

**Duties of teacher (from the Ontario Education Act)**

**264. (1)** It is the duty of a teacher and a temporary teacher,

- teach** (a) to teach diligently and faithfully the classes or subjects assigned to the teacher by the principal;
- learning** (b) to encourage the pupils in the pursuit of learning;
- religion and morals** (c) to inculcate by precept and example respect for religion and the principles of Judaeo-Christian morality and the highest regard for truth, justice, loyalty, love of country, humanity, benevolence, sobriety, industry, frugality, purity, temperance and all other virtues;
- co-operation** (d) to assist in developing co-operation and co-ordination of effort among the members of the staff of the school;
- discipline** (e) to maintain, under the direction of the principal, proper order and discipline in the teacher's classroom and while on duty in the school and on the school ground;
- language of instruction** (f) in instruction and in all communications with the pupils in regard to discipline and the management of the school,
- (i) to use the English language, except where it is impractical to do so by reason of the pupil not understanding English, and except in respect of instruction in a language other than English when such other language is being taught as one of the subjects in the course of study, or
- (ii) to use the French language in schools or classes in which French is the language of instruction except where it is impractical to do so by reason of the pupil not understanding French, and except in respect of instruction in a language other than French when such other language is being taught as one of the subjects in the course of study;
- timetable** (g) to conduct the teacher's class in accordance with a timetable which shall be accessible to pupils and to the principal and supervisory officers;
- professional activity days
- (h) to participate in professional activity days as designated by the board under the regulations;
- absence from school** (i) to notify such person as is designated by the board if the teacher is to be absent from school and the reason therefor;
- school property** (j) to deliver the register, the school key and other school property in the teacher's possession to the board on demand, or when the teacher's agreement with the board has expired, or when for any reason the teacher's employment has ceased; and
- textbooks** (k) to use and permit to be used as a textbook in a class that he or she teaches in an elementary or a secondary school,
- (i) in a subject area for which textbooks are approved by the Minister, only textbooks that are approved by the Minister, and
- (ii) in all subject areas, only textbooks that are approved by the board;
- duties assigned** (l) to perform all duties assigned in accordance with this Act and the regulations.

R.S.O. 1990, c. E.2, s. 264 (1); 2003, c. 2, s. 20 (1).

## DUTIES OF TEACHERS

shall, **20.** In addition to the duties assigned to the teacher under the Act and by the board, a teacher

- (a) be responsible for effective instruction, training and evaluation of the progress of pupils in the subjects assigned to the teacher and for the management of the class or classes, and report to the principal on the progress of pupils on request;
- (b) carry out the supervisory duties and instructional program assigned to the teacher by the principal and supply such information related thereto as the principal may require;
- (c) where the board has appointed teachers under section 14 or 17, co-operate fully with such teachers and with the principal in all matters related to the instruction of pupils;
- (d) unless otherwise assigned by the principal, be present in the classroom or teaching area and ensure that the classroom or teaching area is ready for the reception of pupils at least fifteen minutes before the commencement of classes in the school in the morning and, where applicable, five minutes before the commencement of classes in the school in the afternoon;
- (e) assist the principal in maintaining close co-operation with the community;
- (f) prepare for use in the teacher's class or classes such teaching plans and outlines as are required by the principal and the appropriate supervisory officer and submit the plans and outlines to the principal or the appropriate supervisory officer, as the case may be, on request;
- (g) ensure that all reasonable safety procedures are carried out in courses and activities for which the teacher is responsible;
- (h) co-operate with the principal and other teachers to establish and maintain consistent disciplinary practices in the school;
- (i) ensure that report cards are fully and properly completed and processed in accordance with the guides known in English as Guide to the Provincial Report Card, Grades 1-8 and Guide to the Provincial Report Card, Grades 9-12, and in French as Guide d'utilisation du bulletin scolaire de l'Ontario de la 1<sup>ère</sup> à la 8<sup>e</sup> année and Guide du bulletin scolaire de l'Ontario de la 9<sup>e</sup> à la 12<sup>e</sup> année, as the case may be, both available electronically through a link in the document known in English as Ontario School Record (OSR) Guideline, 2000 and in French as Dossier scolaire de l'Ontario: Guide, 2000, online at [www.edu.gov.on.ca/eng/document/curricul/osr/osr.html](http://www.edu.gov.on.ca/eng/document/curricul/osr/osr.html) or [www.edu.gov.on.ca/fre/document/curricul/osr/osrf.html](http://www.edu.gov.on.ca/fre/document/curricul/osr/osrf.html);
- (j) co-operate and assist in the administration of tests under the *Education Quality and Accountability Office Act, 1996*;
- (k) participate in regular meetings with pupils' parents or guardians;
- (l) perform duties as assigned by the principal in relation to co-operative placements of pupils; and
- (m) perform duties normally associated with the graduation of pupils. R.R.O. 1990, Reg. 298, s. 20; O. Reg. 95/96, s. 2; O. Reg. 209/03, s. 1.

