

Professional Conduct Unit

The Professional Conduct Unit (PCU) is mandated under the Teachers Act to regulate the professional conduct and competency of PCU members, primarily teachers.

What matters are reported to the PCU?

- Reports of disciplinary action taken by a school district (**any and all discipline is usually reported to the PCU**)
 - common reports include improper classroom management or supervision, inappropriate response to stressful classroom incidents (such as yelling, grabbing or profanity), failure to supervise students or protect confidentiality, misuse of sick leave, perceived cultural insensitivity and inappropriate off-duty conduct including inappropriate social media posts
- “Person” complaints—usually from parents but can be from students or community members
 - The most common reports include inappropriate classroom interactions or discipline, perceived cultural insensitivity, failure to protect confidentiality, inappropriate social media use or other off-duty conduct
- Reports of criminal charges
 - Teachers are required to self-report to the PCU when they are charged or convicted of certain criminal offences as set out in section 17 of the *Criminal Records Review Act*, RSBC 1996 Ch. 86. The circumstances of such a charge may then become the subject of a conduct review by the PCU.
 - Other public or private sources may report a teacher’s criminal charge(s) to the PCU even where the charge is not a self-reportable offence and this can lead to the PCU initiating an investigation.

How the PCU responds to reports

- If a report to the PCU is made against you, the PCU will send you a letter advising you of the report.
- Very often the initial letter from the PCU states that an investigation is being commenced.
- You may be asked to respond in writing to the allegations that have been made against you or to attend for an interview at the PCU office.
- The PCU may offer to resolve your matter “informally” by having you reflect on the allegations and respond in writing to a series of ethical questions from the PCU.
- The PCU may offer to resolve your matter with a Consent Resolution Agreement (CRA). A CRA is a public document that sets out the facts of your case and provides for varying levels of discipline including reprimand, a suspension of your certificate for a fixed period of time or until certain conditions are met; cancellation of your certificate or placing of conditions or limitations on your certificate.
- In some cases, including where a teacher fails to respond to the PCU or an agreement cannot be reached about how to resolve a case, the PCU will issue a Citation which is a short, publicized document that summarizes the case and indicates the case will go to a public hearing.

What support is available from the BCTF

The BCTF provides legal aid services at no charge to members on any matter arising out of the members' employment, including disciplinary proceedings before the Professional Conduct Unit.

If you have been disciplined or if you receive a letter from the PCU, do the following:

1. **Contact your local president immediately.** Your local president will assist you in applying for BCTF legal aid. All matters are treated confidentially. If your local president is unavailable or you wish to proceed without their assistance (in PCU matters only), the legal aid application form is also available on the BCTF members' portal under "forms." You can complete the document, scan and email it directly to the Legal Services Department (legalaid@bctf.ca).
2. **Keep copies of all correspondence** you receive from the PCU as well as any other documents or information you may have related to the allegations. You will be asked to provide these documents to the BCTF with your request for legal aid.
3. If the PCU contacts you and you already have a legal representative, ask the PCU to contact your legal representative. If you do not yet have a legal representative, advise the PCU that you would like to obtain legal advice before responding. If necessary, ask that any deadline be extended until you have an opportunity to consult a lawyer—this request should not be refused unnecessarily by the PCU.

Do not do any of the following without legal advice:

1. Respond to an investigation report, advise the PCU of your position or provide any information in response to the allegations. But do not ignore correspondence from the PCU. Get in touch with your local president or Legal Services Department if you do not know the status of your case.
2. Resign, retire, relinquish your teaching certificate or let your teaching certificate lapse.
3. Answer informal resolution questions.
4. Attend an interview with a PCU investigator.
5. Make an agreement with the PCU.
6. Participate in a hearing.

Remember:

Even where allegations seem minor or clearly untrue the PCU process can be very stressful for teachers and their families. The PCU process also moves very slowly and can lead to stress building over time. Most teachers have access to free employee assistance programs that can provide services to help with stress and we recommend that you pursue this option.

You are not alone. Your colleagues, your local teaching association and the BCTF will assist you to deal with the PCU and support you through this.



BCTF

British Columbia Teachers' Federation A Union of Professionals
100-550 West 6th Avenue, Vancouver, BC V5Z 4P2 bctf.ca
604-871-2283 1-800-663-9163