EU480 Case Study Assignment

Parts A and B

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17 02 08 (as arranged)

**Part A**

This is a case of a discipline proceeding against a member of the Ontario College of Teachers in the matter of *the Ontario College of Teachers Act 1996,* and the Regulation (Ontario Regulation 437/97). The record of OCT Discipline Committee proceedings and decisions are a matter of public record and can be accessed electronically, <http://www.oct.ca/public/complaints-and-discipline/decisionsummary?va&memberID=515326>. The Member was found to have been guilty of professional misconduct and penalties were issued. This situation involved an inexperience teacher working with an assignment outside his area of expertise.

**Key Facts:**

The Teacher appeared before a three member panel Discipline Committee after having received a *Notice of Hearing.* It was alleged that the Member is guilty of professional misconduct as defined in subsection 30(2) of the *Act*,and/or is incompetent as defined in subsection 30(3) of the *Ontario College of Teachers Act, 1996* in that:

1. he failed to maintain the standards of the profession, contrary to Ontario Regulation 437/97, subsection 1(5);
2. he abused a student or students verbally, contrary to Ontario Regulation 437/97, subsection 1 (7);
3. he abused a student or students psychologically or emotionally, contrary to Ontario Regulation 437/97, subsection 1 (7.2);
4. he failed to comply with the *Education Act*, Revised Statutes of Ontario 1990, chapter E.2, or the Regulations made thereafter, contrary to Ontario Regulation 437/97, subsection 1 (15);
5. he committed acts that, having regard to all circumstances, would reasonably be regarded by members as disgraceful, hishonourable or unprofessional, contrary to Ontario Regulation 437/97, subsection 1 (18); and
6. he displayed a lack of knowledge, skill or judgement and/or a disregard for the welfare of his students of a nature or extent that demonstrates that the member is either unfit to carry out his professional responsibilities or that the member’s certificate should be made subject to terms, conditions or limitations.

(<http://www.oct.ca/public/complaints-and-discipline/decisionsummary?va&memberID=515326>)

At the time that the alleged misconduct had occurred the Member was employed by a Public Ontario School Board teaching Grades 6, 7 and 8. Particulars of the allegations were that the Teacher:

1. demonstrated a lack of respect for his students in both the language used and his manner including;
2. occasionally welcoming students at the beginning of class with the phrase “Bonjour fags and fagettes” (sic);
3. telling students who asked questions to “shut up”;
4. told students who did not have a work sheet – “not my problem, it’s yours”, and refused to make more copies;
5. was intolerant of students’ requests of him to repeat what he said in class when they had difficulty understanding him, due to his accent;
6. referred to Student #1 and/or Student #2 as “special needs students” in front of other class members and directed them to stay after school;
7. laughed when Student #3 fell backwards off his chair striking his head on the wall, and showed no concern for Student #3’s well-being;
8. engaged in a verbal argument with a female student, Student#4, whom he called stupid;
9. told students that he would find out which parents were complaining about him;
10. failed to demonstrate care, commitment or respect for a student with Tourette Syndrome, about whom the Member told the Vice-Principal he was annoyed , because of the noises he made;
11. directed a student with autism to stand in the corner because this student was talking. (<http://www.oct.ca/public/complaints-and-discipline/decisionsummary?va&memberID=515326>)

The Member denied all allegations set out in the *Notice of Hearing* as his plea. He chose to represent himself during the proceedings.

The Discipline Committee heard testimony on five occasions. It rendered a written decision finding the Teacher guilty of professional misconduct, citing clear, cogent and convincing evidence presented during the five days of hearings. The Committee found that facts supported a finding of professional misconduct pursuant to the *Ontario Regulation 437/97*, being more particular breaches of subsections 1(5), 1(7), !(7.2, 1(15) and 1(18). Deliberations on subsection 1(18) rendered a decision that the conduct did not reach the level of disgraceful or dishonourable, but would be regarded as unprofessional by members of the profession. (<http://www.oct.ca/public/complaints-and-discipline/decisionsummary?va&memberID=515326>) The Committee ordered the following as penalty.

