

Summary of changes from the *Teachers Act* and new regulations

Factor	Prior to the <i>Teachers Act</i>	As a result of the <i>Teachers Act</i>
Fee	<ul style="list-style-type: none"> • \$120 • set by college • paid by practising teachers • non-practising teachers were not required to pay fee • automatic deduction by employer only by agreement with union • teachers on long-term disability—no fee • retired teachers maintain certificate through non-practising category. 	<ul style="list-style-type: none"> • \$80 • set by regulation • paid by all certified teachers including retirees and teachers on long-term disability • no non-practising category • automatic deduction required by legislation—change to <i>School Act</i> • teachers on long-term disability required to pay certification fee • retired teachers required to pay certificate fee or cancel certificate.
Membership	<ul style="list-style-type: none"> • previously members of BC College of Teachers. 	<ul style="list-style-type: none"> • no longer applicable—fee is only for certification.
Council	<ul style="list-style-type: none"> • twelve elected members, eight appointed by minister • authority over all matters. 	<ul style="list-style-type: none"> • three appointed from BCTF nominations, five elected, seven appointed by minister, one non-voting government rep • authority to set standards for conduct/competency and teacher education programs • no role in discipline.
Discipline committee	<ul style="list-style-type: none"> • discipline committee members selected by college • majority elected members. 	<ul style="list-style-type: none"> • Professional Conduct Board • nine members appointed by ministry from council members • only four members can be BCTF nominated or elected councillors.
Hearing panels	<ul style="list-style-type: none"> • three-member panels of council members (normally two would be elected members) • hearings private unless panel permits someone to attend. 	<ul style="list-style-type: none"> • three-member panels • lay people can apply to be on panels • limit of one BCTF member per hearing panel • presumption of public hearing unless panel orders otherwise.
Pre-hearing screening/resolution	<ul style="list-style-type: none"> • registrar (hired by college council) screened person complaints. 	<ul style="list-style-type: none"> • commissioner (appointed by minister) screens person complaints.

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Preliminary investigation subcommittee	<ul style="list-style-type: none"> considered all person complaints forwarded by registrar considered all other reports of conduct/competency concerns three people plus one alternate selected by council from council members determined what would be investigated, what would go to hearing, what would be resolved through agreement, determined terms of agreement. 	<ul style="list-style-type: none"> preliminary investigation subcommittee eliminated commissioner now does all duties previously performed by committee.
Discipline decision	<ul style="list-style-type: none"> private—only summaries released. 	<ul style="list-style-type: none"> full decisions will be public—posted on website.
Appeals	<ul style="list-style-type: none"> right to full appeal of all decisions. 	<ul style="list-style-type: none"> no right to appeal. Can judicially review only—grounds for review are narrow.
Standards	<ul style="list-style-type: none"> set by council. 	<ul style="list-style-type: none"> set by council—old standards carried over as interim.
Discipline procedure	<ul style="list-style-type: none"> set by council. 	<ul style="list-style-type: none"> set by commissioner.
Staff	<ul style="list-style-type: none"> employees of council directed by council. 	<ul style="list-style-type: none"> employees of ministry.
Registrar	<ul style="list-style-type: none"> registrar (teacher) selected by council. 	<ul style="list-style-type: none"> executive director—ministry appointment—Susan Kennedy on an interim basis commissioner—ministry appointment—Dianne Flood on an interim basis (not a teacher, a lawyer—expert in tribunal procedure).
Director of certification	<ul style="list-style-type: none"> hired by council, Beverly Maxwell. 	<ul style="list-style-type: none"> hired by ministry, Shawn McMullen (has been evaluator at college for number of years—is a teacher).
Certification	<ul style="list-style-type: none"> membership-based fitness committee elected by council members determines whether teachers meet standards of fitness. 	<ul style="list-style-type: none"> no concept of membership certificate is a license to teach director of certification—determines if qualifications and standards for fitness are met three-member appeal panel appointed by commissioner.

BC regulation	Title	Purpose
239/2011	Oath of Office for BC Teachers' Council	<ul style="list-style-type: none"> • wording of oath
244/2011	Fees Regulation	<ul style="list-style-type: none"> • sets certification fees
2/2012	Teachers' Council Regulation	<ul style="list-style-type: none"> • process for nomination and election to BC Teachers' Council
3/2012	Commissioners' Regulation	<ul style="list-style-type: none"> • rules for disciplinary and professional conduct inquiries and certification appeals
4/2012	Independent School – Teaching Certificates Regulation	<ul style="list-style-type: none"> • classifies independent school teaching certificates
5/2012	Letters of Permission Regulation	<ul style="list-style-type: none"> • process for applying for, and accepting applications for, letters of permission

Full text can be found at: www.bclaws.ca

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