

Alberta Teachers' Association Complaint Process

Professional Competence (Practice Review)

NOTE: The information in this document applies only to complaints before January 1, 2023. The [Alberta Teaching Profession Commission](#) is now responsible for reviewing and investigating formal complaints of incompetence of misconduct involving teachers. To file a new complaint after January 1, 2023, please visit alberta.ca/teaching-conduct-and-competency-complaints.aspx.

Complaints filed with the Alberta Teachers' Association

The Alberta Teachers' Association (ATA) is responsible for overseeing complaints filed against its active members. This includes teachers and teacher leaders (e.g. principals) employed in public, separate, and francophone school authorities, who are subject to collective agreements (are ATA union members). These complaints are made under the [Teaching Profession Act](#) (TPA) and the ATA's bylaws. The Registrar at Alberta Education handles all other complaints filed against Alberta certificated teachers who are not active members of the ATA.

Complaints filed with the ATA fall into two main categories: complaints of alleged unprofessional conduct and complaints of professional competence (practice review).

Professional Competency (Practice Review) Complaints

The ATA defines professional competence as the quality of a teacher's professional practice in meeting the competencies identified in the [Teaching Quality Standard](#).

Under the TPA, the ATA is given bylaw-making authority to develop a process to deal with professional competency complaints. The ATA refers to competency complaint process as practice review. The process to handle competency complaints is set out in the ATA's Practice Review Bylaws. These bylaws must be ratified by the Minister, which is actioned by Ministerial Order.

The ATA sets out the practice review complaint process in the following manner:

1. Upon receiving a written complaint about the competence of a teacher, the superintendent assesses whether the complaint actually involves an issue of competence.
2. If the complaint involves an issue of competence or if the superintendent has reasonable grounds to question the competence of a teacher, the superintendent will investigate whether the teacher is meeting the Teaching Quality Standard. The superintendent will inform the complainant (if any) and the investigated teacher that an investigation is under way.
3. If, upon concluding the investigation, the superintendent concludes that there is no basis for questioning the teacher's professional competence, the superintendent will advise the complainant (if any) and the investigated teacher that the investigation is complete and that no further action will be taken.
4. If the superintendent concludes that no further action is warranted, the complainant may, within 30 days, appeal that decision, in writing, to the ATA's Professional Practice Complainant Appeal Committee. The fee for initiating such an appeal is \$250. The Complainant Appeal Committee may affirm the decision of the superintendent not to order a hearing (in which case the matter is closed) or refer the case to a hearing committee.
5. If the superintendent concludes that the investigated teacher is not meeting the Teaching Quality Standard, that the [Teacher Growth Supervision Evaluation Policy](#)
6. has been followed and that the investigated teacher's suitability for certification is in question, the superintendent will, within 30 days, make a report to that effect to the Association's executive secretary.
7. Upon receiving the superintendent's report, the executive secretary will, within 30 days, order a hearing of the case by the ATA's Professional Practice Review

Committee. This committee consists of two classroom teachers, one principal or vice-principal, a central office administrator and a member of the public. The hearing is open to the public.

8. After hearing evidence, the hearing committee determines whether the investigated teacher's professional competence meets or does not meet the Teaching Quality Standard. If the committee determines that the investigated teacher's competence does not meet the Teaching Quality Standard, it may recommend the cancellation or suspension of the teacher's ATA membership, recommend that the Minister of Education cancel or suspend the member's teaching certificate or make another order.
9. The investigated teacher, the superintendent or Provincial Executive Council may appeal the decision of the Practice Review Committee to the Professional Practice Appeal Committee. The hearing is open to the public unless the committee requests privacy.
10. After hearing the appeal, the Practice Review Appeal Committee may quash, vary or confirm the hearing committee's decision; make its own decision; or refer the case back to the hearing committee.

11. Within 45 days of hearing the appeal, the Appeal Committee will communicate its decision to the executive secretary who, in turn, will copy it to the investigated teacher, the superintendent, the registrar and Provincial Executive Council. If the committee has recommended cancellation or suspension of the member's teaching certificate, the executive secretary will also advise the minister of education of the decision.

Source: ATA Website:

<https://www.teachers.ab.ca/TheTeachingProfession/UpholdingProfessionalStandards/Pages/default.aspx>

When the Minister of Education receives a recommendation to suspend or cancel the certificate of a teacher from the ATA for a competency matter, the Minister takes the recommendation into consideration, and renders an independent decision regarding the teacher's suitability to hold a teaching certificate. Minister may accept, reject or vary, with or without conditions, a recommendation of a Professional Practice Review Hearing Committee or Professional Practice Review Appeal Committee. Minister's decision to suspend or cancel a certificate are final.

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