1. The member was to be counselled by the committee with the counselling recorded on the Register of the Ontario College of Teachers.
2. Terms and conditions were imposed requiring the Member to complete at his own expense a pre-approved course regarding classroom management with an emphasis on the use of appropriate language and to submit a completion certificate from the course to the Registrar within 30 days of completion.
3. The Committee directed that the findings and order of the Committee in summary form, without the name of the Member, in the official publication of the College, *Professionally Speaking*.

**Key Issues:**

Central to this case is the behaviour of the teacher which falls short of the Standards of Practice and Ethical Standards for the Teaching Profession. Students are not being afforded appropriate respect and care. Professional knowledge of how to effectively teach identified special needs students is lacking. Trust has been broken with students, families and colleagues. The honour and dignity of the teaching profession have not been reflected and upheld.

From the teacher’s perspective, he had successfully completed a Canadian Teacher Education program qualifying in Intermediate and Senior Math and Science. He was assigned to teach Grades 6, 7 and 8 Core French. His experience did not equal one full academic year at the time of the allegations. The Member had not had an opportunity to participate in a New Teacher Induction Program. The Ontario College of Teachers Discipline Committee took this inexperience and teaching assignment into consideration when issuing its decision and penalties.

**The Teacher’s Strategies:**

Initially the teacher’s strategy was to deny all allegations. The Member may feel that he was not adequately prepared and supported to be successful. He later provided to the Discipline Committee his record of qualifications and teaching assignment as evidence that he had been placed in a challenging situation and testified that he believed his problem was with classroom management. These strategies do not seem to indicate that the Member understood the Standards of Practice for the Teaching Profession and the Ethical Standards for the teaching Profession. The Discipline Committee may have been addressing this issue by choosing to counsel the Member. Certainly opportunity to gain an understanding of these foundational standards would have been provided during a B. Ed. Program in Ontario.

**Alternative Strategies for the Teacher Involved:**

A beginning teacher working outside of his or her area of training can predict that additional professional learning and support may be necessary. This teacher did not seek out these opportunities. A mentor would likely have been helpful or finding another teacher with the same assignment and more experience who was willing to share program plans and teaching tips. Courses in classroom management are available from a variety of sources. Teachers do have a profession responsibility for ongoing professional learning. They also have a responsibility to go to administration and to ask for help when things are not going well.

In responding to the Discipline Committee, I think the teacher could have behaved in a more professional manner than to simply deny the allegations. An alternative would have been to have taken responsibility for his actions and express a desire to learn.

**Conclusions:**

In this case, a beginning teacher, working outside his area of specialized training was guilty of professional misconduct and issued penalties. Students did not enjoy the standards of ethics and teaching upheld by the Ontario College of Teachers. Teachers are wise to take membership in the Ontario College of Teachers seriously and to strive always to behave within these expectations. Inexperienced teachers may need additional learning and support as they begin their careers. This may be especially important if teachers find themselves working outside their area of specialized training.

**Part B**

**Personal Reflection:**

My initial reaction to reading this case was disbelief. It seemed unreasonable to me as a TEC that a graduate teacher would not understand that the terms he had used to describe students and the approaches taken to special needs students were completely unacceptable. Who laughs when a student is injured? I was also somewhat angry. I felt embarrassed that a teacher had acted this way. I would not feel safe about having my school-aged sister or cousins in his class. I was glad that the Ontario College of Teachers had dealt with the situation. At the same time I was aware that this beginning teacher was placed into a challenging situation and that I may face challenges as I begin my teaching career too.

This case study highlights the need for diligence on the part of teachers to understand the standards under which we work and to practice them at all times. It reminds teachers to focus on care and respect for students and on professional learning. As a TEC and within my future career, the requirement for ethical behaviour and lessons regarding ongoing professional learning, finding a mentor and asking for help can be gained.

The theory presented in the course impacted my thinking about this case as I looked at the situation from legal and participant perspectives. Initially, the situation seemed fairly straightforward but understanding the circumstances was important.