



Ontario  
College of  
Teachers

Ordre des enseignantes  
et des enseignants  
de l'Ontario

# Registration Appeals Committee Guide to the Registration Appeals Process

by Registration Appeals Committee  
The applicant requests a review in  
accordance with subsection 20 (4),  
Registration Appeals Committee shall  
review.

Submission of documents, submission  
Registration Appeals Committee shall  
The person requesting the review  
has the opportunity to examine and make  
representations on any documents that  
the Committee shall consider in making its  
decision.

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Registration Appeals



## **Guide to the Registration Appeals Process**

This guide is intended to help applicants or members who would like a review by the College's Registration Appeals Committee of the Registrar's decision about their Certificate of Qualification and Registration.

## The Committee's mandate and jurisdiction

- 1.1 The Registration Appeals Committee (the "Committee") is a statutory Committee established under the Ontario College of Teachers Act. The Committee is an objective and impartial body made up of members of the teaching profession and the public.
- 1.2 The Committee reviews appeal requests:
  - from applicants who were denied College certification
  - from applicants when the Registrar proposes to impose terms, conditions and limitations ("TCLs") on their certificate to which they have not consented
  - from College members who have TCLs placed on their certificate.

### Decisions the Committee may make

- 1.3 When an applicant requests an appeal to be certified and/or to remove or modify TCLs that the Registrar impose on their certificate, the Committee may direct the Registrar to do one or more of the following:
  - issue a certificate
  - issue a certificate if the applicant fulfils requirements specified in the regulations
  - issue a certificate subject to specified TCLs
  - refuse to issue a certificate.
- 1.4 When a College member requests an appeal to remove or modify TCLs imposed on their certificate, the Committee **may make an order** to:
  - refuse the member's request
  - direct the Registrar to remove any TCLs on a certificate
  - direct the Registrar to impose specified TCLs on a certificate.

### No jurisdiction

- 1.5 The Committee will not proceed with an appeal request that does not fall within its mandate such as when a College member is not satisfied with the qualifications listed on their certificate.

For more information about the evaluation of your qualifications, please contact the College by calling Client Services at 416-961-8800 or toll-free in Ontario at 1-888-534-2222.

### Independent decision-making

- 1.6 The Committee is an objective, fair and transparent appeal body for applicants and College members. Independent processes separate registration decisions made by the College Registrar and any subsequent review of these decisions by the Committee. These procedures ensure that anyone who acted as a decision-maker in a registration decision does not act as a decision-maker in an internal review or appeal of that same registration decision.

## Registrar's decision making process

- 1.7 The College's Membership Services Department conducts assessments and supports the Registrar in making the review and decision of an application for membership.

## Committee's decision making process

- 1.8 Reviews of a registration decision are conducted and decided by members of the Committee. The Committee members play no role in an applicant's evaluation by the Membership Services Department and Registrar's decision.
- 1.9 To ensure independent decision-making, reviews are supported by the College's Policy and Research Unit (Corporate and Council Services Department).

## Communicating with the parties

- 1.10 The College's Policy and Research Unit staff (Committee's support staff) manage appeals in support of the Committee and act as an intermediary between the parties and the Committee during the appeal process.
- 1.11 The Committee's support staff provides support to the parties regarding the appeal process. It does not represent either party and cannot provide advice regarding their appeal. You will receive via email, all correspondence, documents and communications regarding the appeal process, as well as the Committee's written decision. Please ensure that your email address is updated. Please visit [oct-oeeo.ca/r4exzd](http://oct-oeeo.ca/r4exzd).
- 1.12 All communications, as well as the Committee's written decision, will be in the language you prefer (in either English or French) and according to the language of the appeal request form you will submit. Generally, the chosen language should reflect the language of correspondence you chose when you first applied to the College. When an appeal file contains documents in French or in both languages, a panel of bilingual members will be assigned to review your appeal.

## How to appeal a registration decision

### How to complete the Request for a Review form

- 2.1 You must submit a Request for a Review form accompanied by the appeal fee. To complete the form online and pay, please visit [oct-oeeo.ca/ftaek3](http://oct-oeeo.ca/ftaek3).
- 2.2 You must indicate the grounds and reasons for your appeal request and what you want the Committee to decide. You may attach additional documentary evidence to support your request. Please note that you may submit a request whether or not you intend to submit further information. The Committee will consider the documentation already provided with your application, and your new submissions, if any.

- 2.3 Don't forget that you are responsible for demonstrating to the Committee that you satisfy the registration requirements for certification or that the TCLs imposed on your certificate should be removed or modified.
- 2.4 The Committee's support staff will acknowledge receipt of your appeal and indicate if any further information is required of you, together with instructions on next steps.

### Who are the parties to the appeal?

- 2.5 The parties to the appeal are you, as the person appealing the Registrar's decision, and the College, represented by the Membership Services Department.

