



Ontario
College of
Teachers

Ordre des enseignantes
et des enseignants
de l'Ontario

Ontario College of Teachers Bylaws

Approved June 8, 2023

Ontario College of Teachers Bylaws

Table of Contents

Section 1 – Definitions.....	3
Section 2 – Seal.....	3
Section 3 – Council Meetings.....	3
Section 4 – Officers, Chair of Council and Conflicts	5
Section 5 – Council Subcommittees	5
Section 6 – Statutory and Regulatory Committees.....	7
Section 7 – Committee Reports to Council.....	8
Section 8 – Documents	8
Section 9 – Banking and Finance	10
Section 10 – Audit.....	11
Section 11 – Indemnification	12
Section 12 – College Property	12
Section 13 – Annual Meeting of Members	13
Section 14 – Bylaws.....	13
Section 15 – Code of Ethics	13
Section 16 – Annual Membership Fees	13
Section 17 – Application and Evaluation Fees.....	14
Section 18 – Other Fees and Penalties.....	14
Section 19 – Name on the Register	16
Section 20 – Contents of the Register	17
Section 21 – Information to be Removed From the Register.....	19
Section 22 – Complaints	19
Section 23 – Certificates and Other Documents.....	20
Section 24 – Approval of Forms or Formats	20
Section 25 – Information to be Provided to the College	20
Section 26 – Professional and Ethical Standards.....	21
Section 27 – Conflicts of Interest for Members of Accreditation Committee Panels.....	23
Section 28 – Scholarships	23
Section 29 – Funding for Therapy and Counselling Program.....	23

Section 30 – Suspension and Disqualification From Subcommittees..... 23
Schedule 1 – Code of Ethics..... 25

Section 1 – Definitions

- 1.01 In this bylaw, unless otherwise defined or required by the context:
- a. "Act" means the *Ontario College of Teachers Act, 1996*
 - b. "the regulations" means the regulations made under the *Ontario College of Teachers Act, 1996*.
- 1.02 In this bylaw, unless otherwise defined or required by the context, the terms used have the same meaning as in the Act and the regulations.

Section 2 – Seal

- 2.01 The seal depicted below shall be the seal of the College.



- 2.02 A printed facsimile of the seal may be used to designate official pronouncements or decisions of Council when such is authorized by the Registrar or the Chair of Council.
- 2.03 The visual identity of the College shall be depicted by the College's icon and wordmark as set out below:



- 2.04 The Registrar shall establish guidelines for the use of the visual identity. Any use of the visual identity other than in accordance with such guidelines requires the prior written approval of the Registrar.
- 2.05 Any use of the College's visual identity by a person other than the College requires the prior written consent of the Registrar.

Section 3 – Council Meetings

- 3.01 The Council shall hold a minimum of four regular meetings in a calendar year, one of which shall be designated as the annual meeting. Each such meeting shall be called by the Chair or Registrar with date, place and time as shall be determined by the Registrar.
- 3.02 Council may, from time to time, by resolution, determine to hold additional meetings and shall, by such resolution, fix the date, place and times for such meetings. So long

as any such resolution is in effect, the Registrar of the College shall convene such meetings by notice given in the manner referred to in section 3.03.

- 3.03** The Registrar shall notify each member of the Council in writing of the place, date, time and agenda for a Council meeting by sending such notification no less than ten (10) days before a regular meeting.
- 3.04** Meetings of Council shall be held by electronic means that permit every person participating in the meeting to communicate with each other simultaneously and instantaneously, unless the Chair and Registrar approve of another format for a meeting.
- 3.05** The requirement to give 10 days' notice of an additional meeting may be waived. Attendance by a member of Council shall constitute waiver of the notice requirements. Attendance at an additional meeting by a member of Council for the purpose of disputing the sufficiency of the notice shall not be deemed to constitute waiver of the notice requirements.
- 3.06** Only the following may be considered or transacted at a Council meeting:
- a. matters brought by the Adjudicative Body of Chairs
 - b. recommendations in subcommittee or committee reports
 - c. motions for which a notice of motion was given by a member of the Council at the preceding Council meeting, or in time for the notice of motion to be included in the notice of meeting under section 3.03
 - d. motions which the members of the Council agree to consider by a two-thirds vote of those in attendance
 - e. matters for which notice has been given in accordance with section 3.03 or section 14.02, and
 - f. at any meeting, new business, and routine and procedural matters, in accordance with the rules of order.
- 3.07** The Registrar shall prepare an agenda for each meeting subject to the review and approval of the Chair of Council.
- 3.08** Unless otherwise required by law or the bylaws, every question which properly comes before the Council shall be decided by a simple majority of the votes cast at the meeting by members of Council present thereat (including a member of Council who is the meeting Chair) and, if there is an equality of votes on a question, the question shall be deemed to have been decided in the negative.
- 3.09** Unless otherwise required by law or by the bylaws, the Registrar or a designate shall attend every meeting of Council in their role as secretary to the Council under the Act, including any meeting or part thereof where the public is excluded. Exceptions are performance reviews and hiring for the Registrar position.
- 3.10** Where feasible, every vote at a Council meeting shall be taken via vote tabulation software and will be recorded in the minutes of that meeting.
- 3.11** When minutes of the Council meeting are signed by the Chair, they are prima facie proof of the accuracy of the contents of every such record.

- 3.12 All meetings of Council or its subcommittees shall follow generally accepted parliamentary procedures, except as required by law, provided for in the bylaws or established as standard procedures and approved by Council.

