




Are you a teacher or teacher leader involved in a complaint?

A process exists to ensure the professional conduct and competency of Alberta-certificated teachers and teacher leaders, including school principals and superintendents. This is an impartial process that proceeds according to legislated timelines and as efficiently as possible, in a manner that considers the facts and ensures a fair process for all parties involved. Teachers and teacher leaders involved in a complaint will be notified at appropriate decision points as the process proceeds. Read on to learn how the teacher disciplinary process works in Alberta, and what you can expect if you are involved in a complaint.

Teacher/Teacher Leader Disciplinary Process

The **Alberta Teaching Profession Commission (ATPC)** oversees disciplinary matters for teachers and teacher leaders. The **Commissioner**, the **Professional Conduct and Competency General Panel**, the **Office of the Registrar**, and the **Minister of Education** all play key roles in the disciplinary process.

Overview: Roles, Responsibilities, and Definitions

 Alberta Teaching Profession Commission	An independent, arms-length regulatory body, which oversees disciplinary matters regarding the unprofessional conduct and/or professional incompetency of teachers and teacher leaders in Alberta.
 Office of the Registrar	A branch of Alberta Education, the Office of the Registrar is responsible for receiving complaints, referring complaints to the commission, and ensuring findings are reflected in the online Teacher and Teacher Leader Registry .
 Commissioner	The Commissioner is appointed as head of the Alberta Teaching Profession Commission .
 Professional Conduct and Competency General Panel	The Professional Conduct and Competency General Panel includes teachers, teacher leaders and public members, who are called on for hearings and appeals, as well as to conduct dispute resolution and mediation processes.
 Minister of Education	The Minister of Education makes final decisions on hearing and appeal committee recommendations, as well as consent resolution agreements involving suspension or cancellation of a certificate.
 Teacher	An individual holding a valid Alberta teaching certificate.
 Teacher Leader	An individual holding a valid Alberta teaching certificate, who also holds a leadership certificate or superintendent leadership certificate.
 Administrator	The individual or entity responsible for the administration or operation of the school authority, school or program (e.g. superintendent). See section 225.1 of the Education Act .
 Complainant	The individual alleging a complaint regarding a teacher or teacher leader.

The Complaint Process

Teachers and teacher leaders (referred to as “teachers” throughout) are required to follow [professional practice standards](#) and a [professional code of conduct](#) that include overarching ethical principles that guide everyone in the profession. Together, they emphasize student safety, preventing exploitation, respecting diversity, maintaining positive relationships with parents and colleagues, and ensuring professional competency. Anyone who believes a teacher has failed to uphold their professional practice standards or professional code of conduct may file a formal complaint with the **Office of the Registrar**.

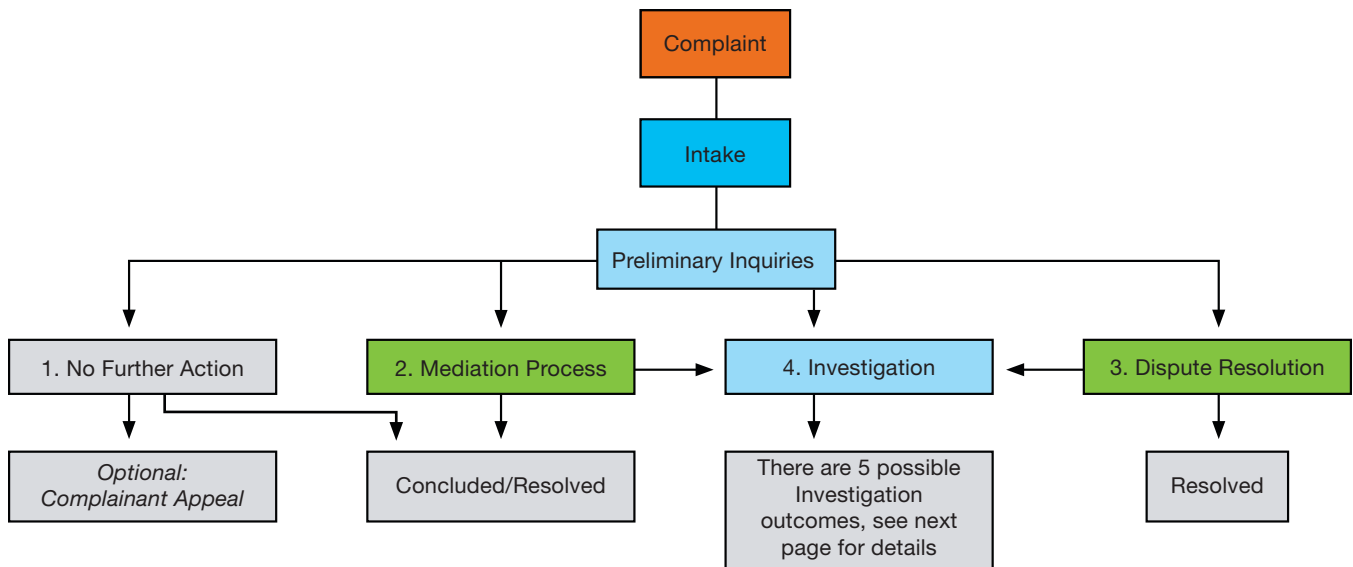
Before a Complaint is Filed:

