



Ontario's Teaching Regulator
L'organisme de réglementation
de l'enseignement en Ontario

Memo

Date: February 14, 2024
To: Council of the Ontario College of Teachers
From: Linda Lacroix, OCT/EAO
Registrar and Chief Executive Officer
Subject: Notice of Motion to Amend College Bylaws

Bill 98, *The Better Schools and Student Outcomes Act, 2023*, introduced a draft revision to section 14(8) of the *Ontario College of Teachers Act, 1996* (the "Act"). The new wording places the criteria for use of the "Ontario Certified Teacher – Inactive/Non-Practising" ("OCT/INP") title in the Ontario College of Teachers' Bylaws rather than as currently set out in the Act. This draft revision is not yet in force.

Currently, s.14(8) of the Act permits the use of the OCT/INP title by those members whose certificate has been suspended for failure to pay a fee or a penalty. Therefore, these criteria will need to be moved to the Bylaws in anticipation of section 14(8) being repealed and replaced.

The Bylaws currently make reference to the term "suspension" for those members who fail to pay a fee, however they do not identify the membership status of this group as being "Inactive Non-Practising", which is the appropriate status once a member fails to pay their membership fee.

In light of the foregoing, it is recommended that Council approve the following changes to the Bylaws (with additions in underline and deletions in strikethrough):

That s. 16.06 of the Bylaws be amended as follows:

16.06 A member who has not paid the annual membership fee within sixty (60) days following the notice referred to in section 16.05 will be considered in default of payment and their membership status will be designated as "Inactive/Non-Practising".

That s. 18.03 of the Bylaws be amended as follows:

18.03 A person whose ~~certification~~ certificate of qualification and registration was suspended pursuant to section 24 of the Act, including those whose membership status has been designated as "Inactive/Non-Practising", shall pay, for the removal of the suspension, a reinstatement fee of \$130.

That s. 20.01 of the Bylaws be amended as follows:

20.01 Subject to section 20.02, in addition to the information prescribed by section 23 of the Act, the register shall contain:

s. a notation of “Inactive/Non-Practising” for a member of the College whose certificate of qualification and registration has been suspended pursuant to section 24 of the Act.

That s. 20.04 be added to the Bylaws:

20.04 No person except a member of the College whose certificate of qualification and registration has been suspended solely for the reason described in clause 24 (1) (a) of the Act, may use the English title “Ontario Certified Teacher — Inactive/Non-Practising” or the French title “Enseignant(e) agréé(e) de l’Ontario — Membre inactif” or an abbreviation of any of those titles to describe themselves or their profession.

That s. 21.02 of the Bylaws be amended as follows:

21.02 Where a member's certificate of qualification and registration was suspended by the Registrar pursuant to section 24(1) of the Act for failure to pay a fee or penalty, or failure to provide information, and that suspension has been removed pursuant to section 24(3) of the Act, the notation of that ~~suspension~~ member’s status as “Inactive/Non-Practising” shall be removed from the register.

At the March 21, 2024 meeting, Council will be asked to approve the proposed Bylaw amendments as set out in this Notice of Motion, with the changes to be made when the revision to s. 14(8) of the Act comes into effect.