Section 4 – Officers, Chair of Council and Conflicts

- 4.01 The officers of the College shall be the Chair of Council, Registrar, Deputy Registrar(s) and such other officers as the Council shall determine from time to time.
- 4.02 In circumstances where more than one Council member is recommended for the position of Chair by the Selection and Nominating Subcommittee, an election for the position of Chair shall be held by secret ballot using generally accepted procedures. Where more than two Council members are nominated, the nominee who receives the lowest number of votes on each ballot shall be deleted from nomination unless one nominee receives a majority of the votes cast on the ballot and this procedure shall be followed until one nominee receives a majority of the votes cast.
- 4.03 If the office of the Chair becomes vacant, the Chair of the Selection and Nominating Subcommittee shall serve as Chair until a new Chair is appointed by Council.
- 4.04 All officers of the College shall disclose any interest they may have, other than as officers of the College, in any matter coming before the Council, subcommittees or committees. Officers who so declare shall not act in the matter and shall seek direction from the Chair or Registrar, as the case may be.
- 4.05 A record shall be kept of all declarations of conflict.
- 4.06 An officer of the College has a conflict of interest when the officer makes a decision, or is present when a decision is made or participates in making a decision in the carrying out of his or her role that may directly or indirectly confer a benefit on the officer or any person with whom the officer does not deal at arm's length, and at the same time knows that in the making of the decision there is the opportunity to further his or her private interest, or the private interest of a party with whom the officer does not deal at arm's length.
- 4.07 In the event that the Registrar and Deputy Registrar each have a conflict of interest and cannot carry out duties arising from the complaints, investigations and hearings processes, including signing documentation relevant to the Investigation, Discipline and Fitness to Practise Committees and Adjudicative Body of Chairs, because of the conflict, one of three Directors will act in their place as outlined below:
1. Director of Corporate Services Department; and if they have a conflict of interest then,
 2. Director of Standards of Practice and Accreditation Department; and if they have a conflict of interest then,
 3. Director of Membership Services Department.

Section 5 – Council Subcommittees

- 5.01** Council shall have the following subcommittees:
- Audit and Finance
 - Human Resources
 - Selection and Nominating.
- 5.02** Each Council subcommittee shall be composed of three members of Council who are not Ontario Certified Teachers and two members of Council who are Ontario Certified Teachers.
- 5.03** The mandate of each Council subcommittee shall be as follows:
- (a) The Audit and Finance Subcommittee shall:
- Monitor and report to Council on the financial activities of the College and shall recommend to Council an annual budget, the appointment of an auditor and the annual audited financial statements; and
 - Act as the Audit Committee of the College for the purpose of reviewing the annual audit scope, audit fees and audit findings.
- (b) The Human Resources Subcommittee shall:
- Advise Council on the process for hiring the Registrar and Chief Executive Officer; and
 - Conduct the annual performance review for the Registrar and Chief Executive Officer.
- (c) The Selection and Nomination Subcommittee shall:
- Carry out the duties prescribed in section 15.2 of the Act; and
 - Carry out the additional duties prescribed in section 14 of Regulation 563/21 (General).
- 5.04** Meetings of Council subcommittees shall be held by electronic means that permit every person participating in the meeting to communicate with each other simultaneously and instantaneously, unless the subcommittee Chair and Registrar approve of another format for the meeting.
- 5.05** Council may establish other subcommittees composed of three members of Council who are not Ontario Certified Teachers and two members of Council who are Ontario Certified Teachers recommended by the Selection and Nominating Subcommittee, as necessary from time to time, by Council motion with clearly defined terms of reference.
- 5.06** A quorum on a subcommittee is a majority of the number of positions on the committee including a minimum of one member who is an Ontario Certified Teacher and one member who is not an Ontario Certified Teacher.
- 5.07** The Selection and Nominating Subcommittee shall recommend that Council appoint one member of the subcommittee as its Chair and one member of the subcommittee as its Vice-Chair.
- 5.08** The term of office for the Chair or Vice-Chair of a subcommittee shall be one year, renewable.

5.09 The duties of a Chair of a subcommittee are limited to:

Providing leadership to the subcommittee by,

- a. guiding the subcommittee in carrying out its responsibilities, and working collaboratively with the Registrar,
- b. leading orderly deliberation and decision-making on matters before the subcommittee, and
- c. acting as the liaison between the subcommittee and the Council and the Registrar.

Managing meetings by,

- a. calling meetings, in consultation with the Registrar, and presiding over meetings,
- b. approving meeting agendas and meeting dates,
- c. ensuring that meeting agendas reflect matters assigned to the subcommittee in accordance with the Act or the regulations,
- d. ensuring that minutes are taken at each meeting, reviewing and approving minutes at subsequent meetings and signing the minutes once approved,
- e. directing members of the subcommittee who have made a conflict of interest declaration to leave the meeting when the issue in question is being discussed, and
- f. providing reports for inclusion in the annual report and for presentation to the annual meeting of members.

5.10 In the absence of the Chair of a subcommittee, the Vice-Chair shall temporarily act as and have all the powers of the Chair.

5.11 In the absence of the Chair and Vice-Chair of a subcommittee, the subcommittee shall elect a person from among its members to temporarily act as and have all the powers of the Chair.

5.12 Unless otherwise required by law or by the bylaws, every question which comes before a subcommittee may be decided by a simple majority of the votes cast at the meeting of members of the subcommittee present thereat (including the Chair of the subcommittee) and, if there is an equality of votes on a question, the question shall be deemed to have been decided in the negative.

5.13 The Registrar shall notify each member of a subcommittee in writing of the place, time and agenda for a subcommittee meeting by sending such notification no less than ten (10) days before a meeting.

5.14 A person appointed to a subcommittee shall be a member of the subcommittee until the end of their term of office.

5.15 If a position for either an Ontario Certified Teacher or a non-Ontario Certified Teacher on a subcommittee becomes vacant, the vacancy shall be filled as soon as possible in accordance with the regulatory provisions and as set out in the bylaws.

