



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

# Memo

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**Date:** May 24, 2022

**To:** Council of the Ontario College of Teachers

**From:** Anne Resnick, Chair, Investigation Committee

**Subject:** Report of the Investigation Committee

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## Committee Meetings/Panel Dates

The Investigation Committee (and roster) met on January 25 and 26, 2022 for a training session. The Investigation Committee had an informal meeting on January 26, 2022.

The Investigation Committee will meet formally on November 16, 2022.

## Investigation Committee (IC) Panel Dates

### Regular IC Panel Meetings

Months	Dates
January	10, 20, 24* and 28*
February	9 and 24
March	8 and 21

\*Ad hoc meetings to consider urgent and/or seized matters.

### Single-Member IC Complaint Resolution (CR) Panel Meetings

Months	Dates
January	N/A
February	N/A
March	7 and 18

## Summary of Discussions

### Training

At the January 25, 2022 training session, Josh Koziembrocki, Independent Legal Counsel to the Investigation Committee, provided training to committee and roster members on the following topics:

- Administrative Law;
- Jurisdiction;

- Natural Justice;
- Requests for Direction;
- Investigated Complaints;
- Priors matters and other information;
- Referral to Discipline and Fitness to Practise Committees;
- Other Disposition Options;
- Case Scenarios; and
- Writing Reasons.

At the January 26, 2022 training session, staff from the Professional Conduct Unit and the Investigations Unit provided training on the following:

1. Complaint Resolution;
2. Teacher Performance Appraisal matters resolved by Undertaking;
3. Investigation Committee’s authority to make medical inquiries when a member is believed to be incapacitated; and
4. Investigation Committee panel processes (i.e., conflict of interest checks, scheduling, pre-panel preparation, panel meetings and post-panel work).

### Informal Meeting

At the Investigation Committee’s informal January 26, 2022 meeting, the members of the Investigation Committee introduced themselves and provided biographical details.

### Statistics

The following is a summary of the disposition of cases concluded by panels of the Investigation Committee between January 1, 2022 and March 31, 2022.

Disposition of Cases	Jan.-Mar. 2022
Referred to Discipline Committee under subsection 26(5)(a)	12
Referred to Fitness to Practise Committee under subsection 26(5)(a)	1
Admonishment in person under subsection 26(5)(c)	18
Written admonishment under subsection 26(5)(d)	5
Caution in person under 26(5)(c)	5
Written caution under subsection 26(5)(d)	9
Advice under subsection 26(5)(d)	2
Reminder under subsection 26(5)(d)	4
Not referred following an investigation and no further action taken under subsection 26(5)(b)	11
Refused to investigate: not related to professional misconduct or incapacity under subsection 26(2)(a), OR, frivolous, vexatious, abuse of	1

<b>Disposition of Cases</b>	<b>Jan.-Mar. 2022</b>
process, manifestly without substance or made for an improper purpose under subsection 26(2)(b) (Request for Direction)	
Undertaking to Resign and Never to Reapply	5
Teacher Performance Appraisal Undertaking	0
Complaint Resolution	9
<b>Total</b>	<b>82</b>

The total number of dispositions does not include nine matters that were withdrawn or abandoned before reaching a panel of the Investigation Committee

### **Duties and Mandate of the Committee**

The duties and mandate of the Investigation Committee are described in Appendix 1 of this document.

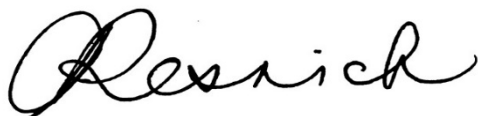
### **Committee Training and Meeting Dates**

The next training is scheduled for November 22, 2022 and the next meeting is scheduled for November 16, 2022.

### **Members of the Investigation Committee**

Anne Resnick (Chair)  
Colin Halsall, OCT (Vice-Chair)  
Simon Burke  
Erin Glen, OCT  
Robert Pellerin, OCT \*  
Annie Song \*  
Elisha Turney Foss  
Philip Warner, OCT

*\* On March 24, 2022, Council approved the appointment of Mr. Pellerin and Ms. Song to the Investigation Committee to provide additional French-language support.*




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Anne Resnick, (Chair)

# APPENDIX 1

## Investigation Committee

### Mandate and Duties

The Investigation Committee is a statutory committee of the College established by the *Ontario College of Teachers Act, 1996* (the “Act”):

Section 3 of the Act establishes the objects of the College, and the object most directly pertinent to the Investigation Committee is the following:

To receive and investigate complaints against members of the College and to deal with discipline and fitness to practice issues

The following are among the specific duties of the Investigation Committee, as stipulated in section 26 the Act:

- To consider and investigate complaints regarding the conduct or actions of a member made by the four designated sources: a member of the public, a member of the College, the Registrar or the Minister.
- To ensure that:
  - the complaint is in the format prescribed by the by-laws;
  - that the member has been notified of the complaint and given at least 60 days to respond; and
  - that the Committee has examined all the relevant documents and information.
- To use its best efforts to dispose of a complaint within 120 days of it being filed.
- To refuse to investigate a complaint if, in its opinion, it does not relate to professional misconduct, incompetence or incapacity; and/or is frivolous, vexatious, an abuse of process, manifestly without substance or made for an improper purpose.
- To ensure that notice of the complaint includes reasonable information about the allegations.
- To provide its decision in writing to the member who is the subject of the investigation, the employer who reported the matter to the College, the member’s current employer if different than the reporting employer and the public complainant, where applicable, and, with the exception of when the decision was to refer the complaint to a hearing committee, to also provide its reasons.
- The Committee can dispose of a matter by:
  - referring the complaint, in whole or in part, to the Discipline Committee or the Fitness to Practise Committee;
  - not referring a complaint and take no further action;
  - issuing written reminders, advice, cautions and admonishments or in-person cautions or admonishments or further actions as it considers appropriate and that is not inconsistent with the Act, the regulations or the by-laws;
  - adopting a Request for Adoption in Complaint Resolution matters;

- adopting an Undertaking in a Teacher Performance Appraisal matters;
- adopting an Undertaking to Resign and Never to Reapply; and
- directing that medical inquiries be made where the Committee believes that a member may be incapacitated.