



Ontario
College of
Teachers

Ordre des enseignantes
et des enseignants
de l'Ontario

Eligibility Guide for Therapy and Counselling Funding Program



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Program Overview

Funding support for therapy and counselling

If an Ontario student has been sexually abused or involved in child pornography by a member of the Ontario College of Teachers, help may be available for the student, their parents or guardians, and siblings.

These events can have traumatic consequences for students and their families. The College wants to help families get the assistance they need. That's why there is a funding program to help pay some of the costs required for therapy and counselling.

The College's therapy and counselling funding program complements other wellness services and benefits that may be available by providing coverage for some costs not paid for under the Ontario Health Insurance Plan (OHIP) or private health insurance plans.

This guide provides information about the program, including the eligibility requirements, and explains how to apply to the College for funding support.

Who is eligible

Who is eligible for funding

Students who were sexually abused or involved in child pornography by a College member may be eligible for funding. Funding is also available for the parents, guardians, or siblings of the student, if their therapy and counselling is necessary to support the student.

Who is an eligible student

An eligible student is defined, at the time of an alleged incident, as:

1. A student who was enrolled in a school or private school in Ontario, within the meaning of the *Education Act* and was under 18 years old or, in the case of a student who had special needs, was under 22 years old.
2. A student of any age who was enrolled in a school or private school in Ontario, within the meaning of the *Education Act* if, at that time,
 - i. the member was one of the student's teachers,
 - ii. the member was the principal or vice-principal of the school in which the student was enrolled,
 - iii. the member assisted in extracurricular activities, including coaching in a sport, and the member and the student dealt with each other directly in the course of the extracurricular activities, or
 - iv. the member provided any other school-related service, including a support service directly to the student.
3. Any other child who was under 18 years old or, in the case of a child who had special needs, was under 22 years old.

Eligibility requirements

For eligibility, in all cases:

- the need for therapy or counselling must result directly from the student's sexual abuse or involvement in child pornography by a College member, and
- the College's resources must be sufficient to provide the funding requested.

General eligibility requirements

Funding is available to help pay some of the costs related to required therapy and counselling if these requirements are met:

1. Complaint/report

The College must have received a public complaint or a report from the College member's employer (for example, school board).

A member of the public can initiate a complaint by submitting an online form to the College.

2. Member of the Ontario College of Teachers

The complaint or employer's report must allege an act of sexual abuse or an act involving child pornography within the meaning of the *Ontario College of Teachers Act* against a member of the College.

3. Connection to the member's practice

At the time of the alleged incident(s), the student was under the supervision or responsibility of a College member in the course of the member's practice, or the member's practice facilitated a relationship, or access to, the student.

4. Purpose

The student's need for therapy and counselling results from the sexual abuse or acts of child pornography. In the case of a family member or guardian, the therapy or counselling is required to support the student.

Please note: Applicants are not required to undergo any psychological or other assessment to request funding.

Alternative eligibility requirements

If the College has not received a complaint or report from the member's employer, an applicant may still qualify for funding if all other eligibility requirements are met, and one of the following circumstances applies:

1. Previous College finding

A College disciplinary decision found that the College member committed sexual abuse or child pornography against a different student.

2. Agreement with the College

The College member and the College agree that the member sexually abused the student and/or involved the student in child pornography.

3. No discipline hearing

An allegation of sexual abuse or child pornography was referred to the College's Discipline Committee, but there was no hearing because the member:

- i. has died,
- ii. is incapacitated,
- iii. cannot be located,
- iv. is otherwise unable to testify, or
- v. has been previously disciplined for the same conduct with another student or person.

4. Previous court or tribunal finding

A civil court or another administrative tribunal found that the College member sexually abused the student or involved the student in child pornography.

5. Previous conviction

The College member has a prior conviction in relation to the student of a criminal offence of a sexual nature or involving child pornography under the Criminal Code.

Defining sexual abuse and child pornography

The College uses the definition of “sexual abuse” as it appears in the *Ontario College of Teachers Act*. The law defines sexual abuse of a student by a College member (such as teachers, administrators and supervisory officers) as:

- sexual intercourse or other forms of physical sexual relations between the member and the student,
- touching, of a sexual nature, of the student by the member, or
- behaviour or remarks of a sexual nature by the member towards the student.

Child pornography is a recording of a child being sexually abused or exploited.

Please note: As long as the person was a College member when the alleged act occurred, the geographical location does not matter.