Section 6 – Statutory and Regulatory Committees

6.01 Meetings of statutory and regulatory committees shall be held by electronic means that permit every person participating in the meeting to communicate with each

other simultaneously and instantaneously, unless the committee Chair and Registrar approve of another format for the meeting.

- 6.02 The Registrar shall notify each member of a statutory or regulatory committee in writing of the place, time and agenda for a committee meeting by sending such notification no less than ten (10) days before a meeting.
- 6.03 Unless otherwise required by law or by the bylaws, every question which comes before a statutory or regulatory committee may be decided by a simple majority of the votes cast at the meeting of members of the committee present thereat (including the Chair of the committee) and, if there is an equality of votes on a question, the question shall be deemed to have been decided in the negative.
- 6.04 A person appointed to a committee shall be a member of the committee until the end of their term of office.
- 6.05 The quorum of a statutory committee or regulatory committee is a majority of the number of positions on the committee, including a minimum of one member who is an Ontario Certified Teacher and one member who is not an Ontario Certified Teacher.
- 6.06 If a position for either an Ontario Certified Teacher or a non-Ontario Certified Teacher on a statutory or regulatory committee becomes vacant, the vacancy shall be filled as soon as possible in accordance with the regulatory provisions and as set out in the bylaws.

Section 7 – Committee Reports to Council

- 7.01 Unless otherwise provided for, each statutory committee, regulatory committee and subcommittee shall submit a report of its activities to the Council, at least annually.
- 7.02 The Audit and Finance Subcommittee shall submit a report of its activities to the Council quarterly.
- 7.03 When reporting to Council, neither the Adjudicative Body of Chairs nor any subcommittee or committee, shall disclose confidential or personal information obtained in the course of its activities and shall only report as much information as necessary to apprise the Council of the general exercise of its authority under the Act.

Section 8 – Documents

- 8.01 The signing officers of the College shall be the Chair, Registrar, Deputy Registrar(s) and such other officers as are named by the Council.
- 8.02 The Council may from time to time, by resolution, appoint any other person or persons on behalf of the College to:
 - a. sign and deliver contracts, documents or instruments in writing generally, or

- b. sign either manually or by electronic means and deliver specific contracts, documents or instruments in writing.
- 8.03** The Registrar may from time to time establish administrative policies that permit one or more specified employees of the College, in specified circumstances, to sign and deliver contracts, documents or instruments in writing, for the routine purchase of goods and services required by the College.
- 8.04** All certificates of qualification and registration issued under the Act shall be signed by the Chair of Council and the Registrar.
- 8.05** Subject to section 8.04, the Registrar, Deputy Registrar(s) and such other officers, acting alone, may execute the certificates, summonses, notices, orders and other documents provided for in the Act and regulations.
- 8.06** The Registrar, Deputy Registrar(s) and such other officers of the College may sign summonses and notices on behalf of any committee or committee panel of the College that is a tribunal within the meaning of the Statutory Powers Procedure Act.
- 8.07** Proposed regulations on behalf of the College shall be signed by the Chair and by the Registrar, and the corporate seal shall be affixed thereto.
- 8.08** With respect to all other contracts, documents or instruments:
- a. Unless otherwise specified, all other contracts, documents or instruments in writing requiring execution by the College shall be signed by any two (2) of the signing officers and all contracts, documents or instruments in writing so signed shall be binding upon the College without any further authorization or formality.
 - b. For the purposes of this bylaw, the terms "contracts, documents or instruments in writing" shall include deeds, mortgages, charges, conveyances, powers of attorney, transfers and assignments of property (including, but not limited to, transfers and assignments of shares, warrants, bonds, debentures or other securities), proxies for shares and other securities and all paper writings.
- 8.09** Subject to the Act, regulations and other provisions of the bylaws, any notice to be given by the College, or any document to be served on any member of the College or given to any member of the Council, subcommittees, committees or rosters, or to the auditor of the College or any other person, is sufficiently given or served:
- a. by delivering it personally,
 - b. by sending a copy by courier to the last address of the person known to the Registrar,
 - c. by sending a copy by regular mail, registered mail or email to the last address of such person known to the Registrar,
 - d. by sending a copy via electronic means to the last number or electronic address of such person known to the Registrar, or
 - e. by serving it upon legal counsel for the person if legal counsel has agreed to accept service on behalf of the person.
- 8.10** Where a notice or document to be given or served is sent by courier under section 8.09, there is a rebuttable presumption that the notice or document is delivered to

the person on the second day following the day the courier was given the document or notice.

- 8.11** Where a notice or document to be given or served is sent by mail under section 8.09, there is a rebuttable presumption that the notice or document is delivered to the person on the fifth day after the day of mailing.
- 8.12** Where a notice or document to be given or served is sent by email or other electronic means under section 8.09, there is a rebuttable presumption that the notice or document is delivered to the person on the day the email or electronic transmission is sent, except that where the email or electronic transmission is sent between 5:00 p.m. and 12:00 midnight, there is a rebuttable presumption that the notice or document is delivered to the person on the following day.
- 8.13** Service of a document made after 5:00 p.m. or any time on a weekend or statutory holiday shall be deemed to have been made on the next day that is not a weekend or a statutory holiday.
- 8.14** The signature to any notice or other document given by the College may be written, electronic, stamped, typewritten or printed or partly written, electronic, stamped, typewritten or printed.
- 8.15** Where a given number of days' notice or notice extending over any period is required to be given, each and every day including weekends or statutory holidays, and including the day of service or posting of the notice, shall, unless otherwise provided, be counted in such number of days or other period, but the day for which the notice is given shall not be counted.
- 8.16** Pursuant to subsection 52(1)(c) of the Act, and notwithstanding any other provision of these bylaws, where:
- a. a person is deemed by subsection 62(1) of the Act to hold a certificate of qualification and registration, and
 - b. such person has failed to:
 - i. provide information to the Registrar which members are required by section 25 of these bylaws to provide,
 - ii. pay the annual membership fee prescribed by the bylaws,
 - iii. apply to the Registrar for the issuance of a certificate of qualification and registration in accordance with the regulations,

the Registrar shall give the notice required by subsection 24(2) of the Act of the Registrar's intention to suspend such person's certificate of qualification and registration.

