



## Council Briefing Note

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### **Item: Bylaw Amendment – Reinstatement fee for OCTs who were administratively suspended for failure to complete the Sexual Abuse Prevention Program**

**Public Interest Rationale:** The proposed bylaw amendment is required to clearly require Ontario Certified Teachers who were administratively suspended for failure to complete the Sexual Abuse Prevention Program to pay a reinstatement fee for the removal of the suspension. This is required now that the compliance mechanism in section 51 of O. Reg. 176/10 is in force.

**Strategic Alignment:** This supports the College's clear and independent role in the education system.

**Submitted By:** Saran Ragnathan, Director, Policy, Governance and Tribunals

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### **Issue**

The College's Bylaws need an amendment to require Ontario Certified Teachers ("OCTs") who were administratively suspended for failure to complete the Sexual Abuse Prevention Program to pay a reinstatement fee for the removal of the suspension.

### **Background**

On March 21, 2024, Council was briefed on a proposed compliance mechanism for OCTs who had not completed the Sexual Abuse Prevention Program (the "SAPP") as required by section 47.2 of the *Ontario College of Teachers Act, 1996* (the "Act"). At the relevant time, the College recommended to Council that Council make a request to the Minister of Education to introduce regulations pursuant to paragraphs 25 and 26 of subsection 40(1) of the Act to permit the College to establish a process to administratively suspend members who fail to complete ongoing education requirements such as the SAPP.

Acting on this information, Council approved the following motion:

**That Council recommend to the Minister of Education that new regulations be enacted pursuant to paragraphs 25 and 26 of subsection 40(1) of the *Ontario College of Teachers Act* to permit the College to establish a process to administratively suspend members who fail to complete the Sexual Abuse Prevention Program (the "SAPP") before July 2, 2025. The specified parameters of these regulations will include:**

#### **1. Intent to Suspend**

**The Registrar shall not suspend a member's certificate of qualification and registration without first giving the member two months' notice of intention to suspend.**



## 2. Reinstatement

Members whose certificate of qualification and registration was suspended as a result of their failure to complete the SAPP before July 2, 2025 are eligible to have the suspension lifted upon successful completion of the SAPP and payment of a reinstatement fee of \$130 (as required by section 18.03 of the College Bylaws for removal of a license suspension).

## 3. Public Register Notation

OCTs whose membership has been administratively suspended for failing to complete the SAPP before July 2, 2025 will have a status indicating the administrative suspension on the Public Register until they have completed the SAPP.

On October 1, 2024, Council was presented with the aforementioned regulatory amendments and approved the amendments. As a consequence, and in respect to “Reinstatement”, an amendment to section 18.03 of the College’s Bylaws is needed in order to require members, who were suspended as a result of failing to complete the Sexual Abuse Prevention Program, to pay a reinstatement fee as described under section 18.03 of the College Bylaws.

### Recommendation

**That Council approve an amendment to section 18.03 of the College Bylaws as follows:**

- a. A person whose certificate of qualification and registration was suspended pursuant to section 24 of the Act, including those whose membership status has been designated as “Inactive/Non-Practicing”, shall pay, for the removal of the suspension, a reinstatement fee of \$130.**
- b. A person whose certificate of qualification and registration was suspended pursuant to section 51 of O. Reg. 176/10, shall pay, for the removal of the suspension, a reinstatement fee of \$130.**

### Next Steps

Should Council approve this recommendation, College staff will work in collaboration with education partners to ensure that they are made aware of and understand the details of the SAPP compliance mechanism, as well as communicate to members who have not yet completed the SAPP details of the compliance mechanism and their requirement to comply with it through various channels, including:

- *Your College and You*
- Email and direct mail
- Automated telephone calls



- College website
  - Updated FAQs
  - Homepage news item
  - SAPP page
- New pop-up in OCT accounts for “Incompletes<sup>1</sup>”

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<sup>1</sup> A “pop-up” message refers to when OCTs open their member portal and a “pop-up” message appears reminding OCTs who have not completed the SAPP that they are required to complete the program.