Who is a College member

College members include teachers, guidance counsellors, special education teachers, vice-principals, principals, some supervisory officers and directors of education. Teachers working in non-publicly funded school systems, such as private or independent schools, may also be College members.

College certification of a member can be determined using the Find a Teacher tool at oct.ca/findateacher. Please contact the College if the teacher’s name does not appear on the website.

Funding eligibility is not affected if the person has retired or is no longer eligible to teach because their license has expired, been revoked or cancelled.

Making a complaint

Information about making a complaint about a College member is available at oct.ca/public/complaints-and-discipline/submit. The information explains the complaints process and links to an online form to submit a concern.

Further information about how to initiate a complaint is available by speaking with a College staff member directly by telephone, or by sending an email request to ih@oct.ca.

Keeping it confidential

The College respects the sensitivity of these matters, and follows high standards to keep applications and information as secure and confidential as possible.

You need to know

Complaints are separate from the College's funding program. Although a student may be eligible for funding, this does not constitute a finding against a College member. Complaints made about a member, as well as any information in support of a complaint, will be provided to the member as part of the investigations and hearings process. In some cases, information about your application and the funding provided may be disclosed in order to permit the College to seek reimbursement, from the member, of amounts paid under the program.

Guide updates

Edition: May 14, 2021.
This guide may be amended periodically.

Application Process

How to apply

Please review the program information carefully to determine whether you are eligible. Contact the College if you have questions.

When you are ready to apply, please go to oct.ca → Public Protection → Funding for Therapy and Counselling. Simply fill out the online application, submit the form and a College staff member will contact you if further information is needed. If you would prefer to speak with someone directly or if you need more information, please email us at fundingsupport@oct.ca or phone us at 416.961.8800, ext. 379 or toll-free in Ontario at 1.888.534.2222, ext. 379.

We will ask you ...

Rest assured, we will only ask you information that we require to confirm your eligibility to participate in the funding program.

About the applicant

- Whether you are applying for yourself (as a student) or as a parent/guardian, or sibling.
- Your name, relationship to the student, and contact information.
- The age of the student and applicant.
Applicants under the age of 18 will be asked whether they have consent from a parent or guardian to apply for funding. The consent of a parent or guardian will not be required if the applicant has formally withdrawn from parental control. In addition, parent or guardian consent may not be required where there are other extenuating circumstances.

About the complaint

- The name of the College member and their registration number, if known.
- The place where the member taught when the incidents occurred, if known.
- The approximate date that the original complaint or school board/employer report was made to the College, if known.

About the incidents that occurred

- Whether the incidents are an allegation of sexual abuse or involvement in child pornography, and the nature of the incidents.
- The approximate dates the most recent incidents occurred, and the locations.
- The nature of the teacher-student relationship at the time the events occurred.
- Further details as required.

Acknowledgements and attestations

- Eligibility in the funding program does not constitute a finding of guilt against the College member.
- The need for therapy and counselling is a direct result from the events in the complaint.
- The application information is correct, true and it will be updated as necessary.
- College rules about confidentiality.

Access to therapy and counselling funds

The College will notify you by email (or by other means, if you prefer) after receiving, reviewing and assessing your complete application and any required documents. If your eligibility claim has been denied, you

can ask for a subsequent review provided you have relevant additional information to submit that was not part of the original claim.

Your well-being is important. If you prefer, you can begin therapy and counselling prior to submitting your eligibility application. Please keep all receipts and documents to submit for reimbursement in the event that your application is approved.

You may prefer to have your eligibility for funding confirmed first, as prior costs will not be reimbursed if it is determined that you or certain expenses are ineligible for funding.

If you are not eligible for funding

In some cases, you may not qualify for funding coverage. For example:

- the College has not received an eligible complaint or report about the student's sexual abuse or involvement in child pornography by a College member
- you do not meet the eligibility requirements
- the member was not a member of the Ontario College of Teachers at the time of the incident(s)
- the student was not under the supervision or responsibility of a practising member or the member's practice did not facilitate their relationship with, or access, to the student
- the events do not meet the legal definition of sexual abuse or child pornography
- you are not considered a student, or the student's parents, siblings or legal guardian
- there is no longer a need for therapy or counselling as a result of the abuse or

- involvement in child pornography
- the time period for submitting claims has expired
- there are insufficient resources to provide funding.

If a complaint has not been made, the College will ask you if you would like to make a complaint.

If you would like to speak to someone directly to ask a question about the funding program or your eligibility, please phone 416.961.8800, ext. 379 or toll-free in Ontario at 1.888.534.2222, ext. 379. You can also email us at fundingsupport@oct.ca.

