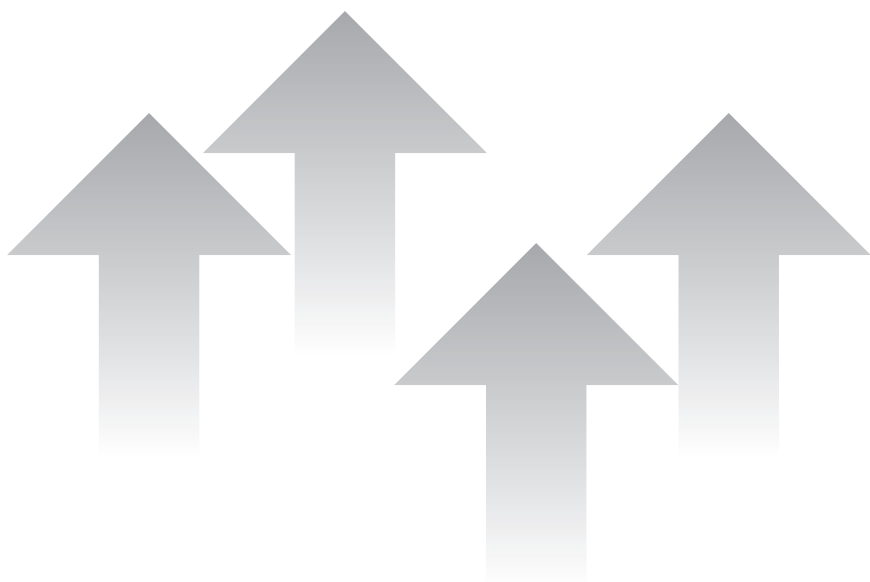


Professional Committee

**The committee that preserves and defends
the integrity of the teaching profession.**



Professional Committee

Mandate

Issues to be dealt with by the Professional Committee (the “Committee”) include conduct unbecoming a member of the teaching profession.

Pursuant to the *Teaching Profession Act*, Section 11 (1), there shall be a Professional Committee of the NSTU.

The mandate of the Committee is as described in the *Teaching Profession Act*.

The Professional Committee shall consist of six (6) Members elected by a plurality of votes cast by Voting Delegates at Annual Council.

Members of the Professional Committee shall serve a three (3) year term, with two (2) Members of the Committee having their term expire each year to maintain continuity on the Committee. Committee Members shall not serve consecutive terms on the Committee.

Operational Procedures

Authority

The *Teaching Profession Act* requires the NSTU to have a Professional Committee and dictates some of its terms; other terms of reference for this Committee are provided in NSTU By-Laws.

Due Process

The concept of due process requires that the Committee must ensure that all who appear before it are fairly heard. Due process must involve the following principles:

- a. the Respondent receives a clear statement of the complaint;
- b. the Respondent has the right to attend in person and be represented by counsel; and,
- c. the Respondent has the right to contradict the evidence by means of contrary statements or cross-examination.

Notice

- a. A complaint pursuant to Section 11 of the *Teaching Profession Act* – Professional Committee may be filed by a Local, Executive of a Local, or the Provincial Executive. A clear motion to file a complaint must be approved by majority vote of a Local, Executive of a Local, or the Provincial Executive. The complaint shall:
 - i. be in writing to the Executive Director;
 - ii. identify the individual subject to the complaint (the Respondent);
 - iii. identify the conduct complained of; and,
 - iv. be sufficiently detailed to allow the Respondent or the Respondent's solicitor an opportunity to prepare an adequate response.
- b. Upon receipt of a complaint the Executive Director shall, as soon as practicable,

- i. advise the Respondent that the complaint has been filed and provide a copy of the complaint; and,
 - ii. refer the matter to the Professional Committee.
- c. The Executive Director, after consulting the Professional Committee, shall set a hearing date and shall, not fewer than thirty (30) days before the hearing date, cause to be served on the Respondent, a notice of the hearing stating the date, time and place at which the Committee will hold the hearing. The notice shall further advise the Respondent of the right to appear in person, with or without counsel, and that the Committee may proceed at the hearing and dispose of the complaint in the absence of the Respondent.