1. If they are comfortable and it is appropriate to do so, complainants are encouraged to first address their concern with the **school** and/or **school division**. They may discuss the issue with you or your supervisor directly, if possible.
2. If the complaint cannot be resolved at the local level, complainants can contact the Office of the Registrar to discuss their concern and, if desired, submit a formal complaint using the online [Complaint Form](#).

Note: Local dispute resolution and the ATPC disciplinary process serve different purposes and may proceed at the same time. Therefore, on a case-by-case basis, a complaint may be addressed at both the local level and through the ATPC.

Filing the Complaint:

1. Once a completed complaint form is submitted to the **Office of the Registrar**, it will be reviewed to ensure all required information has been included, contact information is valid, and that you hold teacher certification in Alberta.
2. Once verified, the complaint is referred to the **ATPC**.
3. Within 30 days of the complaint being referred to the **ATPC** by the **Office of the Registrar**, you will receive notification of the complaint, including the complainant's name and the nature of the complaint, using your contact information provided in the Teacher Workforce Information System (TWINS).
4. The ATPC will make **preliminary inquiries** into the complaint and may contact you to request additional information.
5. Following preliminary inquiries, the Commissioner will decide to take one of four actions: refer the complaint to a mediation process, refer to dispute resolution, send to a formal investigation, or take no further action. You, the complainant and your school authority administrator (e.g. superintendent) will receive a written notice of the decision. The graphic shows how the first part of the ATPC review process works. Below, you will find additional details on the four possible outcomes of preliminary inquiries.



Preliminary Inquiries Outcome 1: No Further Action

If the Commissioner finds the complaint is without merit, frivolous or vexatious, **no further action** may be taken. The complainant can appeal this decision.

Preliminary Inquiries Outcome 2: Mediation Process

The Commissioner may refer the complaint to a **mediation process**. In mediation, the **Professional Conduct and Competency General Panel (the panel)** works with both you and the complainant to resolve the complaint in a confidential, non-prejudicial manner. The panel can also request your principal, superintendent or administrator participate.

During the process, the panel will review the complaint, identify concerns, and help reach a resolution. The panel will provide a copy of the mediation report to the Commissioner. The Commissioner will provide a copy of the mediation report to you and the complainant for comment. The Commissioner will then issue a decision, and you and the complainant will receive a copy of the written decision. If a resolution is not reached, the complaint is referred to **investigation**.

Preliminary Inquiries Outcome 3: Dispute Resolution Process (for matters of unprofessional conduct only)

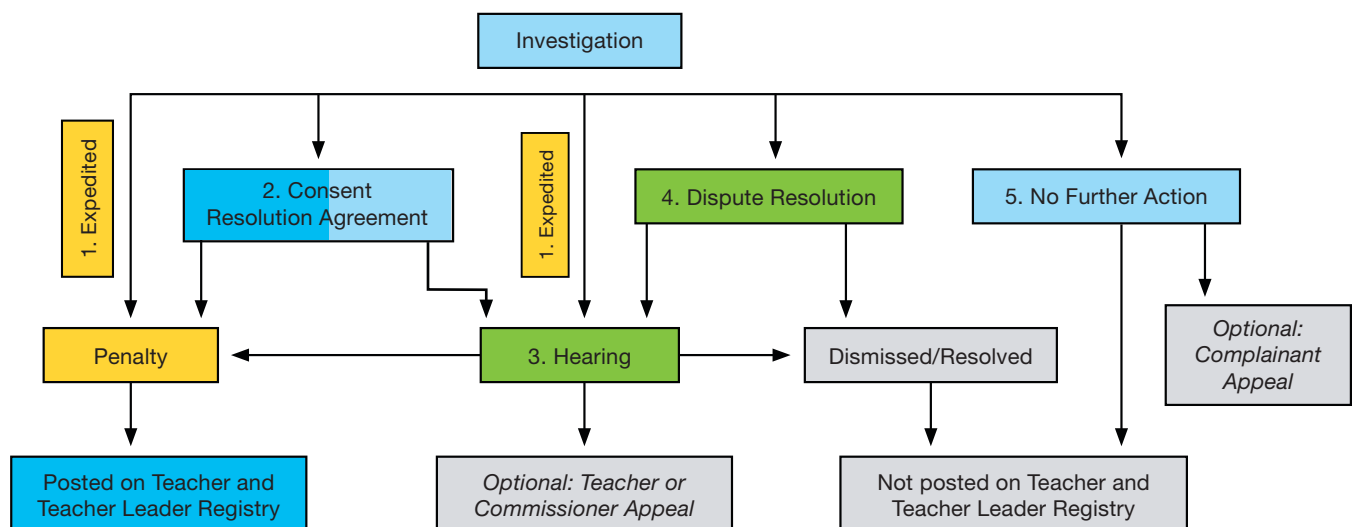
The Commissioner may refer a complaint of unprofessional conduct to **dispute resolution**. In a dispute resolution process, **the panel** works with you to resolve the complaint in a confidential, non-prejudicial manner. **The complainant does not participate in the dispute resolution process**, though the panel may speak to the complainant to review facts and concerns related to the complaint.