Sexual abuse resources

You can find more information about support services at oct.ca or at the addresses below. Please note that these services are not operated by the College.

The College does not officially endorse outside agencies or programs, or assume responsibility for the services they provide. Please review each resource carefully and ask your therapist or counsellor to recommend these or other professional and community services that are appropriate for you. Please contact the organizations directly to determine their ability to provide assistance.

Ontario Network of Sexual Assault Care & Treatment Centres
sadvtreatmentcentres.ca

Ontario Coalition of Rape Crisis Centres
sexualassaultsupport.ca

Canadian Centre for Abuse Awareness
abusehurts.ca

Canadian Centre for Child Protection
protectchildren.ca

Assaulted Women's Helpline
awhl.org

Fem'aide – Ligne de soutien pour femmes touchées par la violence
femaide.ca

Family Association of Ontario
familyserviceontario.org

Ontario Women's Justice Network
owjn.org

Community Advocacy & Legal Centre Ontario
communitylegalcentre.ca

Association of Native Child & Family Services Associations of Ontario
chiefs-of-ontario.org

Aboriginal Health Access Centres
aohc.org

Native Women's Resource Centre (GTA)
nwrct.ca

Disabled Women's Network (DAWN) of Canada
dawnCanada.net

Ministry of the Attorney General – Victim Services (list of organizations providing services for victims of crime)
attorneygeneral.jus.gov.on.ca

Human Rights Legal Support Centre/Centre d'assistance juridique en matière de droits de la personne de l'Ontario
hrlsc.on.ca

At this link you will find a search engine for finding programs & services in various geographical areas of Ontario:
211ontario.ca

Eligible Expenses

What expenses are covered

Once the College has confirmed your eligibility, you will receive an expense guide. It explains what you, your parent, guardian or sibling can claim, including

- therapy and counselling sessions
- prescription drugs and other medicinal substances, and
- some costs reasonably required for you to attend your sessions, such as:
 - i. transportation,
 - ii. accommodation,
 - iii. meals,
 - iv. child care, and
 - v. translation services.

Claims made by parents, guardians or siblings must be necessary to support the student who was sexually abused or involved child pornography.

In all cases, the College's resources must be sufficient to provide the funding requested.

Choosing a therapist or counsellor

You can choose your own therapist or counsellor; however they must not:

- be in any family relationship with you
- have been found guilty of professional misconduct of a sexual nature
- have been found civilly or criminally liable for an act of a similar nature.

Your family doctor or Family Health Team may be able to recommend a therapist or counsellor. You can also choose an

Indigenous Elder or healer to provide these services, if they meet the criteria above. To find an Indigenous Elder or healer, you can contact your local friendship centre, Aboriginal Health Access Centre, or look online at eMentalHealth.ca.

If your therapist or counsellor is not a regulated health professional, the College requires that you sign a form acknowledging that the person is not subject to professional discipline.

Eligibility Period

Funding period

Funding under the program may be provided for any eligible expenses during the period that starts on the earlier of,

- the first day that a person receives therapy and counselling, and
- the day that the student who was sexually abused or involved in child pornography by a College member becomes eligible for funding.

Funding ends on the later of,

- ten years after the day the funding began, or
- the day that the student who was sexually abused or involved in child pornography by a College member turns 22 years old.

Additional criteria for ending funding

Once the maximum amount of funding available under the College's therapy and counselling program is claimed or reached, no further funding will be made available to the claimant or another eligible claimant within the family.

The College will reduce the amount of funding by the amount received from public funding or damage awards. If this amount exceeds the available funding, no further funding is available.

Where the maximum amount of funding has not been reached, funding would also end in any one of the following circumstances:

1. The application is determined to be frivolous, vexatious or an abuse of process.
2. The College member has been found not guilty of sexual abuse and/or child pornography by the College's Discipline Committee or a court hearing an appeal from the Discipline Committee decision.
3. Allegations, including those relating to sexual abuse or child pornography, have been withdrawn, and the College member has not entered into an agreement with the College not to teach.
4. The Investigation Committee does not refer allegations of sexual abuse or child pornography to the Discipline Committee for a hearing.
5. The student or the College withdraws the sexual abuse or child pornography allegations.

Further questions

If you would like to speak to someone directly to ask a question about the funding program or your eligibility, please phone 416.961.8800, ext. 379 or toll-free in Ontario at 1.888.534.2222, ext. 379. You can also email us at fundingsupport@oct.ca.



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