

REGISTRAR'S REPORT TO TSO

March 1, 2021

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INTRODUCTION

I am pleased to present my first quarterly report to you for 2021 in your capacity as the Transition Supervisory Officer (TSO). The report is organized around the College's three strategic priorities as determined by the members of the 8th Council.

The report includes a statistical overview of activity since the beginning of the calendar year as well as an update on activity related to the governance transition.

Transition Period

- On February 1, 2021, the College began a one-year transition to a new governance structure pursuant to recent amendments to the Ontario College of Teachers Act in Schedule 33 of Bill 229. During the transition period, a roster of eligible panellists must be established in order to form panels capable of adjudicating cases. The College is actively processing transition period roster member applications for appointment by the TSO as well as developing modules for the training of roster members. Further, the College has fashioned a summary process for adjudicating registration appeals cases related exclusively to the Ontario Mathematics Proficiency Test for Certification.
- The online application process for transition period rosters has been very successful, with over 230 applications received to date. An equal number of College members and members of the public have been invited to serve as panellists to December 31, 2021 to continue the work of Accreditation, Accreditation Appeal, Discipline/Fitness to Practise, Investigation and Registration Appeals. To date, confirmed roster appointments include five for Accreditation, 22 for Discipline/Fitness, five for Investigation and five for Registration Appeals.
- College staff meet with Ministry of Education colleagues weekly to provide updates and discussion of the College's progress on transition and governance matters. Most tangibly, College staff have provided information and materials that outline the overall project plan, a consultation framework, and a detailed inventory of the regulation requirements that will need to occur in 2021.
- A consultation framework has been developed to establish the general direction and intention of consultations that will occur on implementation of items in Bill 229. The framework sets out that during May 2021, the College will communicate and gather advice on three Bill 229 components: governance, compulsory sexual abuse prevention education for members, and member reporting.

COLLEGE STRATEGIC PRIORITIES

1. Strengthen transparency and accountability

- The College has implemented various process improvements to ensure that the public can continue to easily attend electronic proceedings that are open to the public, while also preserving the integrity of the hearings process. To promote the transparency of the discipline process, an attendance request form has been added to the College website, which allows the public to request access to any of the College's public proceedings. The

form also helps to ensure that any public attendees are informed of applicable publication bans and the conditions of their attendance before they are sent a link to the electronic proceeding.

Similarly, the process that allows the public to request access to all or part of a hearing record has been simplified to allow easier access to a public hearing record (without generally requiring a formal legal motion), while still ensuring that any sensitive information contained in the hearing record is appropriately protected.

- As a result of recent amendments to the College's Act, the College has revoked the certificates of individuals who the Discipline Committee found to be guilty of an act of professional misconduct consisting of, or including, sexual abuse of a student or a prohibited act involving child pornography, who did not have their certificates previously revoked. Affected individuals have been sent notices informing them of the revocation of their certificates and, when applicable, school board employers have also been notified. The public register has been updated to reflect these revocations. Information on these members was included in the March 2021 edition of *Professionally Speaking*. The College also responded to a number of media inquiries associated with the revocation of the 28 member licenses.
- The College's social media audience grew by a combined total of 2,106 followers (Twitter, Facebook, LinkedIn, Instagram, Pinterest and YouTube). This continued increase in followers demonstrates the organization's commitment to extending our reach across a variety of online platforms.

To maintain a high-level of customer service, the College's digital media team collaborates with internal stakeholders, as needed, to respond to inquiries received via Facebook within one to two business days. Since the last report in December 2020, 344 questions have been addressed (as of February 17) via social media. This is more than double the number of inquiries since our last report (167) and suggests that members are becoming increasingly aware of other organizational gateways to address their inquiries.

Communications tracks and analyzes online data for the College's e-newsletters including *Your College and You*, which is sent to members and applicants monthly, and *The Standard*, a quarterly publication for the public. Both newsletters have above or near industry-standard open rates. On average, education-based emails have an open rate of 23.4 percent. *Your College and You* has an open rate of 40.8 percent (English) and 43.4 percent (French) while *The Standard* has open rates of 19.8 per cent (English) and 31.7 percent (French). *The Standard* typically has yielded above-industry rates, and the slight dip in open rate is likely a result of the newsletter being distributed just before the December holidays.

Using Google analytics, we learned that the number of visitors who saw the December edition of *Professionally Speaking* / *Pour parler profession* online were 32,000 and 5,000 respectively (as of February 11, 2021). The most popular stories focused on Professional Boundaries, new legislation (Bill 229), discipline hearing summaries and "Final Exam." In French, readers were most interested in the Investigation Committee case study, "Final Exam," Professional Boundaries, discipline hearing summaries and Great Teaching.

- Continued promotion of the online version of the Professional Boundaries advisory via our social media accounts helps to clarify members' professional responsibilities in accordance with professional standards, legislation and the law.
- In February, the first in a series of reminders and invoices to members to pay for their 2021 membership by April 15 was distributed. Members who have not provided a current email address received a mailed reminder. Subsequent reminders will be sent in March and April. Clear, concise, and consistent language was used to convey the importance of membership renewal. Additionally, information about the membership fee deadline was also included in the December 2020 issue of *Professionally Speaking* and the January edition of *Your College and You*.
- The College has an ongoing monthly advertising arrangement with student-advocacy group Parents Engaged in Education, to include content in its monthly parent based e-newsletter. Our most recent content includes:
 - Information on the College's recently established Therapy and Counselling Program.
 - A call-to-action for qualified members of the public to apply online to serve as a panellist on the Accreditation, Accreditation Appeal, Discipline/Fitness to Practise, Investigation and Registration Appeals rosters.
- Staff have expedited the development of draft *American Sign Language as a Second Language* Additional Qualification (AQ) course guidelines in schedules A and C, which have been presented to the TSO for review and approval for provincial validation release.
- In January, revisions to the *Schedule C: Orientation to Teaching* AQ course guideline were completed.
- Members of the profession and educational partners were notified of 30 recently revised DRAFT AQ course guidelines, which have been posted for provincial validation since December 14, 2020, including *Schedule D: Teaching Students who are Blind/Low Vision*.
- Proposals have been submitted to the Canadian Network of Agencies of Regulation (CNAR) and to the World Indigenous Peoples' Conference on Education (WIPCE) with a view to highlighting how College resources will help to raise awareness of our responsibilities as treaty partners to write and implement Calls to Action.
- College members and stakeholders were also notified of the release of the revised *Ethical Standards* and *Standards of Practice* Poster, which has been updated to comply with the Accessibility for Ontarians with Disabilities Act, 2005 (AODA).