Section 9 – Banking and Finance

- 9.01** The banking business of the College or any part thereof, shall be transacted with any bank chartered under the Bank Act (Canada) as the Council may designate, appoint or authorize from time to time by resolution.

- 9.02** All of the College's banking business, or any part thereof, shall be transacted on the College's behalf by any two (2) of the signing officers or such one or more other officers of the College and/or other persons as the Council may designate, direct or authorize from time to time by resolution and to the extent therein provided.
- 9.03** All monies received by the College from time to time shall be deposited in an account maintained by the College in its name with any branch of the College's bank(s).
- 9.04** All of the funds and monies of the College not immediately required for its operations shall be invested and/or re-invested in accordance with the investment guidelines developed and approved by the Council from time to time. In the absence of any such guidelines, the funds and monies of the College shall be invested only in bankers' acceptances accepted by, or other short-term instruments issued or guaranteed by, a Canadian chartered bank listed on Schedule 1 of the Bank Act (Canada).
- 9.05** Any security in which the College invests shall be lodged with the chartered bank indicated in section 9.04 or placed promptly after the investment is made in its safety deposit box at the bank appointed under section 9.01.
- 9.06** Securities representing the College's investments shall, where the College is required to take physical delivery thereof, be held in the College's safety deposit box. The College shall be permitted to use any custodial services offered by its bankers in respect of the storage of its investments. Securities and other documents shall be placed in, or removed from, the College's safety deposit box only by two (2) of the signing officers.
- 9.07** The College may borrow such amounts as may from time to time be approved by the Council for the purpose of establishing, operating and maintaining the College.

Section 10 – Audit

- 10.01** The financial year of the College is the calendar year.
- 10.02** The Council shall, at its annual meeting, appoint an auditor who is duly licensed under the Public Accounting Act, 2004 to audit the accounts of the College and to serve until the close of the next such annual meeting of the Council and, if an appointment is not made, the auditor in office shall continue until a successor is appointed.
- 10.03** The Registrar shall give notice of every appointment and reappointment of an auditor to the auditor in writing promptly after the appointment or reappointment is made.
- 10.04** The Council may by resolution passed by at least two-thirds of the Council members at a meeting of which notice of intention to pass the resolution has been given, remove any auditor before the expiration of the auditor's term of office and shall, by a majority of the votes cast at that meeting, appoint another auditor in such auditor's stead for the remainder of the term.
- 10.05** The auditor shall make such examinations as will enable the auditor to report to the Council as required by law and under this section.

- 10.06** The auditor shall meet at least annually with the Audit and Finance Subcommittee, in its role as an audit committee, to present the results of the auditor's examination of the annual financial statements and to consider any other matters which should come before the Audit and Finance Subcommittee.
- 10.07** The auditor shall report in writing to the annual meeting of members of the College on the annual financial statements for the most recently ended financial year of the College.
- 10.08** The auditor has a right of access at all reasonable times to all records, documents, books, accounts and vouchers of the College that can reasonably be furnished and is entitled to require from the present or former members of the Council, officers, employees and agents of the College such information as in the auditor's opinion is necessary to enable the auditor to report as required by law or under this section.

Section 11 – Indemnification

- 11.01** Every member of the Council, a subcommittee, committee or panel, every employee of the College, and their heirs, executors and administrators and their legal personal representatives, shall from time to time and at all times be indemnified and saved harmless out of the funds of the College from and against, all losses, costs, damages, expenses, liabilities, claims, demands and causes of action of whatever kind that the member sustains or incurs or becomes subject to by reason of any act, deed, matter or thing whatsoever made, done or permitted or not made, done or permitted by the member, in or about the execution of the duties of the member's office, and all other costs, charges and expenses that the member sustains or incurs in or about or in relation to the affairs thereof, provided that the member has acted honestly, in good faith, and with a view to the best interests of the College, and where the indemnification relates to a monetary fine or penalty arising from a criminal prosecution, the member had reason to believe that such conduct was lawful; and provided further that such indemnification shall not be available in respect to such costs, charges or expenses as are occasioned by the member's own gross negligence, willful neglect or default.
- 11.02** The College may purchase and maintain insurance for the benefit of any person referred to in section 11.01 against any liability incurred by the person in their capacity as a member of the Council, a subcommittee, committee or panel, or officer or employee of the College who has acted honestly, in good faith, and with a view to the best interests of the College, except where the liability arises as a result of the person's own gross negligence, willful neglect or default, provided that the amount of such insurance may be limited to such amount as the Council considers reasonable, and provided further that such insurance may indemnify only for matters for which indemnification is made pursuant to section 11.01.

Section 12 – College Property

- 12.01** The College shall maintain all-risks property insurance in connection with its assets and operations and shall also maintain other types of insurance, including comprehensive general liability insurance with respect to claims for personal injury,

death or property damage with respect to its operations, with responsible and reputable insurance companies in such amounts and with such deductibles as are reasonably determined to be adequate.

- 12.02** The College shall maintain its assets that are used or useful in the conduct of its operations in good repair and working order and from time to time make all necessary repairs, replacements and renewals and additions thereto, all in accordance with sound business practice. In connection therewith, the College may dispose of its assets that are obsolete or are no longer required for such operations in such manner as is most beneficial to the College.

