



Setting the Standard for Great Teaching
Fixer la norme pour un enseignement de qualité

Memo

Date: October 10, 2019
To: Members of Council
From: Jacqueline Karsemeyer, OCT
Chair, Investigation Committee
Subject: Report of the Investigation Committee

The following is a summary of the disposition of cases concluded by panels of the Investigation Committee between August 1, 2019 and September 30, 2019.

IC Panel Dates

Months	Dates
August	14, 20, 21, 22*
September	17, 18, 25*

*Indicates single-member IC panel meeting (CR).

Statistics

Disposition of Cases	Complaints
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)	0
Referred to Discipline Committee under clause 26(5)(a)	34
Referred to Fitness to Practise Committee under clause 26(5)(a)	4
Not referred under clause 26(5)(a) or (b) and no further action taken	6
Written reminder under subsection 26(5)(d)	0
Written advice under subsection 26(5)(d)	2
Written caution under subsection 26(5)(d)	5
Written admonishment under subsection 26(5)(d)	8
Oral caution/ under subsection 26(5)(c)	0
Oral admonishment under subsection 26(5)(c) (in person)	8
Resolved through complaint resolution under subsection 26(5)(d)	17
Resolution by undertaking	1
TOTAL	85

Note: This total does not include four Requests for Direction where the panel decided to investigate some or all allegations.


Duties and Mandate of the Committee

The duties and mandate of the Investigation Committee are described in Appendix 1 of this document.

Investigation Committee Members

Bob Cooper, OCT
Tim Gernstein, OCT
Erin Glen, OCT
Jacqueline Karsemeyer, OCT (Chair)
Shannon Marcus, OCT (until August 15, 2019)
Michelle Miner Seal
Gerry O'Reilly, OCT
Stephen Zimmermann, OCT

The Investigation Committee also appreciates the support of roster members in carrying out its panel duties.



Jacqueline Karsemeyer, OCT

APPENDIX 1

Investigation Committee

Mandate and Duties

The Investigation Committee is one of five 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:

8. To receive and investigate complaints against members of the College and to deal with discipline and fitness to practise 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 and has been filed with the Registrar;
 - that the member has been notified of it and given at least 30 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 with the Registrar.
- 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 or an abuse of process.
- To ensure that notice of the complaint includes reasonable information about the allegations.
- To provide its decision in writing to the Registrar, and, with the exception of when the decision was to refer the complaint to a hearing committee, to also provide its reasons.
- To either:
 - refer the matter, in whole or in part, to the Discipline Committee or the Fitness to Practise Committee;
 - not refer a complaint;
 - take such other action, such as cautions, admonishments, advice, reminders, as it considers appropriate and that is not inconsistent with the Act, the regulations or the by-laws.