



## **BC CONFEDERATION OF PARENT ADVISORY COUNCILS**

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**Issues Bulletin**  
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### **BCCPAC FREQUENTLY ASKED QUESTIONS ABOUT THE BC COLLEGE OF TEACHERS**

#### **What is the Teaching Profession Act (TPA)?**

The *Teaching Profession Act (TPA)* is the legislation which created and which governs the BC College of Teachers (BCCT). The legislation was first passed in 1987 and the BCCT began operating in January 1988. *Section 4* of the *TPA* describes the object of the College:

*It is the object of the college to establish, having regard to the public interest, standards for the education, professional responsibility and competence of its members, persons who hold certificates of qualification and applicants for membership and, consistent with that object, to encourage the professional interest of its members in those matters.*

To read the current version of the entire *Teaching Profession Act*, go to [http://www.bced.gov.bc.ca/legislation/schoollaw/teaching\\_profession\\_act\\_contents.pdf](http://www.bced.gov.bc.ca/legislation/schoollaw/teaching_profession_act_contents.pdf)

#### **What is Bill 51?**

Bill 51 is the *Teaching Profession Amendment Act 2003*, which was introduced in the Legislature on May 12, 2003. Four significant changes were made to the *Teaching Profession Act* with the passing of Bill 51. It changed the composition of the Council (*Section 5, TPA*). It added avenues that require the College to take complaints directly from the public (*Section 28(4)(c)(1), TPA*) and provides a duty for members of the College to report suspected misconduct of colleagues directly to the College (*Section 27.1, TPA*). Further, Bill 51 anticipates the removal of the power of the College to approve teacher education programs (*Section 27(4), TPA*). The College is working with the Deans of Education to define a new method of assessing applicants for certification.

Bill 51 also added the requirement that the Minister “must consult with persons who the minister considers are representative of...parents” before recommending appointed persons to the Council (*Section 5(3), TPA*).

#### **What further changes to the TPA did the Minister of Education propose on December 10, 2003?**

At the Open Cabinet meeting of Wednesday, December 10, Minister of Education Christy Clark introduced a Cabinet Decision Document entitled *Amendments to the Teaching Profession Act*. The provincial government approved the proposal to introduce this legislation during the spring sitting of the Legislature which begins in February, 2004.

The amendments requested to the *Teaching Profession Act* in this submission are to:

- change the composition of the Council of the BC College of Teachers to 12 elected and 8 appointed members;

- require that all elected Council members swear or affirm an oath of office, and empower the College Council to take action against Council members who breach their oath of office.

To read the full text of the *Cabinet Decision Document*, go to [http://www.bccpac.bc.ca/whats\\_new/Cabinet%20Decision10Dec03.pdf](http://www.bccpac.bc.ca/whats_new/Cabinet%20Decision10Dec03.pdf)

To read the text of the Minister of Education's *Speaking Notes* of December 10, 2003, go to [http://www.gov.bc.ca/bcgov/content/images/cabinet\\_college\\_speaking\\_notes.pdf](http://www.gov.bc.ca/bcgov/content/images/cabinet_college_speaking_notes.pdf)

### **What is the BC College of Teachers (BCCT), also referred to as “the College”?**

The BCCT is the professional body for educators. It is a regulatory board, mandated by law (the *Teaching Profession Act*) and is responsible for the setting and promoting of standards for the education, professional responsibility, and competence of all licensed educators in the province of BC (*Section 4, TPA*). It has a judicial role, in that it is required to receive and follow up on complaints concerning any BC licensed educator, regardless of where that person is employed, or what bargaining group that person belongs to.

The object of the BCCT (*Section 4, TPA*) mandates the BCCT to uphold and protect the tenets of professionalism with a view to protecting the public interest. Protection of the Public Interest is the paramount objective of all professional regulatory bodies. The BCCT defines this responsibility to the public as to

- ensure the safety and well-being of children;
- instil confidence in individual educators and the profession as a whole; and,
- increase the credibility of the education system.

The College develops the policies that inform requirements for teaching certification, reviews competence and conduct of certificate holders and may suspend or cancel certificates, and until the passage of Bill 51 in May 2003, approved teacher education programs.