Section 13 – Annual Meeting of Members

- 13.01** An annual meeting of the members shall be held in Ontario, at a place and time and in a manner determined by the Registrar for the purpose of informing members of the activities of Council and the College. Notice of such a meeting shall be given by publication on the College's website and other electronic means, including the College's official publication.
- 13.02** The annual meeting shall be chaired by the Chair of Council or by the Registrar or their designate.
- 13.03** The business at the annual meeting of members shall consist of reports by the Council, the Registrar and the College's auditor.

Section 14 – Bylaws

- 14.01** These bylaws may be added to, amended, or revoked by a majority vote at any meeting of Council and, if there is an equality of votes, the question shall be deemed to have been decided in the negative.
- 14.02** Notice, including the text, of any proposed addition, amendment or revocation of a bylaw shall be given in accordance with section 3.06(c).
- 14.03** Every bylaw and every amendment shall be maintained in a consolidated list and available on the College's external website.

Section 15 – Code of Ethics

- 15.01** There shall be a Code of Ethics for Council, subcommittee, committee and roster members that shall be reviewed and adopted by the Council from time to time. (See Schedule 1.)

Section 16 – Annual Membership Fees

- 16.01** Every member shall pay an annual membership fee in accordance with this section.
- 16.02** The first annual membership fee payable by a member shall become payable in the year of and prior to the issuance of their certificate of qualification and registration.

- 16.03** The due date for the annual membership fee shall be January 1, other than as required under section 16.02.
- 16.04** The annual membership fee shall be \$200, inclusive of all applicable taxes, until amended as prescribed in these bylaws.
- 16.05** The Registrar shall notify every member whose annual membership fee has not been paid within thirty-five (35) days after the due date, of the amount of the fee, the due date, and the date on which the member will be considered in default of payment.
- 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.
- 16.07** Where a person is deemed by section 62 (1) of the Act to hold a certificate of qualification and registration but that person has failed to provide to the Registrar the information required in section 25 of these bylaws, the Registrar may provide the notice referred to in section 16.05 by sending a notice of the amount of the annual fee payable by members, the due date, and the date on which members will be considered in default of payment.

Section 17 – Application and Evaluation Fees

- 17.01** The application and evaluation fees described in this section are inclusive of all applicable taxes.
- 17.02** A person who submits an application for a certificate of registration shall pay, for the consideration by the Registrar of the application under section 18 of the Act, an application fee of \$140.
- 17.03** Where consideration of an application for registration involves an evaluation of the applicant's qualifications obtained outside Ontario, the applicant shall pay an evaluation fee of \$222 in addition to the application fee.

Section 18 – Other Fees and Penalties

- 18.01** The fees and penalties described in this section of the bylaws are inclusive of all applicable taxes.
- 18.02** A member who fails to pay an annual membership fee within 60 days of the Registrar's notice referred to in section 16.05 shall pay a late payment penalty of \$24 in addition to the annual fee.
- 18.03** A person whose certification of registration was suspended shall pay, for the removal of the suspension, a reinstatement fee of \$130.
- 18.04** A person whose certificate of registration was revoked by order of the Discipline Committee and who has been reinstated under section 33 or 34 of the Act, shall pay, for the issuance of a new certificate of registration, a reinstatement fee of \$99.

- 18.05** A person who requests a review by the Registration Appeals Committee shall, in accordance with section 20(4) or 22(2) of the Act, pay a registration review fee of \$99.
- 18.06** In the event of the loss or destruction of a certificate of qualification and registration, the member shall pay a fee of \$49 for the issuance of a duplicate certificate.
- 18.07** A member who requests a duplicate of any other document issued by the College with respect to that member shall pay a fee of \$24 per duplicate document to a maximum of \$72.
- 18.08** A member who requests a Statement of Professional Standing shall pay a fee of \$24 for the issuance of the statement.
- 18.09** The Registrar may charge a fee for anything they are required or authorized to do under the Act or the regulations, and except where fees for those things are prescribed, the fee charged shall be set by the Registrar.
- 18.10** The application fee for the initial accreditation of programs of professional education and the fee for reviews of:
- additions to programs of professional education,
 - programs of professional education where there is reason to believe there has been substantial change, or
 - renewals of programs of professional education,
- shall be based on a per diem of \$303.06 per person for each day needed to conduct the review.
- 18.11** The application fee to accredit an additional qualification listed in Regulation 176/10, including Principal's Qualification Program (PQP) and the Supervisory Officer's Qualification Program (SOQP), is \$99.06.
- 18.12** The fee to renew an application to accredit an additional qualification listed in Regulation 176/10, including Principal's Qualification Program (PQP) and the Supervisory Officer's Qualification Program (SOQP), is \$99.06.
- 18.13** The non-refundable application fee for the Supervisory Officer's Qualification Program/Prior Learning Assessment and Recognition (SOQP/PLAR) shall be \$220. The per module/leadership practicum assessment fee shall be \$640. The \$640 for each module/practicum assessment requested shall be refunded if, after an initial evaluation of the academic and experience requirements, it is determined that the applicant is not eligible for the prior learning assessment and recognition process.
- 18.14** Accreditation Appeal Fees
- a. A provider of a program of professional education or a program of additional qualification who submits a Notice of Appeal under subsection 41(1) of Regulation 347/02 shall pay an appeal fee in an amount:
 - i. equal to the fee paid by the provider for the accreditation of that program, and
 - ii. in the case of a program of professional education that was denied accreditation, or

- A. was granted accreditation with conditions, or
- B. had its accreditation revoked,

and where the provider has requested a hearing, the appeal fee shall include an additional amount of \$26,500.

