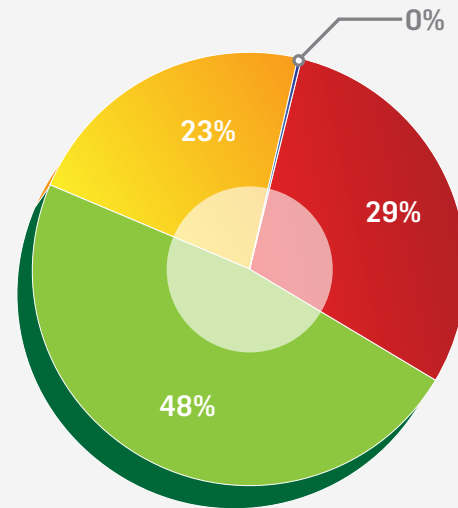
- REPORTS
- COMPLAINTS
- COMMISSIONER-INITIATED INVESTIGATIONS



What was the Resolution of the Disciplinary Action?

PERCENTAGE OF CASES RESOLVED BY STAGE OF PROCESS

- NO FURTHER ACTION FOLLOWING PRELIMINARY REVIEW
- NO FURTHER ACTION FOLLOWING INVESTIGATION OR OTHER PROCESS
- CONSENT RESOLUTION AGREEMENT
- HEARING



What were the Discipline Outcomes?

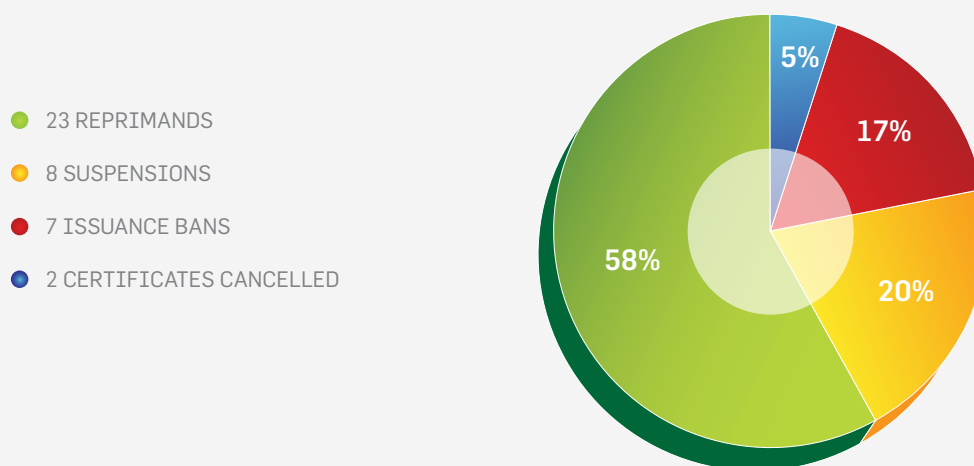
The types of sanctions that may be imposed on a teacher who has been found guilty, at the regulatory level, of breaching the Standards for Educators in British Columbia are provided in the *Teachers Act*. The sanctions vary depending on the severity of the breach and may include:

- 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 2017-2018 school year was the reprimand. Often the reprimand is combined with the imposition of a requirement that the teacher complete a training course. The proportion of cancellations and of issuance bans remained constant. These bans are imposed when the teacher no longer holds a teaching certificate at the time that the consent resolution is signed. 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.

DISCIPLINE OUTCOMES



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 254 reports, complaints or Commissioner-initiated investigations received in the 2017-2018 school year.

DIRECTLY STUDENT RELATED

Category Descriptor	Examples	Number	Percent
Emotional harm – student	Yelling at students Demeaning comments Embarrassing students	110	43%
Breach of school rules	Failure to follow critical incident protocols False reporting of student marks Failure to show up for duty Failure to attend to student medical emergencies Under the influence of alcohol or drugs at school Breach of student confidentiality	104	41%
Inappropriate behaviour before the class	Showing inappropriate videos Angry outbursts Swearing Talking about inappropriate subjects	74	29%
Failure to supervise	Losing track of students Prolonged absence from classroom Leaving student(s) unattended	31	12%
Physical harm – student	Physical violence of any nature toward student	27	11%
Special needs student violations	Failure to follow Individual Education Plans Rude behaviour toward special needs students Inappropriate discipline of special needs students	27	11%

Category Descriptor	Examples	Number	Percent
Failure to plan manage, implement or record*	Lack of daily and long-term planning Failure to accommodate different learning styles Inadequate reporting of student progress	27	11%
Boundary violation – non-sexual	Inappropriately befriending student	25	10%
Boundary violation – sexual	Overt sexual advances Grooming behaviour Sexual innuendo Sexual touching	21	8%
Social media violation	Posting inappropriate material on social media Inappropriate communication with students on social media	9	4%

*This category was added in the 2017-2018 school year.

NOT DIRECTLY STUDENT RELATED

Category Descriptor	Examples	Number	Percent
Other	Terminated without cause Issues not school related Failure to communicate with parents	45	18%
Harassment – colleague	Harassing behaviour toward colleagues Sexual harassment of colleague	26	10%
Fraudulent behaviour	Creation of fraudulent documents Fraudulent claims of sick leave or other leave	5	2%
Failure to supervise colleague*	Principal fails to supervise teacher Teacher fails to supervise education assistant	6	2%
Theft of school monies		0	0%
Misappropriation of school property		0	0%

*This category was added in the 2017-2018 school year.

Appendices

A. Standards for the Education, Competence and Professional Conduct of Educators in BC

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

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

Educators are responsible for fostering the emotional, esthetic, intellectual, physical, social and vocational development of students. They 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 their individual 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 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 and 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 a broad knowledge base 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, professional organizations, post-secondary institutions or contribute in other ways.

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 2018, the Justice Institute of BC continued to offer the following courses: The Mindful Educator in Managing Conflict; Reinforcing Respectful Professional Boundaries, and Creating a Positive Learning Environment. The JIBC's calendar provided a description for each course:

1 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.

2 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.

3 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.

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

Standards for the Education, Competence and Professional Conduct of Educators in BC
Independent School Teacher Conduct and Competence Standards
Understanding Your Duty to Report Brochure

Complaints

Making a Complaint Brochure
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 bcteacherregulation.ca.



BRITISH COLUMBIA
COMMISSIONER FOR
TEACHER REGULATION

ANNUAL REPORT

2017/2018

COMMISSIONER FOR TEACHER REGULATION