### **Are there written Standards for Educators?**

*Section 4* of the *TPA* mandates by law that the object of the BCCT is “to establish...standards for the education, professional responsibility and competence of its members...” The *Standards for the Competence, Education and Professional Responsibility of Educators* was enacted by the College Council on October 31, 2003.

A license to practice, or a teaching certificate, is a representation to the public that an educator,

- has the technical skills to practice the profession (competency), and
- will abide by certain rules of ethical behaviour (conduct).

Bill 51 changed responsibilities of the College with respect to its role in teacher education programs and the discipline process; for example, the College is now required to accept complaints from the public about the conduct of a licensed educator. These changes emphasize the need for the College to identify standards for the profession and to communicate those standards to the profession and the public.

That said, the document is not a static one and the review process has already begun. Meetings with education partner groups, including BCCPAC, feedback from members and the public will all contribute to ensuring that the document is relevant to all those to whom it might apply and to those to whom the profession is accountable. BCCPAC encourages PACs and DPACs, as well as individual parents, to become involved in the review process.

As well, The College Conference, Defining the Profession Through Standards, is intended to be a vital opportunity and forum where professional dialogue and feedback can occur. It is set for February 19-20, 2004 at the Westin Bayshore. More details can be found on the BCCT website.

To read the full text of the *Standards* document, go to <http://www.bcct.ca>

### **What is the Person Complaints Process?**

*"The way that a professional association deals with complaints from the public about actions of its members is the litmus test of self-regulation"*

*Stephen Owen, Ombudsman's Office, 1991 Annual Report*

Person Complaints is a new process developed by the BCCT for receiving complaints about the conduct of a member of the College. These complaints must be in writing, signed by the person making the complaint.

The College has published a pamphlet about the process at <http://www.bcct.ca/complaints.html>.

### **Is membership in the College mandatory? How is membership in the College tied to employment?**

Membership in the College is voluntary; however, according to *Section 19* of the *School Act*, if you are employed in the BC public school system, you must be a member of the College. The legal obligation, therefore, rests with school boards to ensure that employees of a school district are licensed educators and hold membership in the College. *Section 19* is quoted as follows:

*19(1) ...a board must not employ a person as a teacher, principal, vice principal, director of instruction, superintendent of schools or assistant superintendent of schools unless that person*

*(a) is a member of the college and holds a certificate of qualification as a teacher....*

### **Who are the members of the College? Who is the College responsible for?**

The membership of the College consists of teachers, administrators and staff in district offices. It includes those working in both the public and independent school systems as well as some who are not currently actively employed.

Members of the BCCT include all licensed educators employed in the BC public school system--all classroom teachers, principals, vice-principals, district administrators and superintendents. Licensed educators also include teachers and other education professionals in private schools (including First Nations Band schools, francophone schools, overseas schools) as well as university professors, educational consultants and individuals employed in private businesses—who may or may not choose to be members of the College. However, according to the *TPA*, the College is responsible for the governance of all licensed educators in BC.

Currently there are approximately 85,000 licensed educators in BC, of whom approximately 34,000 are also members of the BCTF.

### **What are College membership fees? When are they paid?**

The annual College membership fee is \$90.00 and is due by no later than November 30<sup>th</sup> of each year. This year, the College will be accepting the \$90.00 fee for the 2003/2004 membership year for the full month of December. Although non-paying members are suspended during this timeframe (bylaw since 1988), the College will accept fee payments for this 31-day period without the requirement and expense of reinstatement. This information is new and follows recent legal clarification of the status of suspended members. Members who are “suspended” are in a formal grace period and although their membership status is “on hold”, are entitled to the opportunity to pay their fees without penalty. Membership is “terminated” for any College members who have not paid their fees by December 31<sup>st</sup>; as of this date, they are no longer members of the College, and must go through a reinstatement process.

