Human Resources Legislative Update

Ontario Introduces Bill to Protect Students

Date: September 19, 2013

On September 18, 2013, the Ontario government introduced Bill 103*, Protecting Students Act, 2013*.

If passed, Bill 103 would amend the Ontario College of Teachers Act, 1996 ("Act") and would, among other things:

- add definitions of "professional misconduct' and "sexual misconduct" to the Act
- establish an investigation stage complaint resolution process and a disciplinary stage complaint resolution process
- require the Discipline Committee of the College to automatically revoke a member's certificate where he or she has been found guilty of professional misconduct, which includes specified acts of sexual abuse of a student and acts involving child pornography. An application for, or issuance of, a new certificate to a person whose certificate was revoked for these reasons would be prohibited for five years from the date of revocation
- ensure that a disciplinary panel of a committee reviewing the actions or conduct of a principal or vice-principal includes a principal or vice-principal who is or was employed in that capacity and who is a member of the College
- require a designated person or body to report to the College where that person or body suspects on reasonable grounds that there is a risk that a person is likely to suffer harm by a member and believes that disclosure is urgently needed
- require the College to publish decisions of the Discipline Committee on its website
- require an employer which submits a report to the College in cases where a member's employment has been terminated or restricted to provide that report to the member and to provide other related information regarding a member's professional misconduct to the College.