2. Manage risk more strategically

- Like all other areas of the College, the Intake area was affected in 2020 by the closures due to the COVID-19 pandemic. A complete shift to online submission of reports from employers has allowed Intake to maintain services without severe disruption. While there have been some delays related to board closures and internal procedures that have been altered to allow all staff to work from home, the receipt and processing of new files has largely been unaffected by changes due to the pandemic.

Employers have been advised to continue submitting information by electronic means and they have largely abided by this request. This has mitigated concerns with respect to the receipt and processing of physical mail, which remains delayed and poses logistical challenges for pickup with the College's physical offices remaining closed.

- Prior to the dissolution of Council, all investigation panels and oral admonishments continued to be held and delivered remotely via videoconference. At the request of the Investigation Committee and roster members, panels returned to a full day meeting schedule in December 2020.

Effective February 1, 2021, the College's Act was amended to enable the Investigation Committee to make inquiries where it believes that a member may be incapacitated and, if after those inquiries the panel believes on reasonable and probable grounds the member is incapacitated, it may require the member to attend medical assessments. If the member fails to attend the medical assessments, the Investigation Committee panel can make an order directing the Registrar to suspend the member's certificate until the member attends the assessments.

We continue to emphasize timely and efficient investigations while ensuring that members are afforded procedural fairness. The Investigation Committee considered and disposed of 303 complaints in 2020, down from 412 in 2019 and 387 in 2018. This decrease is expected given the challenges in obtaining information from employers, police, courts, child and family services, and public complainants during the pandemic starting in March 2020.

- Staff in the Investigations Unit continue to assess files for the Undertaking to Resign and Never to Reapply Pilot Project. In exchange for the undertaking, the member agrees to have a notation placed on the Public Register noting how the matter was resolved. In 2020, 14 matters were disposed of through these undertakings, which helped ensure that more significant matters could be considered by the committee in a timely and efficient manner. These processes also help to reduce the number of files that were referred to the Discipline or Fitness to Practise Committees, which assists in the management of prosecutorial resources.
- For the fourth year in a row, Investigations and Intake staff conducted English and French-language employer webinars in 2021. The webinars were presented on March 2 and March 3, 2021. This year's webinar provided a refresher on employers' duty to report under the Act and information relating to changes to the Act that will have an impact on employers, as well as a briefing on the College's Therapy and Counselling program presented staff in Corporate and Council Serviced. The webinars assist in fulfilling the College's goal of transparency and accountability as we continue to educate employers on their statutory obligations to the College.
- In light of the College's decision to convert in-person hearings to e-hearings since March 2020, and to presumptively schedule all new hearings as e-hearings well into 2021, internal and external prosecution counsel have been instructed to proceed with e-hearings so that allegations against members can continue to be heard in a timely fashion. This is particularly important in cases where the alleged conduct has exposed, or could expose, students to a risk of harm.

The Professional Conduct Unit and its prosecution teams are actively ensuring that their cases are ready to be scheduled and heard without undue delay. The risk with dated hearings is that the memories of participants, victims and witnesses tend to fade over time; participants may become less willing to take part in the hearing; and the evidence may not be as strong or as complete as it would have been had the hearing taken place earlier.

Due to concerns regarding COVID-19, all proceedings before discipline and fitness to practise panels continue to be held remotely.

- The College continues to refine its electronic hearings processes, with a view to holding a high volume of procedurally fair electronic hearings. Working closely with the discipline and fitness to practise committees, the Tribunals Unit implemented a series of amendments to the *Rules of Procedure of the Discipline Committee and of the Fitness to Practise Committee* during the fall of 2020. These rule amendments relate primarily to electronic hearings processes. They were implemented to align the rules with current practice and to ensure that the College's electronic hearings processes remain fair and transparent, which reduces the risk of appeal on procedural grounds. For instance, a new and transparent process for objecting to an electronic proceeding has been set out in the rules.

Similarly, improvements have been made to the scripts read by panel Chairs to open electronic hearings, in order to issue more explicit panel directions about maintaining publication bans in the context of electronic hearings. Specifically, panel members now direct all hearings participants and observers to not independently record the proceedings, to not publish photographs or screenshots from a hearing, and to not broadcast or stream any portion of a hearing, which would be in breach of the panel's publication ban. These clear directions, as well as the panel's reminder that anyone who breaches a publication ban may expose themselves to liability, help to ensure the integrity of the hearings process. They also help to protect the privacy of individuals involved in the hearings process, which mitigates the College's risk in relation to holding public hearings via videoconference.

The Tribunals Unit has also sought efficiencies that would allow it to hold a higher volume of electronic hearings. One such measure was the implementation of a pilot project to hold two electronic hearings on the same day before the same panel. This scheduling practice allows the discipline and fitness to practise committees to hold more electronic hearings in a single day, which is in the public interest and in line with the College's strategic priorities, as it allows the committees to dispose of more matters over a shorter period of time. Similar scheduling practices existed before the COVID-19 pandemic, while hearings were held in-person, and the relatively new electronic hearings processes have now improved to the point where this can be done remotely as well, subject to the panel and the parties' availability.

- In December 2020, the College's Council approved the creation of a new Temporary Certificate of Qualification and Registration in order to help address staffing shortages at school boards across the province that have been caused by the COVID-19 pandemic. The new certificate was launched in January of this year and will allow teacher candidates in the final stages of their teacher education programs to apply for occasional teaching positions. The certificate expires at the end of 2021. The College is

working with the Ministry of Education, Faculties of Education and school boards to implement this new temporary certificate.

The College has mitigated risks associated with the impact of the COVID-19 pandemic in programs of professional education through stakeholder collaboration, specific time-restricted regulatory amendments and accountability measures. Pre-service program providers recognize Accreditation Unit staff as a valued source of guidance as they navigate adjustments to practicum placements in light of the availability of the temporary certificate for certain teacher candidates. On January 30, 2021 amendments to Ontario Regulation 298 *Operation of Schools* and Ontario Regulation 176/10 *Teachers Qualifications* came into effect to allow for this temporary certificate to be issued to teacher candidates who are making satisfactory progress in their initial teacher education program and who have demonstrated successful completion of practicum placements to date. For those with a temporary certificate, employment dates will count as practicum days. An information session for Deans was held in late January to coincide with the coming into force of the regulatory amendments.

