



# Committee Report

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## Item: Investigation Committee Report

**Public Interest Rationale:** The Investigation Committee is a statutory committee of the Ontario College of Teachers (the “College”). The Investigation Committee’s mandate is to consider and screen complaints made to the College about its members.

**Strategic Alignment:** Strategic Goal 3 – Efficient and proportionate responses to alleged and actual misconduct, incompetence and incapacity.

**Submitted By:** Anne Resnick, Chair

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## Committee Meeting Dates

The Investigation Committee and Roster met on November 27, 2024 for a training session led by Independent Legal Counsel.

The Investigation Committee met on December 3, 2024.

### Three Member IC Panel Meetings

Months	Dates
October	1*, 2, and 16
November	6 and 21
December	4 and 18

\*Ad hoc meeting to consider urgent and/or seized matters.

### Single-Member IC Complaint Resolution (CR) Panel Meetings

Months	Dates
October	18 and 24
November	20
December	18

## Summary of Business

### a) Trainings

At the November 27, 2024 training session, Independent Legal Counsel provided training to Committee and Roster members on the following topics:

- Criminal charges and convictions, including how to assess off-duty conduct that does not involve the school community.
- Regulating professional practice while supporting freedom of expression with a focus on the College’s scope and jurisdiction to regulate these types of complaints.



- Panel preparation and deliberations, incorporating how to review case materials including the member’s response and prior matters.

The Investigation Committee/Roster participated in a full-day EDI training session on August 15, 2024. The EDI training covered key concepts such as equity, discrimination, privilege and intersectionality.

In 2024, four Initial Training sessions were held for new Committee/Roster members in January (x2), July and November.

**b) Investigation Committee Meeting**

The Chair of the Committee noted that Danielle Morin had been appointed to the Committee at the June Council meeting. The Chair briefly set out her role and responsibilities, and those of the Committee and Roster.

The Director of Investigations and Professional Conduct presented a Departmental update, including an overview of current trends. The Director noted there has been a sustained increase in the number of contacts at Intake and, subsequently, a record number of files transferred to Investigations. The Director noted this year-over-year increase has continued since 2021 and that other provincial regulators are noticing the same trend. The Director also noted that they were exploring different processes and resources to address the increased volume.

The Manager, Professional Conduct presented an overview of the Complaints Resolution program.

Policy, Governance and Tribunals presented eight proposed legislative amendments focused on public protection and streamlining College processes.

There was a discussion about refining the language in the oral cautions and admonishments to make them easier to read and understand. The Committee also heard about a new Professional Advisory that is in development to counter hate and discrimination.

**Statistics**

The following is a summary of the disposition of cases concluded by panels of the Investigation Committee between October 1, 2024 and December 31, 2024.

Disposition of Cases	October-December 2024
Referred to Discipline Committee under subsections 26(5)(a) and 26(9)	11
Referred to Fitness to Practise Committee under subsection 26(5)(a)	0
Admonishment in person under subsection 26(5)(c)	9
Written admonishment under subsection 26(5)(d)	4
Cautions in person under 26(5)(c)	11
Written cautions under subsection 26(5)(d)	12



Advice under subsection 26(5)(d)	4
Reminder under subsection 26(5)(d)	8
Not referred following an investigation and no further action taken under subsection 26(5)(b)	18
Refused to investigate: not related to professional misconduct or incapacity under subsection 26(2)(a), or, frivolous, vexatious, abuse of process, manifestly without substance or made for an improper purpose under subsection 26(2)(b) (Request for Direction)	14
Undertaking to Resign and Never to Reapply under subsection 26(5)(b)	4
Teacher Performance Appraisal Undertaking under subsection 26(5)(d)	0
Complaint Resolution under section 26.1	32
Coursework under subsection 26(5)(d)(ii)	2
<b>Total</b>	<b>129</b>

The total number of dispositions does not include 20 matters that were withdrawn or abandoned before reaching a panel of the Investigation Committee. 32 files (25%) were disposed of through Complaint Resolution.<sup>1</sup>

### Motions Referred to Council

No motions were referred for Council consideration.