## **Duties of Teachers**

### **A Teacher Shall...**

Be a person who is a member of the Ontario College of Teachers and is employed by a board as a teacher, but does not include a supervisory officer, a principal, a vice-principal or an instructor in a teacher training institution s.1 (Ontario College of Teachers Act, 1996; The Teaching Profession Act 1944)

Be a member of the Federation s. 4(1)

Be an associate member of the Federation if:

1. a student in a college for the professional education of teachers established under clause 14(1)(a) of the Education Act
2. a student in a school or faculty of education that provides for the professional education of teachers pursuant to an agreement under clause 14(1)(b) of the Education Act s. 4(2)

### **Regulation Made Under the Teaching Profession Act**

Pay the Federation an annual membership fee as outlined s.4

Strive at all times to achieve and maintain the highest degree of professional competence and to uphold the honour, dignity, and ethical standards of the teaching profession s. 13

Have the following duties to his/her pupils: s. 14

- a) regard as his/her duty the effective education of his/her pupils and the maintenance of a high degree of professional competence in his/her teaching;
- b) endeavour to develop in his/her pupils an appreciation of standards of excellence;
- c) endeavour to inculcate in his/her pupils an appreciation of the principles of democracy;
- d) show consistent justice and consideration in all his/her relations with pupils;
- e) refuse to divulge beyond his/her proper duty confidential information about a pupil; and
- f) concern him/herself with the welfare of his/her pupils while they are under his/her care.

Have the following duties to the public: s.16

- a) endeavour at all times to extend the public knowledge of his/her profession and discourage untrue, unfair, or exaggerated statements with respect to teaching; and
- b) recognize a responsibility to promote respect for human rights.

Have the following duty to the Federation: s.17

- a) co-operate with the Federation to promote the welfare of the profession

Have the following duties to fellow members: s.18(1)

- a) avoid interfering in an unwarranted manner between other teachers and pupils;
- b) on making an adverse report on another member, furnish him/her with a written statement of the report at the earliest possible time and not later than three days after making the report;
- c) refuse to accept employment with a board of trustees whose relations with the Federation are unsatisfactory; and
- d) where he/she is in an administrative or supervisory position, make an honest and determined effort to help and counsel a teacher before subscribing to the dismissal of the teacher

### **Tobacco Control Act, 1994**

Not smoke tobacco or hold lighted tobacco in a school including school grounds s.9(1)

## **Child and Family Services Act**

Report forthwith the suspicion and the information on which it is based to the children's aid society if he/she has reasonable grounds to suspect one of the following: s.72(1)