The College is recognized as a partner with shared responsibility for the implementation of the temporary certificate. Staff will continue to make opportunities available for the faculties to ask questions and share implementation details on an individual basis, and in collective gatherings such as Town Halls and at Ontario Association of Deans of Education (OADE)/Independent Organization of Deans and Directors of Education (IODDE) meetings.

- The recently introduced Bill 229, or the Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020, amended the Ontario College of Teachers Act by requiring College members to report:
 - findings of professional negligence made against the member
 - findings of professional misconduct or incompetence made against the member by another professional regulator
 - findings that related to the member's suitability to practise
 - if the member has been found guilty of a criminal offense
 - if there is a change in status of the finding of guilt as a result of an appeal
 - information about every bail condition or other restriction imposed on the member.
- The College was included in plans by the Ministry to publish a professional advisory to ensure that there are clear, transparent, and effective accountability and recourse measures in rapidly responding to instances and allegations of anti-Black racism and discrimination. This advisory is currently being developed and will complement an AQ course concerning anti-Black racism. The Professional Misconduct regulation (O. Reg. 437/97) now includes "making remarks or engaging in behaviours that expose any person or class of persons to hatred on the basis of a prohibited ground of discrimination under Part I of the Human Rights Code."
- *Professionally Speaking / Pour parler profession* provides ongoing professional learning opportunities for College members in every issue. For example, the "New at the Library"

section features an array of resources in the College's Margaret Wilson Library. Great Teaching offers examples of Ontario Certified Teachers putting advice in the College's advisories to practical use in their classrooms. "Tech Class" profiles some of the province's best educators as they innovate and embrace technology. And the "Governing Ourselves" section regularly shares news about new professional development opportunities. The magazine, while primarily distributed to members, is also sent to members of the public and other education stakeholders, and is freely available online to any member of the public. Highlights from the most recent issues of the magazine include:

- December 2020: The cover story "Professional Boundaries", provides a clear and in-depth look into *Professional Boundaries – Professional Advisory*, our latest advice to membership. A copy of the advisory was also included in the magazine. Additionally, the "Reviews" section of the magazine also had a special section devoted resources supporting professional boundaries.
- Our "Pop Quiz" section featured Karen Murray, OCT, and project lead for the development of the College's new AQ guidelines on anti-Black racism. Murray provided updates on the AQ.
- The "Great Teaching" department showcased members who put the College's professional advice to good use, specifically, *Maintaining Professionalism — Use of Electronic Communication and Social Media – Professional Advisory*.
- The feature "Going Green" highlighted professional learning resources, including College-accredited AQs, to help members gain a better understanding of environmental issues and how to engage students about eco-topics.
- March 2021: A "read and flip" issue, the latest edition of the magazine includes an entire second issue that focuses entirely on AQs that are available to members and ones that are under development. Feature articles focused on the upcoming AQ on anti-Black racism, Indigenous perspectives within all AQs, critical reflection, leadership in developing new AQs and an AQ providers list.
- Through the "Great Teaching" section, the regular issue of the magazine showed members using advice provided in the advisory *Responding to the Bullying of Students*.
- We continue to publish accessible AQ draft guideline PDFs on the College website to facilitate the ongoing professional development of College members.
- The College released its annual Transition to Teaching Report in December 2020. This landmark report studied a number of dimensions of the early career experiences of new teachers, and highlighted that Ontario's teacher shortage is growing, and that French and English school boards face significant recruitment challenges ahead. The report received some media coverage, and findings were featured in a cover story in the Toronto Star. Report highlights were also included in a summary article in *Professionally Speaking*.

This information was used to help promote the temporary certificate program. The College has received more than 2,400 applications since the program went live.

- Feedback was received through various research methods (surveys and ThoughtExchange) regarding the following provincial consultation initiatives:
 - *Foundations of Professional Practice for the Teaching Profession* feedback on sections: Beliefs about Professional Practice and Professional Identity and the Standards.
 - Schedule C: Teaching and Learning through E-Learning AQ and an AQ related to Anti-Black Racism.
- College staff are monitoring the Ministry of Education’s progress on securing a vendor for the new Mathematics Proficiency Test requirement. At this time, the requirement is a “condition” on current and new members’ certificates, requiring they pass the test by August 31, 2021, or their certificate will expire. However, with no test currently available, the College will risk having to expire a large number of members’ certificates. College staff have stressed this consequence to Ministry staff, and offered specific timelines and dates that are required for our operations to be able to respond to any change in the requirement.
- Work is underway on the design and implementation of a Sexual Abuse Prevention Program, with a planned deployment of January 2022. Most significantly, the program will include a member education program. Research and policy models for this program are currently under review, and the College will consult stakeholders and the education sector on implementation considerations in May 2021. To inform and guide our work, College staff have also provided briefings to Ministry of Education staff and collaborated with the College of Early Childhood Educators, who will also implement a similar program under the Bill.

3. Improve stakeholder engagement

- Inter-staff meetings with staff from the Principals’ Councils of Ontario and the Ontario Teachers’ Federation and its Affiliates were held on November 10 and November 17, 2020, respectively. Some of the topics discussed included: the Investigation Committee’s Guideline regarding admonishments via video conference; an overview of employer reporting; process for redirection of a hearing’s file to the Fitness to Practise Committee; clarification regarding costs and fines and the implementation of the Therapy / Counselling Program and related costs; and caseload statistics related the work of the Investigations and Hearings department.

During 2021 there will be a joint venture between the principals’ councils of Ontario and the College to offer workshops or webinars on best practices for principals and vice-principals to conduct and document investigations.