- b. Fees must be paid in full by the provider to the College at the time of application for appeal.
- c. The following rules apply to accreditation appeals:
 - i. Refunds under this subsection must be paid by the College to the provider at the time of the decision of the accreditation appeal.
 - ii. In the case of an appeal of a program of professional education, the College shall refund fees to the provider where the cost of the site visit and/or panel review for the appeal was less than that required for the original accreditation.
 - iii. In the event of a successful appeal the College shall refund the appeal fee charged to the provider in the following cases:
 - A. where an accreditation decision to deny accreditation is appealed, and the appeal results in the granting or confirming of accreditation,
 - B. where an accreditation decision to deny accreditation is appealed, and the appeal results in the granting or confirming of accreditation, with one or more conditions,
 - C. where an accreditation decision to grant accreditation with one or more conditions is appealed, and the appeal results in removal of all conditions.

Section 19 – Name on the Register

19.01 The member's name shown on the register shall be the name that appears on the member's application for registration, subject to sections 19.02 and 19.03.

19.02 Despite section 19.01, in the case of members deemed to hold a certificate of qualification and registration pursuant to section 62 of the Act, the member's name on the register shall be the full name that appeared on the member's initial registration form, or as later advised in accordance with section 19.03.

19.03 Name change requirements include the following:

- a. Where a member uses a different name professionally than the name that appears on the register and the registration documents issued by the College, the member shall forthwith notify the College and request that their name as it appears on the register and on their registration documents be updated accordingly.
- b. Where a member requests a change of name, the member shall file with the Registrar a change of name certificate issued under the Change of Name Act, or other proof of the change of name satisfactory to the Registrar, for example:
 - i. original birth certificate, or
 - ii. original or notarized baptismal record (Quebec) or

- iii. change of name certificate or
 - iv. notarized copy of Canadian Immigration Record or
 - v. notarized copy of passport used to enter Canada.
- c. For the purposes of subsection 19.03(b) above, where a member adopted a name on marriage before April 1, 1987, and has not subsequently changed that name on the register or their registration documents, and the member requests a change of the name on the register and on their registration documents to reflect the name adopted on marriage, the Registrar may accept as sufficient proof of the change of name, a statement signed by the member indicating:
- i. the date and place of the marriage
 - ii. the surname of the member immediately before the marriage
 - iii. the surname of the member adopted on marriage.
- d. Where a member requests a change to the name that appears on the register, the Registrar shall, upon receipt of satisfactory proof, including those items listed in subsection 19.03 (b), enter the new name on the register and issue a replacement certificate of qualification and certificate of registration to the member, bearing the new name, without charge to the member.

19.04 For each member, the register shall contain the name the member currently uses professionally, along with a notation of the member's name of at the time of registration and any other names used since registration.

19.05 Notwithstanding anything in the Act, regulations or bylaws, the Registrar may permit a different name or former name to appear on the Register, upon the request of the member when:

- a. it is necessary for the member's personal safety; and
- b. the former name is inconsistent with the gender identity of the member.

Section 20 – Contents of the Register

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

- a. each member's College registration number
- b. if the Discipline Committee has made a decision, or adopted a resolution, a notation stating:
 - i. that fact
 - ii. the date of the decision or the date of the adoption of the resolution
 - iii. the finding, if any
 - iv. the fact of any penalty ordered, subject to any order made by the Discipline Committee pursuant to section 30(5) of the Act with respect to the period of time that any reprimand, admonishment or counselling shall be recorded on the register
 - v. if under appeal, a statement to that effect
 - vi. if an order has been made after hearing an application under s. 33 of the Act

- vii. in the case of a decision of the Discipline Committee, a link to the decision that is published on the College's website.
- c. subject to any order of the Fitness to Practise Committee, if a decision of the Fitness to Practise Committee has been made, a notation stating:
 - i. that fact
 - ii. the date of the decision
 - iii. the disposition, if any
 - iv. if under appeal, a statement to that effect.
- d. if the Investigation Committee adopts a resolution that provides for a notation to be included on the register, a notation stating:
 - i. the fact of the adoption of the resolution
 - ii. the date of the adoption of the resolution
 - iii. the disposition, if any
 - iv. if under appeal, a statement to that effect
- e. if the resolution provides for the resolution, summary of the resolution or a part of the resolution to be published on the College's website, a link to that publication where a matter has been referred to the Discipline Committee under section 26, 29 or 33 of the Act, a notation stating that fact, the date of the referral and a link to the notice as published on the College's website
- f. the date on which the member's certificate of qualification and registration was issued and, if applicable, the termination or expiration date
- g. the basic qualifications of the member as entered on the member's certificate of qualification
- h. any additional qualifications of the member as entered on the member's certificate of qualification
- i. any program of teacher education which has been completed by the member and entered on the member's certificate of qualification.
- j. any undergraduate, graduate or post-graduate degree granted to a member, with the name of the post-secondary educational institution authorized to grant the degree, and the date the member completed the degree.
- k. a summary of a restriction imposed on a member's eligibility to teach or practise the profession as a result of an undertaking or an agreement entered into between the member and the College or one of its statutory committees.
- l. any certificate, diploma, advanced diploma or certificate of apprenticeship granted to the applicant related to their technological education qualifications
- m. any acceptable work experience and competence demonstrated by the applicant related to their technological education qualifications
- n. when terms, conditions or limitations imposed by a decision or resolution ordered by the Discipline Committee have been fulfilled, a notation stating that fact and the date of fulfillment

- o. a statement indicating successful completion of a mathematics proficiency test by a member, if required by the Act or any regulation made under the Act
- p. a statement indicating whether a member has successfully completed the sexual abuse prevention program, as identified to the Registrar, pursuant to s. 47.2 of the Act
- q. all current and historical membership statuses, including the date each status became effective, type of certificate of qualification and registration, expiry date of the certificate, and any discipline history
- r. any ongoing education required by the College.

