
Code of professional conduct for teachers and teacher leaders: companion document



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Code of Professional Conduct for Teachers and Teacher Leaders: Companion Document | Alberta Education

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Introduction

As members of a regulated profession, the vast majority of Alberta's teachers and teacher leaders demonstrate a high degree of professionalism in their actions and are familiar with their professional obligations toward students, parents, colleagues, teachers and teacher leaders, and the teaching profession.

The purpose of this Code of Professional Conduct for Teachers and Teachers Leaders Companion Document is to help Alberta-certificated teachers and teacher leaders understand the new code of professional conduct for the teaching profession in Alberta. This companion document includes some examples of types of behaviours of which teachers and teacher leaders should be aware, as well as others that should be avoided. This document is not intended to include every example of actions or behaviours that would be in violation of the Code or in any way restrict the application of other behavioural considerations that the Alberta Teaching Profession Commission may consider. Furthermore, this document is not intended to indicate how the Alberta Teaching Profession Commission will handle individual cases. Because of their unique position of trust and influence in society in educating students from early childhood services to Grade 12, teachers and teacher leaders must exercise a high level of professional and personal judgment to ensure that their decisions and actions meet acceptable standards of professionalism.

The Code of Professional Conduct for Teachers and Teacher Leaders applies to all Alberta-certificated teachers and teacher leaders who hold one or more certificates issued by the Registrar at Alberta Education, including those who are retired. As long as an individual holds a valid certificate, they are subject to the Code of Professional Conduct for Teachers and Teacher Leaders. Individuals who once held a teaching certificate are also subject to the Code during the time when they held certification. Teacher leaders must first hold a teaching certificate before being issued a leadership certificate and must hold a leadership certificate before being issued a superintendent leadership certificate.

The *Education Act* provides the authority to establish a code of professional conduct, which is a schedule under the *Professional Conduct and Competency for Teachers and Teacher Leaders Regulation*. The Code came into force on January 1, 2023.

Conduct that is detrimental to the best interests of students, the public, teachers or teacher leaders or the teaching profession constitutes unprofessional conduct. Conduct that does not comply with the Code may be considered unprofessional under section 225.4 of the *Education Act*. A teacher or teacher leader alleged to have violated one or more parts of the Code may be subject to a complaint of alleged unprofessional conduct that follows a legislated process under the *Education Act* that is addressed by the Alberta Teaching Profession Commission. Teachers or teacher leaders whose conduct is determined to be unprofessional are issued penalties that may include, but are not limited to, a letter of reprimand, an order to take a professional or personal development course or the suspension or cancellation of a certificate by the Minister of Education.

Disclaimer: The information in this document was current at the time of publication (March 2023). As legislation, regulations and case law may change over time, in cases of any inconsistency between the information in this document and the *Education Act*, the *Professional Conduct and Competency for Teachers and Teacher Leaders Regulation* and Schedule 1.1 in the Regulation known as the Code of Professional Conduct for Teachers and Teacher Leaders, the legislation will always prevail. This document is for information purposes only. The Crown, its agents, employees or contractors will not be liable for any damages, direct or indirect, arising out of use of the information in this document. This document is not to be used, reproduced, stored or transmitted for commercial purposes without written permission from the Government of Alberta.

Background

To learn more about the legislated complaint process, visit [Alberta Teaching Profession Commission](#).

To learn more about the professional discipline processes in Alberta, visit [Reforming teaching profession discipline processes | Alberta.ca](#).

Information about the online Teacher and Teacher Leader Registry can be found at [alberta.ca/teacher-and-teacher-leader-registry.aspx](#). The registry includes specific cases of unprofessional conduct which may be useful for teachers and teacher leaders to review.

Code of Professional Conduct for Teachers and Teacher Leaders

Preamble

This code of professional conduct for teachers and teacher leaders is established in accordance with section 1.1 of this Regulation.

This code does not prejudicially affect any right or privilege guaranteed by the *Canadian Charter of Rights and Freedoms* or any constitutionally protected religious instruction right or privilege under section 93 of the *Constitution Act, 1867*.

Teachers and teacher leaders shall comply with this code.

Sections 225.4, 225.5, 225.91 and other sections of the Act provide the legal framework for this code, including mandatory compliance and procedures for alleged non-compliance.

Conduct that does not comply with this code constitutes unprofessional conduct in accordance with the Act.

Any person may make a complaint pursuant to the Act about alleged unprofessional conduct of a teacher or teacher leader, which may result in disciplinary action impacting a teacher's or teacher leader's suitability to hold a certificate.

Unprofessional conduct and professional incompetence are defined separately in the Act. This code does not apply for the purposes of determining professional incompetence.

The Teaching Quality Standard, Leadership Quality Standard and Superintendent Leadership Quality Standard establish professional development requirements for teachers and teacher leaders.

This code applies to the conduct of an individual teacher or teacher leader. Matters pertaining to the administration of school authorities are subject to applicable legislation.

The conduct of teachers and teacher leaders, both on and off duty, bears directly on the community's perception of the ability of teachers and teacher leaders to fulfill their unique position of trust and influence. Society and the school community hold teachers and teacher leaders to a high standard of conduct. Teachers and teacher leaders are accountable for their conduct, on and off duty, and are expected to conduct themselves with due regard to the honour, dignity, welfare, rights and best interests of students and the teaching profession.