- Over the years, the College has participated in numerous popular community events targeting parents and guardians of school-aged children to help increase public awareness and encourage these stakeholders to sign up for The Standard. These in-person events were cancelled due to the restrictions on gatherings during the COVID-19 pandemic. The College adapted to this reality by participating in the virtual events listed below where staff presented to a variety of audiences to ensure we could continue to strategically engage with stakeholders.

| Date | Event |
|-------------------|---|
| November 4, 2020 | Upper Canada College – Personnel PD session |
| November 24, 2020 | Upper Canada DSB – Orientation Day |
| November 25, 2020 | Connecture Canada |
| November 25, 2020 | CFORP – Enseigner en français en Ontario |
| January 13, 2021 | Durham Hiring Immigrant Professional Talent |
| February 3, 2021 | Education Student Teachers’ Association |
| February 24, 2021 | CFORP – Enseigner en français en Ontario |

- In November, the College provided sessions to personnel at Upper Canada College and the Upper Canada District School Board. These presentations focused on the College’s role and mandate and highlighted recently revised professional advisories on the topics of *Professional Misconduct of a Sexual Nature* and *Maintaining Professionalism – Use of Electronic Communication and Social Media*.
- In February, the College provided a professional development session for future members focused on the Professional Learning Framework and the AQ courses accredited by the College.
- In November and January, staff attended two virtual employment fairs in different regions of Ontario. Participants received information about the College, the certification registration process and the requirements needed to work as an Ontario Certified Teacher.
- In November and February, members of the senior leadership team participated in panel discussions hosted by le Centre franco-ontarien de ressources pédagogiques (CFORP). The sessions, which were broadcast worldwide, were aimed at providing valuable information to those considering a teaching career in French in Ontario.
- The College continues to provide presentations to members enrolled in Principal’s Qualification Program (PQP) and Supervisory Officer’s Qualification Program (SOQP) across the province. The presentations reinforce the concept and importance of self-regulation, including the duty of the College to operate in the public interest. Staff provide members with interactive case studies to help them understand and reflect on the standards of practice, ethical standards and the investigations and hearing process from an administrator’s perspective. These sessions also provide an opportunity for the College to highlight resources available to administrators to assist them in their roles. From November 2020 to February 2021, College staff presented at four PQP and SOQP sessions.
- Every year, College staff make presentations to faculties of education to provide teacher candidates with important information to help build awareness and knowledge of the College, the teacher certification process, and the wealth of services and supports available to members. Teacher candidates in the first two semesters of the program are provided with information about the College’s role in the provincial education landscape, its mandate and responsibilities, and an introduction to the teacher certification registration process. Teacher candidates entering their third and fourth semesters are

provided with detailed information on ethical decision making and advice provided to members through professional advisories. These candidates are also provided with more in-depth information and support on the registration process.

While presentations are usually done in-person, due to the pandemic College staff conducted 18 faculty presentations from November 2020 to February 2021 using various virtual meeting platforms.

- The College's Scholarship Program recognizes and supports excellence in teacher education through annual scholarships to assist in the education of future teachers. The recipients of the 2020 scholarships were announced in December via our digital media properties. The program identifies exemplary role models in Ontario's teacher education programs. All recipients embody the spirit of professionalism, and are passionate about and dedicated to, the highest ideals of teaching. Profiles of the recipients ran in the March edition of *Professionally Speaking / Pour parler profession*. During your term as Transition Supervisory Officer, you will be provided with an opportunity to award the College's 2021 scholarships in the amount of \$1500 per student.
- The College continues to work with Indigenous educational partners in facilitating professional development sessions for staff related to College practices.
- The accreditation renewal of programs of professional education offered by Université d'Ottawa is the first accreditation review to be conducted entirely online in the history of the College. The four-person panel completed the site visit, including virtual tours of three campuses and interviews with 32 stakeholder groups in early February 2021. Staff supporting this review have developed new tools and processes at every stage of the review, from panel training to the scaffolding of the draft panel report. These steps will be refined in action by Accreditation Unit staff, as they carry them forward to upcoming reviews. Practices that will continue for virtual and hybrid site visits will be shared with other accrediting agencies. This sharing continues through the College's affiliation with the Association of Accrediting Agencies of Canada (AAAC) and may enhance processes for professional education accreditation nationally.
- Staff continue to participate in sharing sessions with staff from the Irish Teaching Council. Most recently, staff connected virtually to share the provider's application template and tools for precision in documenting evidence.
- In early February 2020, Indigenous scholars and allies gathered at the College to review accreditation processes. It was an opportunity for stakeholders to directly provide input about site visits and interview practices for accreditation reviews of Indigenous programs of professional education. Participants at the gathering included faculty members from seven universities with accredited programs of professional education.

A report was shared with the participants and their Deans. The report summarizes and describes the implementation of the group's recommendations thus far for both Indigenous and non-Indigenous programs of professional education. In a timely example, an evolution of site visit practices that will be leveraged for the upcoming accreditation review of an Indigenous Education program is the translation of the posters into the local language. The virtual posters that will be distributed announcing opportunities for public submission will be translated into Ojibway.

- The Therapy and Counselling program was created in January 2020 but has not received an application to date. The College will begin to actively promote this program to those who may be eligible for funds through a number of strategies and through partners in the complaints process. Given the sensitivity of the subject, the age and nature of the victims, and the indirect contact the College may have with potential claimants, we have developed and promoted materials that could be provided to partners such as school boards or police services to then share with complainants. Staff are also trying to improve program awareness through information in *Your College and You*, letters to Directors of Education, and presentations at employers' seminars.

STATISTICS

Human Resources

- Recruitment is ongoing as vacancies arise from time to time in the 180.5 regular staff positions approved by Council for the 2021 budget. The following summary includes regular College staff, staff seconded from school boards and temporary staff as of February 24, 2020:

| | |
|---|--------------|
| Budgeted positions for 2021 | <u>180.5</u> |
| Staff with regular appointments | 159.5 |
| Temporary staff replacing staff on leaves and vacancies | 10.5 |
| Staff seconded from school boards | 2.5 |
| Vacant positions at the time of reporting | 8 |
| | <u>180.5</u> |

Services to Applicants and Members

- Applications, certification outcomes, new members 2020 and 2019:

| TOTAL APPLICATIONS (includes all new or previously closed applications, excludes previously expired or denied) | | |
|--|-------|-------|
| Jurisdiction | 2020 | 2019 |
| Ontario | 4,418 | 4,353 |
| International | 1,353 | 1,318 |
| Labour Mobility | 352 | 349 |
| TOTAL | 6,123 | 6,020 |

| Jurisdiction | New Members Jan. 1-Dec. 31, 2020 | New Members Jan. 1-Dec. 31, 2019 |
|-----------------|-------------------------------------|-------------------------------------|
| Ontario | 4,610 | 4,490 |
| International | 964 | 681 |
| Labour Mobility | 251 | 312 |
| TOTAL | 5,825 | 5,483 |