Matters to be Proven

The *Teaching Profession Act* indicates that the Complainant must prove that the Respondent is “guilty of conduct unbecoming a member of the teaching profession.” The term “unbecoming conduct” may include, but is not limited to:

- a. a violation of the Code of Ethics; or,
- b. conduct that is likely to scandalize the community with which the profession must deal.

Action Open to the Committee

- a. If the complaint is not proven on a balance of probabilities, in the opinion of the Committee, the Committee may dismiss the charge.
- b. If the complaint is proven on a balance of probabilities, in the opinion of the Committee, but the Committee does not believe the complaint is of a severity which warrants reprimand the Committee may state this finding.
- c. If the complaint is proven on a balance of probabilities, in the opinion of the Committee, the Committee may decide to apply either internal or external sanctions:
 - i. Internally the Committee may decide that:

1. the Respondent be reprimanded'
 2. the Respondent's membership in the NSTU be suspended for a stated term of time; or,
 3. the Respondent be expelled from the NSTU.
- ii. Externally the Committee may decide to recommend to the Minister that:
1. the Respondent's license be suspended for a term of time; or,
 2. the Respondent's certificate be cancelled.

Implementation

Upon filing of the decision with the Provincial Executive, it shall be the responsibility of the Provincial Executive to implement the decision.

Code of Ethics

Nova Scotia Teachers Union

This Code of Ethics is a guide to Members in maintaining at all times the high integrity of their profession including professional conduct in relation to all communication whether verbal, written or via social media.

A. Member and Pupil/Parent/Guardian

- I. The Member regards as confidential, and does not divulge other than through professional channels, any information of a personal or domestic nature, concerning either pupils or home, obtained through the course of professional duties.
- II. The Member should be just, equitable, and fair in all relationships with pupils/parents/guardians.
- III. The Member should assume responsibility for the safety and welfare of pupils, especially under conditions of emergency.
- IV. The Member should avoid giving offence to the moral principles of pupils and/or their parents/guardians.
- V. The Member should be as objective and respectful as possible in dealing with controversial matters
- VI. The Member should not accept remuneration for tutoring their pupils except under compelling circumstances and with the approval of their supervisor or principal.

B. Member and Member/Colleague

- I. The Member should not make defamatory, disparaging, condescending, embarrassing, or offensive comments concerning another Member or colleague.
- II. The Member shall not make derogatory remarks about the professional competence of another Member or colleague.
- III. The Member shall not accept a position arising out of the unsettled dispute between Members, and their employers.
- IV. The Member shall not sexually, physically, or emotionally harass another Member or colleague.

C. Member and Administration

- I. The Member should maintain a reasonable and professional level of support to internal administration of the school/ educational site and regional office.

D. Member and Professional Organization

- I. The Member who in their professional capacity is a Member of a committee, board, or authority dealing with matters affecting the educational program of Nova Scotia as a whole should be elected, appointed, or approved by the Nova Scotia Teachers Union.
- II. The Member, or group of Members, should not take any individual action in matters which should be dealt with by their Local, Regional Representative Council, or by the NSTU.
- III. The Local or Regional Representative Council should not take any individual action in matters where the assistance of the NSTU has been sought, or in matters requiring the authorization of the NSTU

E. Member and Profession

- I. The Member's conduct should advance and promote the teaching profession and the cause of education in the province.
- II. The Member should maintain their professional learning which will keep them abreast of the trends in education.
- III. The Member should engage in no gainful employment, outside of the contract, where the employment affects adversely their professional status, or impairs their standing with pupils, colleagues, and the community.

F. Member and Community

- I. The Member should so conduct themselves in their private life that no dishonour may befall them or through them to the profession.



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This text is a summary for information purposes only. Full details may be found in the official text of the NSTU Guidebook, comprising the Constitution, Policy and Operational Procedures of the Nova Scotia Teachers Union.