## Timelines to submit an appeal

### Calculation of timelines

- 2.6 Where this guide refers to a number of days, it refers to calendar days, including weekends and statutory holidays. For example, if you have to respond within 10 days of receiving a document, the day you received it does not count. Therefore, if you received a document on May 1st, the first day of the 10 day period is May 2nd. The deadline includes the last day unless it lands on a weekend or a statutory holiday. Then, the next business day is considered the last day.

### For College members

- 2.7 If you are a College member and have TCLs placed on your certificate, there is **no deadline** to appeal the Registrar's decision. However, you must submit an appeal before you are expected to complete the terms and conditions. The term is indicated on your certificate and you will find more information about fulfilling your conditions at: [oct-oeeo.ca/efrywz](http://oct-oeeo.ca/efrywz).

### For College Applicants

- 2.8 If you were denied certification at the College or if the Registrar proposes to impose TCLs on your certificate when you are certified, you have **60 days** from the date of the Registrar's letter to submit the *Request for a Review* form.

### Request for an Extension of time to submit an appeal

- 2.9 If you are seeking an extension to the 60-day deadline, you must submit the *Request for a Review* form accompanied by the appeal fee and:

- indicate that you are within the 60 day-deadline and expect that you will be unable to finalize your appeal request before the deadline

**OR**

indicate that the 60-day deadline has passed.

- indicate how many extra days you may need to finalize your appeal request;
- provide reasons to support your request for an extension, which may include:
  - difficulties or delays in obtaining materials that are relevant to your appeal file, such as obtaining supporting documents from overseas institutions
  - extenuating or exceptional factors such as medical condition (i.e. **illness, accident, hospitalisation**) or compassionate reasons (i.e., death of close relative)
- provide documentary evidence to support your request for an extension (i.e. note from doctor/hospital, your requests to obtain documents from overseas institutions).

2.10 The Committee has discretion to extend the 60-day timeline provided it is satisfied there are reasonable grounds to grant an extension. You will receive its decision in writing. If the Committee:

- grants your request for an extension, the Committee will indicate a specific time by which you will be required to finalize your appeal request
- denies your request for an extension, your appeal file will be closed and your appeal fee will be reimbursed.

### **Can the Committee refuse to review my appeal request?**

2.11 The Committee may refuse to proceed with an appeal if it finds the appeal to be frivolous, vexatious or otherwise an abuse of process, or that it is outside its jurisdiction.

### **Costs**

2.12 You are responsible for any costs you incur to prepare for the appeal.

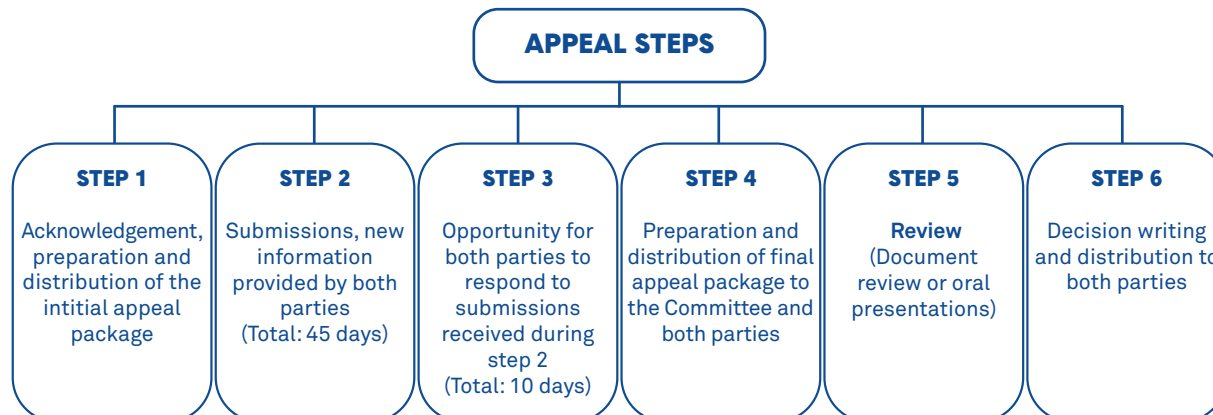
## **What are the major steps of the appeal process?**

3.1 In accordance with the College's Fair Registration Practices regulation, the Committee uses its best efforts to ensure that a decision is rendered within 120 days after an appeal is received. Typically, the Committee reviews requests in the order in which they are received. The length of time it takes for the Committee to render a decision depends on the unique circumstances of each individual's application and on additional information submitted during the appeal process.

3.2 Several other factors can contribute to circumstances where an appeal may not be disposed of within 120 days, for example:

- deadlines are extended in order to schedule a mutually agreeable date for an oral presentation
- new or additional information is submitted as part of the appeal and the College is re-assessing your qualifications
- the Committee requests more information from you or the College.