- Degree verifications for Ontario applicants; credential assessment and outcome (certified, denied, in progress) for internationally educated teachers and labour mobility applicants:

| | Jan. 1 to Dec. 31, 2020 | | | Total 2020 | Jan. 1 to Dec. 31, 2019 | | | Total 2019 |
|--|-------------------------------|-----------|----------------|---------------|-------------------------------|------------|----------------|---------------|
| | Eligible for Certification | Denied | In Progress | | Eligible for Certification | Denied | In Progress | |
| International credentials held by Ontario graduates (degree verifications) | 289 | 3 | 44 | 336 | 186 | 4 | 59 | 249 |
| Labour mobility administrative reviews | 377 | 2 | 72 | 451 | 446 | 1 | 37 | 484 |
| International credential assessments | 804 | 79 | 502 | 1,385 | 569 | 109 | 643 | 1,321 |
| Total | 1,470 | 84 | 618 | 2,172 | 1,201 | 114 | 739 | 2,054 |

- In 2020, there was a 55 percent increase in the number of degree verifications of international credentials held by Ontario graduates. More than likely this increase is directly linked to the increase in applications from Ontario graduates and new members who completed their teacher education program in Ontario but completed post-secondary degrees outside of Canada. It may represent faculty of education admissions of candidates who represent greater diversity. The College will monitor this to determine if it is a trend.

- In 2020, the total number of international credential assessments leading to certification increased by 41 percent when compared to the number of international credential assessments leading to certification in 2019. The increase is the result of the converting Evaluation Assistant positions into Evaluator positions, which allowed for more flexibility in the distribution of the work in the unit. In addition, since the beginning of the pandemic, Membership Services has prioritized initial certification processes in order to help address the shortage of teachers in Ontario. In the Spring of 2020, the unit's denial process was suspended for a period of time until we could change the paper-based process to an electronic one. Consequently, the total number of denials processed in 2020 decreased by 28 percent when compared to the number of denials processed in 2019.
- Evaluation Services did not experience a significant change in the jurisdiction composition of the files received for a credential assessment in 2020 when compared to 2019. Overall, the highest percentage of files received in the unit for a credential assessment were from India, the United States and Jamaica. In addition, the internationally educated teachers eligible for certification in 2019 represented 46 different countries and this number increased to 47 in 2020.
- As outlined in the *Fair Registration Practices Regulation 271/09*, the Registrar shall use best efforts to make a decision about whether to issue a certificate within 120 days after receiving the application and all required documents. The average number of days for an internationally educated teacher (IET) to become certified has increased. In 2019, the average number of days for an IET to become certified was 158 days and that increased to 166 days in 2020. The number of days to complete an evaluation fluctuates from year to year and extended timelines are generally confined to jurisdictions where files tend to be more complex. As training under the new staffing model in Evaluation Services continues, the goal is to assign more staff members to the credential assessments for these jurisdictions in pursuit of reduced timelines and improved service.
- The average number of days for a labour mobility applicant (LMA) to become certified decreased in 2020 when compared to the previous year. In 2019, the average number of days for an LMA to become certified was 46 days and that decreased to 43 days in 2020. The composition of applications received for an administrative review has continued to change. In 2019, 30 percent of the LMAs reviewed were from individuals who completed a teacher education program outside Canada and this number increased to 33 percent in 2020. We will continue to monitor this trend.

2020 Certification Outcomes

- When we determine whether an applicant meets the certification requirements, we review their academic and professional credentials, the evidence of language proficiency and their professional suitability. The certification outcomes are similar from year to year. Of the applicants eligible for certification in 2020, the outcomes are as follows:

| Certification Outcome | Percentage (%) |
|--|-----------------------|
| Condition – Complementary Education | 32 |
| Condition – Additional Basic Qualification (ABQ) and Complementary Education | 31 |
| No Conditions | 11 |
| Condition - ABQ | 10 |
| Condition - ABQ, Practicum and Complementary Education | 4 |
| Condition - MPT and Complementary Education | 4 |
| Condition - Practicum and Complementary Education | 3 |
| Condition - ABQ and Practicum | 2 |
| Condition – Practicum | 1 |
| Condition - Math Proficiency Test (MPT) | 1 |
| Condition - MPT, ABQ and Complementary Education | <1 |
| Condition - MPT and ABQ | <1 |
| TOTAL | 100% |

2020 Reasons for Denial

- Of the applicants denied in 2020, the reasons for denial are as follows:

| Reasons for Denial | Percentage (%) |
|--|-----------------------|
| Professional | 38 |
| Language Proficiency | 29 |
| Professional and Language Proficiency | 17 |
| Academic | 12 |
| Academic, Professional, and Language Proficiency | 1 |
| Academic and Professional | 1 |
| Academic and Language Proficiency | 1 |
| Professional Suitability | 1 |
| TOTAL | 100% |

- The three most frequent reasons for denials remained the same as 2019.
- In 2020, the College offered certification to 38 previously denied applicants, as they had successfully completed the requirements outlined in the Registrar or Deputy Registrar's denial letter.

