



February 25, 2020

The Honourable Stephen Lecce
Minister of Education
438 University Avenue, 5th Floor
Toronto ON M7A 2A5

Dear Minister Lecce,

Re: Legislative and Regulatory Amendments

The College Council has approved a number of recommended changes to the *Ontario College of Teachers Act* (the Act) and it has also approved changes to the Act's regulations. These requested changes are necessary for the College to carry out its mandate of protecting the public interest and have been shared with you and your predecessors and the Ministry of Education.

We are writing to provide a consolidated list of priority changes and seek to work with you to develop the necessary legislative amendments for their implementation.

Ontario College of Teachers Act Amendments

1. Professional Designation (Right to Title)

At its September 25, 2008 meeting, Council passed a motion to enshrine the College's professional designation in the Act through provisions setting out who can use it and penalties for misuse. The OCT designation reflects the high standards adhered to by Ontario's teaching profession. The College seeks protection of the designation to deter those who seek to misuse it in order to gain employment with students and potentially engage in conduct that breaches the College's standards, including the physical and sexual abuse of students. Protection of the OCT designation will allow parents to continue to see it as a mark of professionalism and high standards.

2. Stay Pending Appeal

At its September 29, 2016 meeting, Council passed a motion to request that Discipline Committee orders apply with immediate effect, regardless of an appeal, in any cases where a certificate of qualification and registration is revoked. The Act only requires this immediate effect of a revocation when the case involves sexual abuse or child pornography. However, a certificate can be revoked for other serious conduct, such as sexual misconduct or physical abuse of students, and it is imperative that these orders take effect immediately in order to protect students from potential harm.

3. Medical Assessments

At its December 1, 2016 meeting, Council has passed a motion to provide the Investigation Committee with the authority to order medical assessments of a member's fitness to practice in order to support the Investigation Committee's role of investigating and referring complaints. Parents can be confident that teachers who are the subject of complaints are not returning to classrooms with undiagnosed or unaddressed incapacity issues. Administrative efficiencies will also be gained by preventing the lengthy referral process where incapacity issues are only revealed at the Discipline Committee and the matter must then be sent to the Executive Committee for referral to the Fitness to Practice Committee.

These amendments have been made to the Act, but are not yet in force. The College seeks an update on when these amendments will be proclaimed by the Lieutenant Governor in Council.

4. Accreditation Condition Compliance

At its June 1, 2018 meeting, Council passed a motion to allow the Accreditation Committee to ensure compliance with conditions placed upon the accreditation of teacher education programs. These regulatory amendments would help prevent the operation of teacher education programs that do not appropriately prepare teacher candidates for the modern learning environment, which puts students and the education system at risk.

5. Union/Association Positions (LeSage Report Recommendation 49)

At its April 4-5, 2013 meeting, Council passed a motion in response to a recommendation contained in a 2012 report prepared by the Honourable Justice Patrick LeSage, and requested amendments to the College's Act and regulations to ensure that Council members are prohibited from holding any elected or appointed union/association positions during their tenure Council effect July 1, 2015. Council also requested that prohibited positions include positions directly related to the protection of the profession other than at the school level. These restrictions are necessary to prevent conflict between the public protection mandate of Council and the member protection mandate of the unions.

6. Caucus Meetings (LeSage Report Recommendation 48)

At its June 7-8, 2012 meeting, Council passed a motion to act on a recommendation from the 2012 report of the Honourable Justice Patrick LeSage to prohibit members of the Investigation, Discipline and Fitness to Practise Committees from attending caucus meetings, which are held between elected Council members and their unions/associations when the Council agenda is discussed. These restrictions are necessary to prevent conflict between the public protection mandate of Council and the member protection mandate of the unions.

Finally, we again extend an invitation to you to address the College Council at an upcoming meeting. Section 10.(1) of the *Ontario College of Teachers Act* provides for an annual meeting between Council and the Minister. Our next Council meetings are scheduled for June 4-5 and October 1-2, 2020. We would be pleased to accommodate your attendance as your schedule permits. Your scheduling staff may contact Richard Lewko, Director of Corporate and Council Services at 416-961-8800, extension 615 to arrange an appropriate time.

The College looks forward to working on the amendments with Ministry officials in the near future.

Sincerely,


Nicole van Woudenberg, OCT
Chair of Council


Paul Picard, OCT
Interim Deputy Registrar