20.02 Section 20.01(b) does not apply to a decision of the Discipline Committee in which the Notice of Hearing was withdrawn in its entirety, no findings of professional misconduct or incompetence were made after a hearing (unless the member requests that the decision be posted to the register), and motions of a purely procedural nature.

20.03 A member shall notify the Registrar in writing of any change in the information to be maintained in the register within 30 days of the change.

Section 21 – Information to be Removed From the Register

21.01 Notwithstanding section 23 of the Act, and other provisions of the bylaws, if:

- a. a finding of incapacity was made against a member or conditions were imposed by the Registration Appeals Committee or the Registrar;
- b. the order imposed was limited to terms, conditions or limitations imposed upon a member's certificate; and
- c. the terms, conditions, or limitations have been fulfilled or removed from the certificate;

the content of the terms, conditions, or limitations and related finding if applicable shall be removed from the register, subject to any order of the Fitness to Practise Committee or Registration Appeals Committee, but the fact that terms, conditions and limitations were imposed will continue to be reflected in the register.

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 shall be removed from the register.

21.03 Where a matter has been referred to the Discipline Committee under section 26, 29 or 33 of the Act, a notation stating that fact and the date of the referral shall be removed from the register when a link to the Notice of Hearing for the matter appears on the register.

Section 22 – Complaints

22.01 A complaint filed pursuant to section 26 of the Act shall:

- a. be in writing, electronically or otherwise, or recorded on a tape, film, disk or other medium
- b. for each complaint form, contain the name of the individual member who is the subject of the complaint
- c. in the case of a complaint under paragraph 26(1) (a) or (b) of the Act, contain the full name, address, email address and telephone number of the person making the complaint
- d. include a description of the conduct or actions of the member about which the complaint is being made
- e. contain a "Request to Initiate Investigation" form signed by the complainant.

Section 23 – Certificates and Other Documents

23.01 Certificates of qualification and registration, including all classes of certificates issued by the College shall be in such form or forms as the Registrar shall approve from time to time.

23.02 Summonses, notices and other documents issued by the College shall be in such form or forms, as the Registrar shall approve from time to time.

Section 24 – Approval of Forms or Formats

24.01 The Registrar may from time to time approve forms or formats to be used for the submission of information to the College in accordance with the Act, regulations, or bylaws, and the required information shall be submitted in the form specified.

24.02 The form approved by the Registrar for persons applying for a certificate of qualification and registration, shall, among other things, require the applicant to provide:

- a. an applicant declaration and criminal record declaration which the applicant shall complete
- b. an original Criminal Record and Judicial Matters Check, or its equivalent, as set out in the Police Record Checks Reform Act, not more than six months old at the date of receipt by the College
- c. other information related to either the Criminal Record Declaration or the Criminal Record and Judicial Matters Check that the Registrar may request in order to consider the application.

Section 25 – Information to be Provided to the College

25.01 As soon as practicable, a member shall notify the Registrar in writing or in another form acceptable to the Registrar of the following:

- a. the address(es) and telephone number(s) of the member's employer, whether or not employed as an Ontario Certified Teacher in the public education system or any position where a certificate of qualification and registration is required
- b. the member's principal residential address and telephone number
- c. the member's email address, if applicable

- d. the member's date of birth
- e. the member's gender or gender identity
- f. whether the member prefers to use English or French in their dealings with the College
- g. the member's full name, and former names if any
- h. the name of the member as it appeared on the member's Ontario Teacher's Certificate, if applicable
- i. any name change required to be reported under section 19
- j. the member's country of citizenship
- k. the identity of any other jurisdiction in which the member is authorized to teach, and the date on which such authorization was granted
- l. all current and historical membership statuses, including the date each status became effective, type of certificate of qualification and registration, expiry date of the certificate, and any discipline history
- m. notification of successful completion of any ongoing education required by the College where notification is not automatic by a third party
- n. all current and historical membership statuses with other professions, including the date each status became effective, type of certificate of qualification and registration, expiry date of the certificate, and any discipline history.

25.02 The Member shall notify the Registrar of any changes to the information provided under section 25.01 in writing or in another form acceptable to the Registrar, within thirty (30) days of the change.

25.03 A member shall provide the following to the College when requested to do so by the Registrar, and in the form prescribed by the Registrar:

- a. a description of the program or programs of professional education, including any programs leading to additional qualifications, or other teacher education completed by the member
- b. a description of any academic programs or qualifications completed or received by the member
- c. a description of the member's previous teaching experience.

25.04 Members shall ensure that any information provided to the College relevant to their membership and reflected on the public register, is accurate and current.

Section 26 – Professional and Ethical Standards

26.01 The following are hereby prescribed as standards of practice for the teaching profession:

- a. Commitment to Students and Student Learning

Members are dedicated in their care and commitment to students. They treat students equitably and with respect and are sensitive to factors that influence individual student learning. Members facilitate the development of students as contributing citizens of Canadian society.

- b. Professional Knowledge
Members strive to be current in their professional knowledge and recognize its relationship to practice. They understand and reflect on student development, learning theory, pedagogy, curriculum, ethics, educational research and related policies and legislation to inform professional judgment in practice.
- c. Professional Practice
Members apply professional knowledge and experience to promote student learning. They use appropriate pedagogy, assessment and evaluation, resources and technology in planning for and responding to the needs of individual students and learning communities. Members refine their professional practice through ongoing inquiry, dialogue and reflection.
- d. Leadership in Learning Communities
Members promote and participate in the creation of collaborative, safe and supportive learning communities. They recognize their shared responsibilities and their leadership roles in order to facilitate student success. Members maintain and uphold the principles of the ethical standards in these learning communities.
- e. Ongoing Professional Learning
Members recognize that a commitment to ongoing professional learning is integral to effective practice and to student learning. Professional practice and self-directed learning are informed by experience, research, collaboration and knowledge.