Member and Non-Member Statistics

| Status | February 2021 | February 2020 |
|---|----------------|----------------|
| <u>Appears on the Public Register</u> | | |
| Good Standing (incl. subject to terms, conditions, limitations) | 231,914 | 234,640 |
| Retired | 161,226 | 155,188 |
| Suspended Non-Payment of Fees | 74,364 | 74,413 |
| Expired | 21,591 | 21,637 |
| Cancelled – Resigned | 3,285 | 3,358 |
| Revoked | 415 | 369 |
| Cancelled | 267 | 269 |
| Suspended and Suspended – Interim | 98 | 95 |
| Sub Total | 493,160 | 489,969 |
| <u>Does Not Appear on the Public Register</u> | | |
| Deceased | 37,645 | 35,059 |
| Unprofiled ⁽¹⁾ | 21,009 | 20,980 |
| Closed | 12,593 | 12,682 |
| Removed | 6,482 | 6,398 |
| Unsubmitted ⁽²⁾ | 5,525 | 5,975 |
| Document Assessment | 6,576 | 5,208 |
| Denied | 3,279 | 3,248 |
| Never Registered | 1,013 | 1,013 |
| Evaluation Validity Expired | 970 | 980 |
| Waiting for Payment Approval | 434 | 463 |
| Applicant Hold | 420 | 407 |
| Submitted to Evaluation | 388 | 637 |
| Cancelled by Minister | 121 | 121 |
| Administrative Review | 63 | 62 |
| Credential Evaluation Letter | 10 | 10 |
| Under Registrar Review | 2 | 5 |
| Sub Total | 96,530 | 93,248 |
| Total | 589,690 | 583,217 |

⁽¹⁾ Record created when a document is received that cannot be linked to a member or applicant record. This occurs for new applicants who may arrange for documents prior to sending an application. Once the application is received, the document is moved to the new record.

⁽²⁾ Record created when an individual starts but has not yet completed an application for certification.

Margaret Wilson Library

- Total circulation of eBooks increased 26 percent year over year. In 2020, members borrowed 19,446 items versus 15,461 items in 2019 [full text and download]. The top five subject areas of eBooks circulated were math, science and technology, literacy, distance learning and leadership.
- Library software enhancements enabled members to perform many more research database searches, a huge benefit for members. In calendar year 2020, there were 1,240,874 million searches.
- In calendar year 2020, there were a total of 1,731 staff interactions with members. The library is currently closed to in-person service.

Standards of Practice and Accreditation

| Description | Statistics |
|--|--|
| Accreditation: Submitted Courses Year-Over-Year (2019 vs 2020) | Total in 2020: 193 (Total in 2019: 182) |
| Courses Accredited Year-Over-Year (2019 vs 2020) | Total in 2020: 201 (Total in 2019: 155) |
| Governance Reviewed Year-Over-Year (2019 vs 2020) | Total in 2020: 6 (Total in 2019: 6) |
| Sample/Feedback Reports Year-Over Year (2019 vs 2020) | Total in 2020: 5 (Total in 2019: 4) |

Note: Please note that the Additional Qualification (AQ) work is continuously fluctuating. Part of 2019 and part of 2020 were the gap year (end of term for the first switch from 4 to 5 year accreditation).

- Staff have continued to work virtually with providers and review panels in varying stages of the accreditation process. Ongoing core work pertaining to Ontario Regulation 347/02 Sections 18, 21 and 32(4) includes:

| Section 18 Renewal of Accreditation | Section 21 Review, Substantial Change in Program | Section 33 (4) Revocation |
|--|---|---|
| OttawaFR | Lakehead – Addition of Intermediate/Senior areas of study at the Orillia campus | Redeemer – Cessation as a provider of Additional Qualification programs |

| Section 18 Renewal of Accreditation | Section 21 Review, Substantial Change in Program | Section 33 (4) Revocation |
|--|--|------------------------------|
| OttawaEN – Indigenous Teacher Education | | |

- The cessation of provider status of Redeemer University as a provider of Additional Qualification programs resulted in the revocation of eight AQ courses. Redeemer will continue as a provider of a program of initial teacher education.

Investigations and Hearings

- In 2020, single-member panels of the Investigation Committee approved 61 Memoranda of Agreement between members and the College, and deferred two matters for proposed modification. These panels continued to meet via videoconference throughout the latter half of 2020 and into 2021 using eScribe document sharing technology. For comparison purposes, 86 Agreements were approved in 2019 and 61 in 2018.
- In 2020, the Internal Resolution team completed 25 hearings (36 in 2019). Professional Conduct also continued to provide prosecution, penalty and scheduling instructions to the College's external legal teams, leading to a total of 100 matters completed in 2020 (115 in 2019).

| | 2020 | 2019 |
|---|------|------|
| Complaint Resolution and Internal Resolution | | |
| CR/Resolution by Undertaking assessments (all complaints are assessed for suitability) | 284 | 386 |
| CR resolutions (agreements adopted by single-member IC panels) | 61 | 86 |
| Resolutions by Undertaking (in incompetence/TPA complaints) | 3 | 9 |
| DC assessments (all DC referrals are considered for possible Internal Resolution prosecution) | 65 | 158 |
| DC hearings completed by Internal Resolution staff (in-house staff prosecutions) | 25 | 36 |
| External | | |
| Prosecution/Penalty Instructions given to External Counsel – DC matters | 88 | 101 |
| Prosecution/Penalty Instructions given to External Counsel – FTPC matters | 12 | 14 |

- The following chart summarizes concerns received at Intake for the period of January 1 to December 31, 2020, compared to the same period the previous year.

| Description | 2020 | 2019 |
|---|------------|------------|
| Origin of Concerns for New Intakes | | |
| - Member of the public | 266 | 321 |
| — Secretary of Board – Teacher Performance Appraisal ⁽¹⁾ | 5 | 9 |
| - Member of the College | 43 | 79 |
| - Registrar (including employer notifications) | 316 | 450 |
| - Minister of Education | 0 | 0 |
| Total New Intakes | 625 | 850 |
| | | |
| - Resolved at Intake ⁽²⁾ | 266 | 429 |
| • Employer notifications resolved at Intake | 78 | 89 |
| - Transferred to Investigations Unit ⁽²⁾ | 416 | 459 |
| - Active Intake files | 44 | 89 |

