

Teachers Act Hearing Panel Remuneration Plan

Overview

The *Teachers Act* Hearing Panel (the “Hearing Panel”) serves as the final decision-making authority on teacher discipline matters and the final level of appeal for teacher certification under the *Teachers Act* (the *Act*). The Hearing Panel is an expert tribunal that renders complex decisions on the conduct and competence of teachers and appellate decisions on the assessment of teacher credentials. The Hearing Panel adjudications may be conducted in-person across the province or by written submission as needed. The Hearing Panel funding is provided by a Special Account pursuant to section 85 of the *Act*.

The Hearing Panel is established ad hoc when the Commissioner for Teacher Regulation (the “Commissioner”) appoints three members from two established pools to the Hearing Panel and designates one as the panel chair. The Disciplinary and Professional Conduct Board (DPCB) is a pool of nine part-time appointees drawn from the BC Teachers’ Council (BCTC) membership by the Minister of Education (the “Minister”). The DPCB joins appointees selected by the Commissioner from a pool of applicants who are experienced in conducting administrative hearings and writing tribunal decisions, and typically hold law degrees or related qualifications. In current practice, hearing panels include one Commissioner-appointee and two Minister-appointed DPCB members. One Ministry of Education FTE delivers operational support.

Teachers Act Hearing Panel Appointees¹			
Category (Pool)	Position Name*	Number of Positions	Role Description
Minister-Appointed	Hearing Panel Member or Chair	9	<ul style="list-style-type: none">▪ Appointed to DCPB by the Minister under Division 3 of the <i>Act</i>▪ One to three-year terms²▪ Must be a member of the BCTC▪ Adjudicates teacher discipline decisions and certification appeals▪ May be designated panel member or chair
Commissioner-Appointed	Hearing Panel Member or Chair	6	<ul style="list-style-type: none">▪ Appointed by the Commissioner under section 57(3) of the <i>Act</i>▪ Five-year terms, eligible for renewal▪ Must possess experience conducting administrative hearings or writing decisions▪ Adjudicates teacher discipline decisions and certification appeals▪ May be designated panel member or chair

*Position names may differ from those set out in TBD 1-24 to assign appointee remuneration based on roles and responsibilities.

¹ Funded positions for fiscal year 2024-25. Actual numbers may vary.

² Term may be extended based on circumstance.

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Appointee Remuneration

This remuneration plan is set pursuant to *Treasury Board Directive 1-24 – Remuneration Guidelines for Administrative Tribunals and Regulatory Boards* (TBD 1-24) and applies to Hearing Panels.

TBD 1-24 sets appointee remuneration based on tribunal classification, level of responsibility, and whether engagement is on a full-time or part-time basis. The Hearing Panels is classified as a Level 1 administrative tribunal. All appointees serve part-time on an “as and when required” basis and are remunerated through a set half-day or full day rate per diem. Appointees are remunerated for time spent during the course of the hearing in addition to deliberation, decision writing and advice seeking time.

In accordance with section 6.5.3 of the Directive, a Panel Chair is entitled to be remunerated at up to the maximum rates for a Vice Chair in the Directive.

Per Diem	Half-day	Full day
Panel Chair	\$302.5	\$605
Panel Member	\$257.5	\$515

Expense Reimbursement

Appointees are reimbursed for transportation, accommodation, meals, and out of pocket expenses incurred in the course of their duties in accordance with the Group 2 rates, policies, and procedures outlined in the [Terms and Conditions of Employment for Excluded Employees and Appointees](#).

Payroll Deductions

The work of appointees on hearing panels is not insurable and not pensionable, therefore remuneration is not subject to Employment Insurance or Canada Pension Plan deductions. Appointee remuneration is taxable income and may be withheld by the tribunal at source in accordance with the federal *Income Tax Act* unless the total remuneration for the tax year for the appointee (from all sources) is less than the basic personal amount. Appointees to the Hearing Panel are considered to be “office holders” under the *Excise Tax Act*, therefore remuneration is not subject to GST (either charged or payable).

Effective Date: April 1, 2024