26.02 The following are hereby prescribed as the ethical standards for the teaching profession:

- a. Care
The ethical standard of Care includes compassion, acceptance, interest and insight for developing students' potential. Members express their commitment to students' well-being and learning through positive influence, professional judgment and empathy in practice.
- b. Respect
Intrinsic to the ethical standard of Respect are trust and fair-mindedness. Members honour human dignity, emotional wellness and cognitive development. In their professional practice, they model respect for spiritual and cultural values, social justice, confidentiality, freedom, democracy and the environment.
- c. Trust
The ethical standard of Trust embodies fairness, openness and honesty. Members' professional relationships with students, colleagues, parents, guardians and the public are based on trust.
- d. Integrity
Honesty, reliability and moral action are embodied in the ethical standard of Integrity. Continual reflection assists members in exercising integrity in their professional commitments and responsibilities.

Section 27 – Conflicts of Interest for Members of Accreditation Committee Panels

27.01 Panel members shall, in the performance of their duties, comply with the provisions of the Act, the regulations and the bylaws.

27.02 The following conflict of interest rules apply to every panel member in addition to the rules set out in section 34 of Regulation 563/21 (General) applicable to members of the roster for the Accreditation Committee:

A person shall not carry out the functions of an accreditation panel if that person:

- a. has a contract, is in partnership or is a private company engaged in business with the permitted institution whose program is under review,
- b. has acted as an associate teacher for the permitted institution whose program is under review during the previous two years,
- c. has family members who are employed by, or are students enrolled at, the permitted institution whose program is under review,
- d. has been paid as a consultant during the previous two years or has received an honorary degree from the permitted institution whose program is under review,
- e. has any other relationship with the permitted institution whose program is under review, as a result of which the participation of the person in the functions of the panel may directly or indirectly confer a benefit on the person or any person with whom the person does not deal at arm's length.

Section 28 – Scholarships

28.01 The Council may establish scholarships for the purposes of recognizing and supporting excellence in teacher education, and to assist in the education of teachers or persons wishing to become teachers.

28.02 Scholarship funding shall be administered by the Community Foundation of Toronto.

28.03 The scholarship promotion, application, review and awarding process shall be administered by the Registrar.

Section 29 – Funding for Therapy and Counselling Program

29.01 Therapists and counsellors who are providing therapy or counselling that is funded through the program required under section 58.1 of the Act and persons who are receiving such therapy or counselling may, upon request by the Registrar, be required to provide a signed statement in a form acceptable to the Registrar:

- a. containing details of the therapist's or counsellor's training and experience;
- b. confirming that therapy or counselling is being provided; and
- c. confirming and that the funds received are being devoted only to that purpose.

Section 30 – Suspension and Disqualification From Subcommittees

30.01 The following sections apply to the Human Resources Subcommittee, the Audit and Finance Subcommittee and any other subcommittee that Council may establish, but not the Selection and Nominating Subcommittee.

- 30.02** The Council shall suspend a Council appointee from sitting on any subcommittee if at any point in the person's term, the person is suspended from serving on Council pursuant to section 35 of Regulation 563/21 (General). A person who is suspended from sitting on any subcommittee ceases to be a member of that subcommittee for the duration of the suspension and shall not participate in any meetings of that subcommittee.
- 30.03** The Council shall disqualify a Council appointee from sitting on any subcommittee if at any point in the person's term, the person is disqualified from serving on Council pursuant to section 36 of Regulation 563/21 (General). A person who is disqualified from sitting on any subcommittee ceases to be a member of that subcommittee and shall not participate in any meetings of that subcommittee.

Schedule 1 – Code of Ethics

Council, Subcommittee, Committee and Roster members shall, in the performance of their duties:

- Comply with the provisions of the *Ontario College of Teachers Act, 1996*, (the “Act”) the regulations made under the Act, the bylaws of the College, and all other corollary statutes and regulations to which the College adheres, including the *Ontario Human Rights Code*, *Accessibility for Ontarians with Disabilities Act*, S.O., 2005, c. 11, *Ontarians with Disabilities Act*, S.O., 2001, c. 32, *Canadian Charter of Rights and Freedoms* Part 1 Schedule B Constitution Act 1982, *Canadian Human Rights Act* of 1977, Truth and Reconciliation Commission of Canada: Calls to Action, United Nations Convention on the Rights of the Child, United Nations Declaration on the Rights of Indigenous Peoples, and the United Nations Convention on the Rights of Persons with Disabilities.
- Familiarize themselves with the Act, the regulations, the bylaws, and any other records and documents that may be necessary for the performance of the duties of their office.
- Take part in the committee work of the College, if and as applicable by virtue of their appointment, and serve actively during their term of office.
- Ensure that they do not disclose or discuss confidential matters that come to their attention in the performance of their duties, except as required by law or as directed by the Council or the Chair.
- Recognize the distinction between their corporate and individual authority and conduct themselves accordingly with College staff, members of the College and the public.
- Exercise care, diligence, skill and prudence in carrying out the business of the College.
- Conscientiously and faithfully perform their statutory duties and conduct themselves professionally at all times, in particular while conducting College business and interacting with staff and other members of the governing structure, and complete their work to the best of their abilities in a timely manner and in a way that advances the College's strategic priorities.
- Seek to enhance the public’s perception of the College and the profession of teaching.