1. The child has suffered physical harm, inflicted by the person having charge of the child or caused by or resulting from that person's,
  - i failure to adequately care for, provide for, supervise or protect the child, or
  - ii pattern of neglect in caring for, providing for, supervising or protecting the child.
2. There is a risk that the child is likely to suffer physical harm inflicted by the person having charge of the child or caused by or resulting from that person's,
  - i failure to adequately care for, provide for, supervise or protect the child, or
  - ii pattern of neglect in caring for, providing for, supervising or protecting the child.
3. The child has been sexually molested or sexually exploited, by the person having charge of the child or by another person where the person having charge of the child knows or should know of the possibility of sexual molestation or sexual exploitation and fails to protect the child.
4. There is a risk that the child is likely to be sexually molested or sexually exploited as described in paragraph 3.
5. The child requires medical treatment to cure, prevent or alleviate physical harm or suffering and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, the treatment.
6. The child has suffered emotional harm, demonstrated by serious,
  - i. anxiety
  - ii. depression
  - iii. withdrawal
  - iv. self-destructive or aggressive behaviour, or
  - v. delayed development

and there are reasonable grounds to believe that the emotional harm suffered by the child results from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child.

7. The child has suffered emotional harm of the kind described in subparagraph i, ii, iii, iv, or v of paragraph 6 and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to services or treatment to remedy or alleviate the harm.
8. There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph i, ii, iii, iv, or v, of paragraph 6 resulting from the actions, failure to act or pattern of neglect on the part of the child's parent or the person having charge of the child.
9. There is a risk that the child is likely to suffer emotional harm of the kind described in subparagraph i, ii, iii, iv, or v, of paragraph 6 and that the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to, services or treatment to prevent the harm.
10. The child suffers from a mental, emotional or developmental condition that, if not remedied, could seriously impair the child's development and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable or unable to consent to treatment to remedy or alleviate the condition.
11. The child has been abandoned, the child's parent has died or is unavailable to exercise his or her custodial rights over the child and has not made adequate provision for the child's care and custody, or the child is in a residential placement and the parent refuses or is unable or unwilling to resume the child's care and custody.
12. The child is less than 12 years old and has killed or seriously injured another person or caused serious damage to another person's property. Services or treatment are necessary to prevent a recurrence and the child's parent or the person having charge of the child does not provide, or refuses or is unavailable to consent to those services or treatment.
13. The child is less than 12 years old and has on more than one occasion injured another person or caused loss or damage to another person or caused loss or damage to another person's property, with

the encouragement of the person having charge of the child or because of that person's failure or inability to supervise the child adequately.

**Make a further report if he/she has additional reasonable grounds to suspect one of the matters set out above even if he/she has made previous reports with respect to the same child. s. 72(2)**

**Make the report directly to the society and shall not rely on any other person to report on his/her behalf. s. 72(3)**

**Be guilty of an offence if,**

- a) he/she contravenes subsection (1) or (2) by not reporting a suspicion; and
- b) the information on which it was based was obtained in the course of his/her professional or official duties. S 72 (4)

**Have the duty to report to every person who performs professional or official duties with respect to children including: s.72(5)**

- a) a health care professional, including a physician, nurse, dentist, pharmacist and psychologist;
- b) a teacher, school principal, social worker, family counselor, priest, rabbi, member of the clergy, operator or employee of a day nursery and youth and recreational worker;
- c) a peace officer and a coroner;
- d) a solicitor; and
- e) a service provider and an employee of a service provider.

**Not be guilty of an offence although the information reported may be confidential or privileged, and no action for making the report shall be instituted against he/she who acts in accordance with this section unless the person acts maliciously or without reasonable grounds for the suspicion. s. 72(7)**

**Not leave a child less than sixteen years of age without making provision for his or her supervision and care that is reasonable in the circumstances. s. 79(3)**

**Have the onus rest on him/her to prove that a child of less than ten years of age has been provided with reasonable supervision and care. s. 79(4)**

### **Policy/Program Memorandum No. 9: Reporting of Children in Need of Protection**

**Report, without delay, directly to a children's aid society when, in the course of performing their professional duty, he/she suspects that a child is or may be in need of protection.**