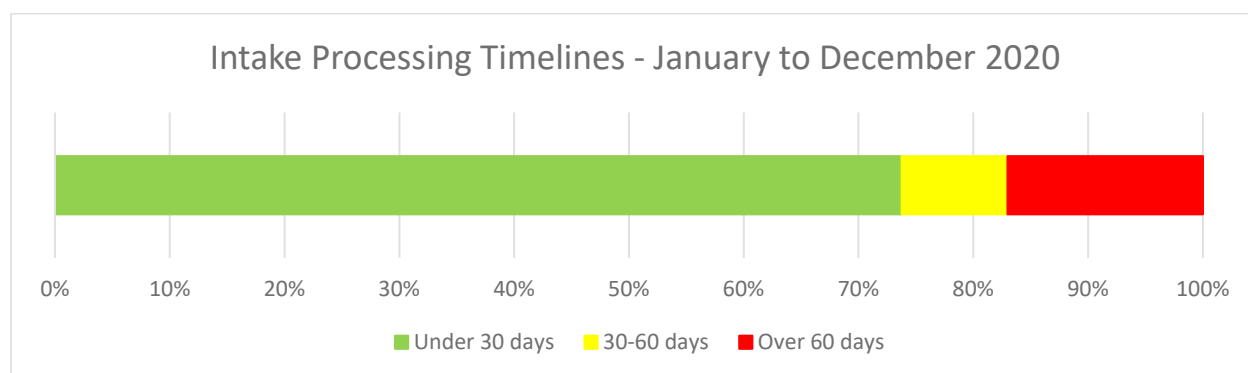
- (1) Reports related to resignation or termination as a result of unsatisfactory teacher performance appraisal.
- (2) The number of Intake files noted as “Resolved at Intake” and “Transferred to Investigations Unit” in this chart may have been received by the College in a previous reporting period. The number of matters resolved or closed during a reporting period will therefore not match the number of new files received during the same period.
- Between January 1 and December 30, 2020, Intake received approximately 550 telephone calls and emails. The vast majority of calls to Intake are resolved on the day they are received. Email responses are typically sent within 24 hours.

In addition to addressing concerns by telephone and email, Intake completed the processing of 682 formal expressions of concern and employer notifications from January 1 to December 30, 2020. Timelines for Intake processing these files are as follows:

Files completed in under 30 days – 503 (73.8% of all files)

Files completed in 30 to 60 days – 63 (9.2% of all files)

Files completed in over 60 days – 116 (17% of all files)



The majority of the files that remained open for over 60 days were kept open as further information was needed from employers in order to determine an appropriate course of action. The duration of open Intake files was also affected by COVID-19-related closures

at many school boards. Intake does regular outreach to employers to advise of the importance of providing the College with required information in an expeditious manner.

- The following is a summary of the disposition of cases concluded by panels of the Investigation Committee between January 1 and December 31, 2020:

| Disposition of Cases | 2020 | 2019 |
|---|-------------|-------------|
| Refused to investigate: not related to professional misconduct or incapacity 26(2)(a), OR, frivolous, vexatious, abuse of process, manifestly without substance or made for an improper purpose; 26(2)(b) (Request for Direction) | 12 | 7 |
| Referred to Discipline Committee under clause 26(5)(a) | 65 | 158 |
| Referred to Fitness to Practise Committee under clause 26(5)(a) | 8 | 15 |
| Not referred under clause 26(5)(a) or (b) and no further action taken | 26 | 33 |
| Written reminder under subsection 26(5)(d) | 10 | 5 |
| Written advice under subsection 26(5)(d) | 13 | 12 |
| Written caution under subsection 26(5)(d) | 26 | 37 |
| Written admonishment under subsection 26(5)(d) | 24 | 22 |
| Oral admonishment under subsection 26(5)(c) (in person) | 41 | 28 |
| Resolved through complaint resolution under subsection 26(5)(d) | 61 | 86 |
| Resolution by undertaking | 17 | 9 |
| TOTAL | 303 | 412 |

Note: Resolution by undertaking numbers include 14 matters resolved through the Pilot Undertaking to Resign and Never Reapply process. The total number of dispositions does not include 38 matters that were withdrawn or abandoned before reaching a panel of the Investigation Committee.

- The total number of open files at year end (Discipline Committee and Fitness to Practise Committee) is summarized below:

| | | |
|------|---|-----|
| 2020 | - | 285 |
| 2019 | - | 321 |
| 2018 | - | 232 |
| 2017 | - | 172 |
| 2016 | - | 218 |

- Discipline and Fitness to Practise Committee hearings can be categorized as contested or uncontested. Typically, in contested matters, the member does not admit to allegations of professional misconduct, incompetence or incapacity, and the hearing

may involve witnesses and/or experts. An uncontested hearing proceeds on agreement and the member admits to, or pleads no contest to, the allegations.

Courts and tribunals continue to encourage resolutions through agreements wherever possible. When parties representing opposing positions are able to reach consensus, it allows resources to be focused on contested hearings of a serious nature.

In *R. v. Anthony Cook*, [2016] 2 S.C.R. 204, 2016 SCC 43, the Supreme Court of Canada examined the reasons joint submissions should usually be accepted by adjudicators, including that the defendant is giving up their right to a full hearing and that the parties, the public and other stakeholders often gain by having such agreements generally accepted. For example, witnesses are spared having to give testimony. The Court concluded that a very high threshold must be met in order to reject a joint submission. Before rejecting a joint submission, adjudicators must consider whether accepting it would bring the administration of justice into disrepute or would not otherwise be in the public interest.

- The following tables are included to highlight the work of the Discipline and Fitness to Practise Committees, and the Tribunals Unit that supports their work. 2020 was an exceptional year in light of the COVID-19 pandemic and the changes to hearings processes that followed. Notably, all hearings were held electronically from mid-March onwards, which required making significant changes to all hearings-related processes. During the Spring of 2020, hearings volume was limited due to pandemic related restrictions. The pandemic also had a significant impact on the scheduling of hearings, as many hearings had to be postponed and rescheduled because of the pandemic. As anticipated, the volume of concluded matters was lower in 2020 than 2019; however, it is notable that the 2020 data reported below falls well within the range of the previous three years, despite the pandemic's significant impact on all hearings processes.

Concluded matters

| Month | 2020 | 2019 | 2018 | 2017 |
|--------------|------------|------------|-----------|------------|
| January | 12 | 5 | 13 | 18 |
| February | 16 | 6 | 6 | 8 |
| March | 9 | 5 | 2 | 6 |
| April | 2 | 13 | 5 | 5 |
| May | 6 | 13 | 2 | 8 |
| June | 5 | 12 | 8 | 8 |
| July | 10 | 13 | 1 | 7 |
| August | 9 | 8 | 1 | 7 |
| September | 4 | 3 | 4 | 4 |
| October | 8 | 18 | 10 | 16 |
| November | 9 | 15 | 12 | 14 |
| December | 10 | 4 | 8 | 6 |
| TOTAL | 100 | 115 | 72 | 107 |

- The following table shows the number of days spent working on matters by members of the Discipline and Fitness to Practise Committees, including hearing days, deliberations or decision-writing days and pre-hearing days. The amount of time spent conducting the

work of the Discipline and Fitness to Practise Committees in 2020 (117 days) is slightly above the 2017-2019 average (115 days).