### Committee Mandate and Duties

#### Mandate of the Investigation Committee

The Investigation Committee is a statutory committees of the College established by the *Ontario College of Teachers Act, 1996* (the “Act”):

- Section 3 of the Act establishes the objects of the College, and the object most directly pertinent to the Investigation Committee is the following:
- To receive and investigate complaints against members of the College and to deal with discipline and fitness to practice issues
- The following are among the specific duties of the Investigation Committee, as stipulated in section 26 the Act:
- To consider and investigate complaints regarding the conduct or actions of a member made by the four designated sources: a member of the public, a member of the College, the Registrar or the Minister.
- To ensure that:
  - the complaint is in the format prescribed by the by-laws;
  - that the member has been notified of the complaint and given at least 60 days to respond; and
  - that the Committee has examined all the relevant documents and information.
- To use its best efforts to dispose of a complaint within 120 days of it being filed.

<sup>1</sup> 32 of 129 *total dispositions* is equal to 25% of files disposed through Complaint Resolution; however, some IC files concluded with multiple dispositions. In Q4, the IC considered 88 files. 32 of 88 *files considered* is equal to 36% of files disposed through Complaint Resolution.



- To refuse to investigate a complaint if, in its opinion, it does not relate to professional misconduct, incompetence or incapacity; and/or is frivolous, vexatious, an abuse of process, manifestly without substance or made for an improper purpose.
- To ensure that notice of the complaint includes reasonable information about the allegations.
- To provide its decision in writing to the member who is the subject of the investigation, the employer who reported the matter to the College, the member's current employer if different than the reporting employer and the public complainant, where applicable, and, with the exception of when the decision was to refer the complaint to a hearing committee, to also provide its reasons.
- The Committee can dispose of a matter by:
  - referring the complaint, in whole or in part, to the Discipline Committee or the Fitness to Practise Committee;
  - not referring a complaint and take no further action;
  - issuing written reminders, advice, cautions and admonishments or in-person cautions or admonishments or further actions as it considers appropriate and that is not inconsistent with the Act, the regulations or the by-laws;
  - adopting a Request for Adoption in Complaint Resolution matters;
  - adopting an Undertaking in a Teacher Performance Appraisal matters;
  - adopting an Undertaking to Resign and Never to Reapply; and
  - directing that medical inquiries be made where the Committee believes that a member may be incapacitated.

### **Future Meeting Dates as of December 31, 2024**

Investigation Committee Meeting: November 20, 2025

Committee and Roster Trainings: April 29, 2025 and November 2025 (date to be confirmed)

### **Committee Members**

Anne Resnick (Chair)

Robert Pellerin, OCT (Vice-Chair)

Simon Burke

Colin Halsall, OCT

Danielle Morin\*

Ramona Nazareth, OCT\*\*

Elisha Turney Foss

Philip Warner, OCT

\*On June 6, 2024, Ms. Morin was appointed to the Investigation Committee.

\*\*On January 1, 2024, Ms. Nazareth was appointed to the Investigation Committee.



## Roster Members

Arthur Au-Yeung, OCT  
Béatrice Koua Dubé, OCT  
Claudine Rollande Gauthier, OCT  
Danica Vidotto, OCT  
Esha Bhardwaj, OCT  
Fiona Lee  
Jasminie Singh, OCT  
Jean-François Michaud, OCT  
Joy Sommerfreund  
Jules Tanguieu Ngounou, OCT  
Krista Tucker Petrick, OCT  
Larry Lanctot, OCT  
Lileath Claire  
Naomi Thick  
Ravil Veli  
Richard Lamb, OCT  
Rina George-Alexander, OCT  
Robert Cooper, OCT  
Robert Madray, OCT  
Rod Miller  
Ryan Kimmerly, OCT  
Shannon Marcus, OCT  
William Cornet