### **What happens if someone hasn't paid the membership fees by December 31, 2003?**

In the first week or two of January 2004, BCCT staff will have completed an up-to-date registry of all members in good standing. A list of members in good standing will be forwarded electronically to every school district in the province and made available to other partner groups. School Boards, as the legal employers of educators as defined in *Section 19* of the *School Act*, are responsible to ensure that they only employ educators in their districts who hold a valid membership in the BCCT.

As of January 1, 2004, any former member wishing to re-apply for membership will be required to follow the reinstatement process described as follows:

- Completion of the Application for Reinstatement of Membership form;
- Submission of the \$170.00 reinstatement fee;
- Submission of a completed criminal records form and the required \$20.00 certified cheque, money order, MasterCard or Visa payment to the Ministry of Finance.

### **How is the BCCT different from the BCTF?**

The BC Teachers' Federation (BCTF) is a labour union which represents public school teachers only, and whose mandate is to negotiate collectively for wages, benefits and working conditions for its members. It is one of many bargaining groups in our public school system, such as CUPE, IWA and the IUOE.

In contrast to the mandate of a professional college, unions exist to protect and further the rights and interests of an organized association of workers. The role and legal obligations of unions are different from the role and legal obligations of professional bodies. Unions are advocacy organizations, which necessarily operate with the primary objective being the protection of a particular member or local. The role of the union is to advocate for the rights of its members. As an advocacy organization, the union is not a statutory body, does not exercise governmental authority, and is accountable to its members to advocate their interests.

The BCCT has a public-interest mandate (as do other professional bodies). Its role is to act in the interest of the public. It must be independent of the advocacy role of a union. It is from this necessity to be independent of one another, yet respect one another's mandate, that tensions sometimes arise.

### **Who runs the BCCT?**

Since 1987, the College has been governed by a board of 20 persons, 15 of whom were elected teachers. Passage of Bill 51 changed the structure of the College's governing Council to have

broader representation from parents, teachers, administrators, the public and other education partners. Under Bill 51, the Council would consist of 12 appointees from the public and education partners, and 8 elected teachers. The legislative amendments proposed by the Minister of Education on December 10, 2003 would reverse the composition of the College's Council to 12 elected members and 8 appointees.

Bill 51 also dissolved the former College Council and replaced it with an interim government-appointed council reporting to the Minister of Education. For the 2003-2004 year only, the Minister appointed all 20 members as a transitional Council. There are currently 19 members of the Council, who will hold office until August 1, 2004. The Chair is Tarry Grieve and the Vice-Chair is Carl Ratsoy.

The College's CEO is the Registrar, Marie Kerchum.

### **What is the make-up of the current (Transitional) College Council?**

There are currently 14 members of the College Council who have practiced and have knowledge of the teaching profession, and 12 are members of the College.

- 4 are current or former teachers
- 3 are current or former principals
- 5 are current or former superintendents
- 1 is a former administrator in the independent system
- 1 is a school trustee
- 1 is a Dean of Education
- 3 are parents (Cathy Abraham, Tim Dunford, and Brenda Turner)
- 1 is a member of the public

### **Why did the Minister of Education appoint a Transitional Council to run the BCCT for this year?**

During the 16 years that the College had been in existence, the previous Councils had failed to comply with the College's legal responsibility, as stated in *Section 4* of the *TPA*, "to establish... standards for the education, professional responsibility and competence of its members".

Before Bill 51, the College Council had been comprised of 15 teachers elected from regional BC zones, and 5 appointed persons. Those 15 elected representatives were almost always teachers who were members of the BCTF. Administrative officers and teachers from independent schools were unsuccessful in all but one election against a BCTF member. Union candidates were able to dominate the election process because of their large public school membership base. *Article 7* of the *BCTF Handbook* contains the union's policies and procedures relating to the BCCT and to the endorsement of candidates for election to the Council.

### **When will the College elections take place? Who can run for a seat on the College Council?**

The term of appointment for interim Council members expires on July 31, 2004.

*Sections 6 – 13* of the *TPA* outline the procedures and timelines for elections to the Council. Members of the College in good standing can run in their zone for a Council position. Practicing educators are seconded on a part-time basis from their school districts to fill these positions.

