



## Person Complaints against Certified Educators

Under the *Teachers Act*, members of the public may submit a written complaint to the Commissioner for Teacher Regulation regarding the conduct or competency of a certified educator whom they believe has failed to maintain the Standards for educators in BC. A matter must amount to a breach of the Standards in order to be under the jurisdiction of the Commissioner.

### **Role of the Commissioner for Teacher Regulation**

The Commissioner is an independent statutory decision maker, appointed under the *Teachers Act*, who is responsible for overseeing the disciplinary process and ensuring that concerns about the conduct or competence of certified educators are addressed fairly and in the public interest.

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***Certified educators include teachers, vice-principals, principals, directors and superintendents who hold a Ministry of Education teaching certificate.***

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## Frequently Asked Questions

### **Where should I go to express my concern or make an inquiry about an educator?**

Most concerns are best dealt with at the school level. Before submitting a complaint to the Commissioner, you should discuss your concerns with the educator. If you are unable to resolve the issue, you should then go to the educator's supervisor, or if necessary the superintendent's office/independent school authority. Boards of education and independent school authorities each have their own policy and process for addressing complaints. You should request a copy of your board/authority's policy and go through the local complaint process *before* initiating a complaint with the Commissioner. Parents can also ask a representative from their local parent advisory council, if applicable, to assist them in this process.

If your concern is not adequately addressed at the school level and you have questions about how to submit a complaint to the Commissioner, you can call the Teacher Regulation Branch (TRB) to speak with an Intake Officer whose role is to obtain initial information and explain the complaint process.

### **What happens after a complaint is submitted to the Commissioner?**

Under the *Teachers Act*, the Commissioner must acknowledge receipt of a complaint, and conduct a preliminary review of the matters raised.

### **What does the Commissioner consider during the preliminary review?**

The Commissioner will review the file taking into consideration the nature of the allegations, whether the matter has been appropriately dealt with in another forum, whether the alleged conduct or incompetence could possibly amount to misconduct or a finding of incompetence, and whether the matter has also been reported through another avenue.

## Complaint Tool Kit

### **Checklist: What you should do *before* submitting a complaint to the Commissioner**

- Attempt to resolve concerns with the educator.
- If a resolution is not reached, involve the educator's supervisor, or if necessary the superintendent's office/independent school authority.
- If a resolution is still not reached, confirm on the Online Registry that the educator holds a BC-issued certificate to teach.
- Examine the Standards for educators to confirm that the conduct or competence of the educator is in conflict with the Standards; otherwise the matter will not be under the Commissioner's jurisdiction.
- Review the Teacher Regulation Branch (TRB) website for information on how to make a complaint.

### **Standards for Educators**

Professional standards communicate to certified educators and the public a description of the work of educators - what they know, what they are able to do, and how they must comport themselves as they serve the public. The conduct/competence of a certified educator is measured against the Standards when deciding upon discipline outcomes.

[www.bcteacherregulation.ca/Standards/StandardsOverview.aspx](http://www.bcteacherregulation.ca/Standards/StandardsOverview.aspx)

### **Checklist: What to include in a complaint**

- The full name of the certified educator who is the subject of the complaint, and the school or district where he/she works.
- A description, including specific information related to the conduct/competency in question.
- A summary of issues/concerns.
- Information on steps taken to resolve the complaint.

## What are the possible outcomes of a preliminary review?

Upon completing the preliminary review the Commissioner may decide to:

- take no further action and provide reasons for this decision;
- initiate an investigation;
- make or accept a proposal for a consent resolution agreement; or
- issue a citation, which would lead to a hearing by a hearing panel.

## What reasons would the Commissioner have for taking no further action?

Following a preliminary review, the Commissioner may decide not to take further action in respect of one or more of the matters raised in a complaint if the Commissioner determines that any of the following apply:

- the matter is not within his, or a panel's, jurisdiction;
- the matter is frivolous, vexatious or trivial or gives rise to an abuse of process;
- the report or complaint was made in bad faith or filed for an improper purpose or motive;
- there is no reasonable prospect the report or complaint will result in an adverse finding by a panel;
- it is not in the public interest to take further action in respect of the matter; or
- the matter has not been pursued in a timely manner.

Typically, most cases lead to no further action, often because they have been addressed satisfactorily by the boards/independent school authorities involved; they didn't raise a regulatory concern sufficient to send them to the disciplinary process; or there was no public interest in pursuing the matter further.

## What happens if the Commissioner orders an investigation?

If the Commissioner orders an investigation, he is obligated to notify the person who made the complaint, the certified educator in question, as well as his/her current employer if employed by a board of education or independent school authority.

The investigation is an independent, fact-gathering process under the direction of the Commissioner. The manner in which the investigation is conducted is at the discretion of the Commissioner.

During the course of an investigation, the Commissioner may ask the complainant to take part in an interview with investigators. The Commissioner may also consider any previous decisions not to take further actions, as well as previous investigations, consent resolution agreements, including any findings and/or disciplinary actions taken under the *Teaching Profession Act* concerning the certified educator under investigation.

## What are the possible outcomes if a certified educator is found to have breached the professional Standards?

In any case, whether it is resolved through the disciplinary hearing or the consent resolution process, there are several options available if the certified educator is found to have breached the professional standards. These include: a reprimand; suspension; placing limits or conditions on; or cancellation of a certificate.

## Checklist: How to submit a complaint to the Commissioner

- All complaints should be filled out using the [Complaint Form](#). If you have a complaint about more than one educator, complete a separate form for each.
- Completed forms can be sent to the Commissioner by way of the Teacher Regulation Branch in one of four ways:
  - EMAIL:** Send an email and any attachments to [trb.intake@gov.bc.ca](mailto:trb.intake@gov.bc.ca)
  - MAIL:**  
**Teacher Regulation Branch**  
Ministry of Education  
400-2025 West Broadway  
Vancouver, BC V6J 1Z6 Canada  
**FAX:** 604 775-4858
  - IN PERSON:** To the address above.
- The Complaint Form must be signed by the complainant(s).  
*Unless you are named on, and have signed the Complaint Form, you are not considered a complainant.*

## Resources

### TRB Website

[www.bcteacherregulation.ca](http://www.bcteacherregulation.ca)

### Complaint Form

[www.bcteacherregulation.ca/document/s/FormsandPublications/ProfConduct/mc\\_form\\_web.pdf](http://www.bcteacherregulation.ca/document/s/FormsandPublications/ProfConduct/mc_form_web.pdf)

### Online Registry

[www.bcteacherregulation.ca/CertificateServices/FindATeacher.aspx](http://www.bcteacherregulation.ca/CertificateServices/FindATeacher.aspx)

### Discipline Outcomes

Outcomes and reasons for decision:  
[www.bcteacherregulation.ca/ProfessionalConduct/DisciplineDecisions.aspx](http://www.bcteacherregulation.ca/ProfessionalConduct/DisciplineDecisions.aspx)

### TRB Intake Contact Information

Email: [trb.intake@gov.bc.ca](mailto:trb.intake@gov.bc.ca)  
Phone: 604 660-6060 or toll-free at 1 800 555-3684 (within North America)

### Teachers Act

[www.bclaws.ca/EPLibraries/bclaws\\_new/document/ID/freeside/00\\_11019\\_01](http://www.bclaws.ca/EPLibraries/bclaws_new/document/ID/freeside/00_11019_01)