3.3 The following chart illustrates each step of the registration appeal process.



### When do I receive the initial appeal package? (Step 1)

3.4 Once your request and appeal fee are submitted, you will receive an electronic copy of the initial appeal package, comprised of all the documents and correspondence since you applied to the College as well as the documents provided with your appeal request.

### Can I submit additional information?

#### 45 days to provide submissions (Step 2)

3.5 Yes, you and the College can provide additional submissions and/or documents within 45 days of receiving the appeal package:

- Carefully review the appeal package to ensure that all the documents you submitted to the College when you applied are included. If a document is missing, you will need to promptly inform the Committee support staff.
- Please do not re-submit documents or information that are already included in the appeal package.
- If you refer, in your submissions, to documents included in the appeal package, please refer to the page number found in that package.
- Some documents, such as academic records or statements of professional standing, must be sent directly by the issuing institution to the College and be received within the 45-days timeline.

Any additional information submitted by you or the College within this 45-day timeframe will be shared with the other party.

#### Additional 10 days to respond to the submissions (Step 3)

3.6 A final 10 days are provided to give you and the College the chance to respond to any additional information received within the 45-day timeframe. Any additional information submitted by you or the College within this 45-day timeframe will be shared with the other party. The instructions provided under section 3.5 apply here.



## **Can a party ask for an extension of time to provide additional information?**

- 3.7 You and the College have the opportunity, within these timelines, to provide submissions to the Committee and to examine the other parties' submissions and respond to it. This ensures procedural fairness and that both parties and the Committee have access to the same information. It also ensures that the Committee examines the appeal request within a reasonable timeline. This is why the Committee will normally not consider additional information past these timelines (45 days + 10 days).

Either before or after the expiration of these timelines, the chair of the Committee may extend the timelines under certain exceptional conditions. A request to extend the timelines to submit additional information, must be in writing, with reasons, and sent to the Committee's support staff. The parties will receive the Committee's decision in writing.

## **Final Appeal Package**

- 3.8 A final appeal package will be submitted to the Committee and both parties 10 days prior to the appeal review. It includes all the documents of the initial appeal package as well as all additional documents and submissions provided at the appeal stage.

## **Reassessment of Your Qualifications by the College**

- 3.9 Following receipt of your appeal request, the College's Membership Services Department may reassess your application after considering any new information submitted as part of the appeal process. The College may communicate with you directly if more information related to your initial assessment is required. The College may decide that you now satisfy the College's requirements for certification and is ready to issue a certificate or remove, in whole or in part, TCLs imposed on your certificate. You and the Committee will receive the College's decision in writing.
- 3.10 You will then have to decide if you wish to proceed with the appeal request or withdraw it and inform the Committee's support staff in writing. For example, if you do not agree with the College's decision, you will need to inform the Committee's support staff that you wish to continue with your appeal request and specify if the reasons for your appeal have changed and what you want now the Committee to decide.

## **Withdrawal of an appeal request**

- 3.11 You may submit a request to withdraw your appeal when:

- you no longer wish to pursue an appeal for personal reasons, or
- you are satisfied with the College's reassessment.

To enable the withdrawal of an appeal, you must send a written request to the Committee's support staff. Further instructions will be provided to you. Upon receipt of your written request to withdraw your appeal, your appeal fee will be reimbursed.

## How does the Committee proceed?

### Document review process

- 4.1 In a document review process, neither party attends before the Committee. The Committee support staff will notify you of the review date. The Committee will proceed with its review based on its existing meeting schedule and when the appeal package is finalized. The Committee makes its decision based only on the documents submitted by you and the College and included in the final appeal package.
- 4.2 Once the review has begun, the Committee may determine that it requires more information from you, the College or a third party. The Committee will adjourn the review and direct the Committee's support staff to inform in writing the parties or third party of the request for additional information and will indicate the timeframe in which the Committee wishes to receive the information.
- 4.3 Any response received will be shared with the parties who will have an additional delay to make written submissions on any new information provided to the Committee.
- 4.4 The Committee will resume its review following the receipt of the required information within the timeline or once the deadline is reached.

### Oral presentation

- 4.5 The Committee does not need to hold an oral presentation and typically makes its decision based on documents provided by you and the College. Should you wish to make an oral presentation instead please read the Guidelines for Oral Presentations ([oct-oeeo.ca/an6kyr](http://oct-oeeo.ca/an6kyr)).

### Committee's decision

- 5.1 You will receive, by email, the Committee's written decision with reasons in the weeks following.

### Appeal to a Higher Authority

- 5.2 Both parties, you or the College, may appeal the decision of the Committee to the Ontario Superior Court of Justice's Divisional Court ([ontariocourts.ca](http://ontariocourts.ca)).





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