Hearing/Writing/Pre-Hearing Days

| Month | 2020 | 2019 | 2018 | 2017 |
|--------------|------------|------------|------------|------------|
| January | 9 | 4 | 11 | 10 |
| February | 18 | 8 | 8 | 7 |
| March | 6 | 4 | 7 | 12 |
| April | 5 | 13 | 11 | 13 |
| May | 6 | 9 | 7 | 7 |
| June | 9 | 15 | 9 | 11 |
| July | 10 | 13 | 8 | 5 |
| August | 8 | 10 | 2 | 5 |
| September | 6 | 4 | 8 | 3 |
| October | 11 | 17 | 8 | 13 |
| November | 16 | 19 | 15 | 13 |
| December | 13 | 15 | 11 | 10 |
| TOTAL | 117 | 131 | 105 | 109 |

- The following three tables show the breakdown of the nature of the work conducted by the Discipline and Fitness to Practise Committees.

Contested Hearings (and number of actual contested hearing days)

| Month | 2020 | 2019 | 2018 | 2017 |
|--------------|---------------------|---------------------|---------------------|---------------------|
| January | 2 (2 days) | 2 (2 days) | 1 (2 days) | 1 (1 day) |
| February | 3 (5 days) | 0 | 1 (2 days) | 1 (2 days) |
| March | 1 (1 day) | 1 (1 day) | 3 (3 days) | 1 (2 days) |
| April | 0 | 5 (3 days) | 3 (3 days) | 2 (2 days) |
| May | 1 (1 day) | 0 | 4 (6 days) | 2 (4 days) |
| June | 1 (1 day) | 3 (6 days) | 2 (2 days) | 2 (4 days) |
| July | 1 (1 day) | 1 (2 days) | 3 (3 days) | 0 |
| August | 1 (1 day) | 3 (3 days) | 1 (1 day) | 2 (3 days) |
| September | 1 (1 day) | 2 (2 days) | 3 (6 days) | 1 (2 days) |
| October | 4 (6 days) | 4 (7 days) | 1 (2 days) | 1 (1 day) |
| November | 3 (3 days) | 4 (5 days) | 1 (1 day) | 4 (4 days) |
| December | 3 (3 days) | 3 (5 days) | 3 (5 days) | 2 (3 days) |
| TOTAL | 21 (25 days) | 28 (36 days) | 26 (36 days) | 19 (28 days) |

Agreements/Withdrawals Heard

| Month | 2020 | 2019 | 2018 | 2017 |
|----------|------|------|------|------|
| January | 4 | 2 | 5 | 5 |
| February | 15 | 9 | 3 | 4 |
| March | 6 | 3 | 1 | 7 |
| April | 3 | 12 | 4 | 3 |
| May | 4 | 9 | 0 | 4 |
| June | 7 | 13 | 9 | 9 |
| July | 9 | 12 | 1 | 5 |

| | | | | |
|--------------|-----------|------------|-----------|-----------|
| August | 7 | 4 | 3 | 4 |
| September | 5 | 4 | 1 | 4 |
| October | 6 | 17 | 8 | 18 |
| November | 10 | 15 | 14 | 11 |
| December | 14 | 6 | 8 | 10 |
| TOTAL | 90 | 106 | 57 | 84 |

Pre-Hearings

| Month | 2020 | 2019 | 2018 | 2017 |
|--------------|-----------|-----------|-----------|----------|
| January | 2 | 0 | 2 | 0 |
| February | 2 | 1 | 4 | 1 |
| March | 3 | 2 | 0 | 2 |
| April | 3 | 3 | 4 | 0 |
| May | 0 | 3 | 3 | 0 |
| June | 0 | 2 | 2 | 0 |
| July | 0 | 3 | 0 | 3 |
| August | 1 | 3 | 0 | 0 |
| September | 2 | 0 | 1 | 0 |
| October | 0 | 1 | 1 | 1 |
| November | 3 | 3 | 5 | 0 |
| December | 2 | 3 | 1 | 1 |
| TOTAL | 18 | 24 | 23 | 8 |

This data reveals several significant details. First, despite having to pivot all hearings related processes in response to the pandemic, the volume of work conducted by the discipline and fitness to practise committees (and the Tribunals staff who support them) in 2020 is similar to the average volumes from the previous three, pre-pandemic years (2017-2019). This demonstrates a remarkable resilience and commitment to the College's important, public interest work.

Second, each of the above three tables show how the pandemic impacted various aspects of the work of the discipline and fitness to practise committees at various parts of the year. During the spring and summer of 2020, for instance, the monthly volume of contested hearings was lower than usual. This is because new processes were being developed to conduct procedurally fair, electronic hearings, and because it took several months to ensure that hearings participants received the necessary training to participate in these proceedings using new technologies. By the fall of 2020, the volume of contested hearings returned to pre-pandemic levels.

A similar trend emerged in relation to the uncontested hearings and pre-hearings held by the discipline and fitness to practise committees. During the spring of 2020, the volume of these matters was lower than usual. This is due to two main factors: (1) scheduling restrictions related to the pandemic; and (2) the need to develop new hearings processes and provide training to participants in order to conduct entirely remote, electronic hearings for the first time. Once these new processes were put in place, and pandemic restrictions eased during the summer of 2020, the volume of uncontested hearings and pre-hearings increased to pre-pandemic levels. Another noticeable dip in volume occurred in September 2020, as the province reopened schools, which required

the Tribunals Unit to be sensitive to committee members' and hearing participants' schedules, as there were significant new time constraints for many who either worked in the education sector, or who had school-aged children. Over the course of the fall of 2020, volume returned to pre-pandemic levels.

Throughout 2020, the Tribunals Unit continually refined electronic hearings processes, sought efficiencies to better support members of the discipline and fitness to practise committees in conducting their core hearings work, and worked closely with various stakeholders to hold as many hearings as possible in the unique circumstances of the COVID-19 pandemic.

I trust this information will be of assistance to you and look forward to any questions or comments you may have.

Derek Haime, OCT
Registrar