This year, Call for Nominations will be published March 1, 2004. Nominations with original signatures must be filed by 4:30 pm on April 15, 2004. Ballots will be mailed to the home address

of each member in good standing on April 29, 2004. Ballots must be received by the College no later than 4:30 pm on May 27, 2004. Ballots will be counted May 28, 2004. New Council members will take office on August 1, 2004.

### **Why is the BCTF telling its members to withhold their fees? What is the BCTF Democratic College Fund?**

The BCTF opposes the changes to the College as set out in Bill 51, and opposes the appointment of the interim Council, citing it as “undemocratic”, and has developed strategies to respond. The BCTF is supporting a campaign to encourage its members to withhold their annual College fees in protest, and is encouraging its members instead to forward their fees to a BCTF trust account, called the “BCTF Democratic College Fund”. Teachers who send their fees to the BCTF fund have not paid their membership fees to the College, and thus the status of their memberships is “suspended” between November 30<sup>th</sup> and December 31<sup>st</sup>, and “terminated” after December 31<sup>st</sup>.

BCTF communications indicate that only when the College Council is composed of a two-thirds majority of representatives who are elected and who are BCTF teachers, will they regard the College as “democratic”. Further, the BCTF is asking for Council elections to be earlier, rather than waiting until August 1<sup>st</sup> for the new Council to take office.

On November 7-8, 2003 the BCTF Representative Assembly recommended, “that teachers vote ‘yes’ to refuse to pay their college fee and write a cheque instead to the BCTF Democratic College Fund, where the money will be held by the BCTF until the college represents the profession rather than the government.”

### **What is BCCPAC’s position?**

BCCPAC represents its 928 member PACs from all over the province, whose members are individual parents. BCCPAC provides a collective voice for the expression of parental views about public education in BC. In order to obtain that collected voice, PACs submit resolutions on a variety of issues in public education to the Annual General Meeting for consideration by their peers. Those resolutions voted on and passed form the BCCPAC Statement of Policy.

There are sixteen resolutions that speak about the BCCT and issues related to its areas of responsibility:

Qualifications: 1992.4C, 1994.4, 1995.1, 1999.16, 2002.02, 2002.03, 2003.11  
Conduct: 1992.2, 1995.9, 2000.23  
Complaints: 1996.3, 1996.4, 1997.2, 1998.1, 1998.2  
College Council: 1997.1

The most noteworthy resolutions are 1997.1 and 1997.2:

1997.1 - College of Teachers

**That** the make up of the College of Teachers Council be changed to include a number of non-teaching parents; and

**That** BCCPAC select the parents who sit on the Council from nominations received from BCCPAC member Parent Advisory Councils and/or member District Parent Advisory Councils.

1997.2 - College of Teachers accountability

**That** the College of Teachers be held accountable for the professionalism of the teachers it certifies and that it take responsibility for responding to all complaints and determining appropriate disciplinary measures.

## **What comments has BCCPAC made about the changes to the BC College of Teachers?**

BCCPAC President Terri Watson:

- "We appreciate the serious effort on the government's part to work on the issue of composition of the Council of the BC College of Teachers.
- The complaint process is very important to parents.
- It remains important that non-teaching parents be appointed to the College Council.
- The College needs to be seen as an independent body serving the public interest. We hope that the new requirement for all elected Council members to abide by an Oath of Office will enable this."

## **What other information is available from BCCPAC?**

BCCPAC endeavours to provide information to members through press releases, Issues Bulletins and newsletter articles.

On this topic you will find a number of links and information bulletins both on our website and in our November newsletter:

- An Issues Bulletin dated December 12, 2003 on our website
- a press release dated June 2, 2003 on our website
- an Issues Bulletin dated May 16, 2003 on our website
- an article on Person Complaints to the BCCT in the November IMPACT newsletter.

On the topic of labour negotiations and labour bargaining practices, you will find BCCPAC's submission to the commission to review the structures, practices and procedures for collective bargaining by the employers association, school boards, and the BCTF (dated September 26, 2003) on our website under [Papers and Submissions](#).

The BCCT has itself answered a number of Frequently Asked Questions on their website at <http://www.bcct.ca/faqs2.html>