The panel will provide a copy of the dispute resolution report to the Commissioner. The Commissioner will provide a copy of the dispute resolution report to you and the complainant for comment. The Commissioner will then issue a decision, and you will receive a copy of the written decision. If a resolution is not reached, the complaint is referred to **investigation**.

Preliminary Inquiries Outcome 4: Investigation

If the Commissioner determines the complaint warrants an investigation, or, if the matter is not resolved through a dispute resolution or mediation process, they will appoint an investigator to the file. **An investigation will commence within 30 days of the decision**. The investigator may request any person, including you, answer questions or produce relevant records or documents. They may interview you, the complainant, and any others who may have relevant information. While there is no set time limit for an investigation, the process is expected to proceed as efficiently as possible, in a manner that ensures a fair process for all parties involved.

There are five possible outcomes of an investigation:



Outcome 1: Expedited Process

If you have been convicted of a prescribed offence that proceeded by indictment, the complaint enters an **expedited process** in which **the Commissioner** must refer the matter, with a recommendation, to the **Minister of Education**, who then determines whether to cancel your certificate(s) immediately or refer the complaint to a **hearing**.

Outcome 2: Consent Resolution Agreement

In a consent resolution agreement, you admit to unprofessional conduct or professional incompetence and, along with the **Commissioner and the Registrar**, agree on a penalty. Penalties may include, but are not limited to, reprimands, personal or professional development conditions, or the suspension or cancellation of your certificate(s). The **Minister of Education** makes all final decisions regarding the cancellation or suspension of teaching certificates. The outcomes of all consent resolution agreements are posted on the [Teacher and Teacher Leader Registry](#). If a consent resolution agreement is not reached, the Commissioner will refer the matter to a **hearing**.

Outcome 3: Hearing

If a complaint is referred to a **hearing**, members of the **panel** will form a hearing committee to review the complaint and make a recommendation to the **Minister of Education**. You will be notified at least 15 days before the date of the hearing. You may appear and be represented by counsel or any other individual at a hearing. Hearings are usually open to the public; notice of public hearings are posted online.

Within 45 days of the hearing, you will receive the hearing committee's written decision. The hearing committee may determine unprofessional conduct and/or professional incompetence has occurred and recommend a **penalty**. They may also determine no wrongdoing and recommend the case be dismissed.

Based on the findings, the hearing committee will make a recommendation to the **Minister of Education** to make a final decision, of which you'll receive a written copy. Decisions related to findings of incompetency or unprofessional conduct are made public and posted to the [Teacher and Teacher Leader Registry](#). You or the Commissioner can appeal the committee's decision within 15 days of the decision.

Outcome 4: Dispute Resolution (for matters of unprofessional conduct only)

The Commissioner may send the complaint of unprofessional conduct to **the panel** for dispute resolution after an investigation has been completed. If a resolution is not reached, the complaint is referred to a **hearing**.

Outcome 5: No Further Action

If the investigation shows the complaint was without merit, frivolous or vexatious, or there is insufficient evidence to warrant a hearing, the Commissioner may choose to take **no further action**. The complainant may appeal this decision.

For more information, or if you have questions, please refer to [Alberta.ca](#). You can also contact the **Office of the Registrar** at education.registrar@gov.ab.ca for information regarding filing complaints, or the **Alberta Teaching Profession Commission** at info@atpc.alberta.ca for more information on an active complaint.