



Q & A

GORDON THOMAS,
Executive Secretary

Q: I have been contacted by a staff officer from the ATA to participate in an interview regarding allegations of unprofessional conduct of one of my colleagues. Do I have to speak to the staff officer? Do I need someone present in the interview? What happens if the staff officer asks questions that are not related to the original complaint? Will I be informed of the outcome of the investigation?

A: The discipline process that the ATA follows in dealing with members accused of unprofessional conduct, including conduct leading to a conviction for an indictable offence, is set out in sections 16 to 60 of the *Teaching Profession Act* and in ATA general bylaws 78 to 89.

The interests of both the public and the profession are protected by the professional conduct investigative process. In this process an ATA staff

officer interviews persons who may have knowledge related to the allegation. While not required as they are not in a position of jeopardy, an interviewee can have legal representation present. That representation would be at their own cost. The investigator may require the investigated person or any other member to produce any records in their possession or control and may require their attendance at an interview. An investigator may investigate any other matter relating to the conduct of the investigated person that arises during the course of the investigation, whether associated with the original complaint or investigation or not. If a member does not cooperate with an investigator, the investigator may make a complaint to the executive secretary, and the failure or refusal to cooperate may be found by a Hearing Committee to constitute unprofessional conduct. The investigator, on concluding a preliminary investigation, will prepare and submit a report to the executive secretary. If the matter is referred to a hearing, the investigated member will receive a copy of the investigative report. No other parties are entitled to a copy of the report.