Professional Conduct Requirements

1 In relation to students,

- (a) the teacher or teacher leader shall respect the dignity and rights of all students and persons without prejudice as to the prohibited grounds of discrimination set out in the *Alberta Human Rights Act* and with regard to rights as provided for in the *Canadian Charter of Rights and Freedoms*, and be considerate of the circumstances of students and persons.
- (b) the teacher or teacher leader is required to demonstrate a welcoming, caring, respectful and safe learning environment that respects diversity and nurtures a sense of belonging, which students are entitled to under the Act.
- (c) the teacher or teacher leader shall teach or lead in a manner that does not intentionally contravene applicable
 - (i) legislation, and
 - (ii) policies of Alberta Education.
- (d) the teacher or teacher leader shall not
 - (i) intentionally harm or abuse a student verbally, psychologically or emotionally, or
 - (ii) harm or abuse a student physically or sexually.
- (e) the teacher or teacher leader shall not
 - (i) intentionally engage in an illegal activity or other activities that may cause a student to be put at or to remain at risk of harm or abuse, or
 - (ii) knowingly encourage or enable a student to engage in an illegal activity or other activities that may cause a student to be put at or to remain at risk of harm or abuse.
- (f) the teacher or teacher leader shall not disclose information received about a student in confidence or in the course of performing the teacher's or teacher leader's professional duties except
 - (i) as required by law, or
 - (ii) where
 - (A) in the teacher's or teacher leader's judgment, it would be in the best interests of the student to disclose the information, and

(B) the disclosure of the information is permitted by law.

- (g) the teacher or teacher leader shall not
 - (i) accept pay for tutoring a student in any subjects in which the teacher or teacher leader is responsible for giving classroom instruction to that student, but may provide tutoring to other students not in the teacher's or teacher leader's charge, subject to local school policy,
 - (ii) take advantage of a professional position to profit from the sale of goods or services to or for students in the teacher's or teacher leader's charge, or
 - (iii) while in a position of authority, teach or lead in a manner that exploits the teacher's or teacher leader's relationship with students for ideological advantage, material advantage or other advantage.
- (h) the teacher or teacher leader may delegate specific and limited aspects of instructional activity to non-certificated personnel, provided that the teacher or teacher leader supervises such activity.

2 In relation to parents of students, the teacher or teacher leader shall

- (a) respect parents and be considerate of their circumstances,
- (b) treat information received from and about parents with discretion,
- (c) be respectful in communications with and about parents, and
- (d) not discuss other students except where the matters being discussed are relevant to their child and then only to the extent that, in the teacher's or teacher leader's judgment, is necessary.

3 In relation to colleagues, the teacher or teacher leader shall

- (a) not undermine the confidence of students in other teachers or teacher leaders,

- (b) not criticize the professional competence or professional reputation of another teacher or teacher leader, except
 - (i) in confidence to appropriate officials, or
 - (ii) in making a complaint about the alleged unprofessional conduct or alleged professional incompetence of a teacher or teacher leader under the Act,
 - (c) not take any steps to pursue the discipline or dismissal of another teacher or teacher leader because of animosity or for personal advantage, and
 - (d) in addition to other reporting required by law, report to the Commissioner the conduct of another teacher or teacher leader who is alleged to cause or to have caused psychological, emotional, physical or sexual harm or abuse to a student.
- 4 In relation to the teaching profession, the teacher or teacher leader shall
 - (a) behave in a manner that maintains the honour and dignity of the profession, and
 - (b) not engage in activities that adversely affect the quality of the teacher's or teacher leader's professional service.

Preamble of the Code of Professional Conduct for Teachers and Teacher Leaders

Preamble¹

The preamble of the Code of Professional Conduct for Teachers and Teacher Leaders states:

This code of professional conduct for teachers and teacher leaders is established in accordance with section 1.1 of this Regulation.

This code does not prejudicially affect any right or privilege guaranteed by the Canadian Charter of Rights and Freedoms or any constitutionally protected religious instruction right or privilege under section 93 of the Constitution Act, 1867.

Teachers and teacher leaders shall comply with this code.

Sections 225.4, 225.5, 225.91 and other sections of the Act provide the legal framework for this code, including mandatory compliance and procedures for alleged non-compliance.

Conduct that does not comply with this code constitutes unprofessional conduct in accordance with the Act.

Any person may make a complaint pursuant to the Act about alleged unprofessional conduct of a teacher or teacher leader, which may result in disciplinary action impacting a teacher's or teacher leader's suitability to hold a certificate.

¹ The preamble is a combination of NEW and MAINTAINED provisions in comparison to the previous Alberta Teachers' Association Code of Professional Conduct and the Professional Conduct Requirements for Teachers and Teacher Leaders found in the *Practice Review of Teachers and Teacher Leaders Regulation*.

Unprofessional conduct and professional incompetence are defined separately in the Act. This code does not apply for the purposes of determining professional incompetence.

The Teaching Quality Standard, Leadership Quality Standard and Superintendent Leadership Quality Standard establish professional development requirements for teachers and teacher leaders.

This code applies to the conduct of an individual teacher or teacher leader. Matters pertaining to the administration of school authorities are subject to applicable legislation.

The conduct of teachers and teacher leaders, both on and off duty, bears directly on the community's perception of the ability of teachers and teacher leaders to fulfill their unique position of trust and influence. Society and the school community hold teachers and teacher leaders to a high standard of conduct. Teachers and teacher leaders are accountable for their conduct, on and off duty, and are expected to conduct themselves with due regard to the honour, dignity, welfare, rights and best interests of students and the teaching profession.

Key takeaways – The preamble:

- introduces the Code of Professional Conduct for Teachers and Teacher Leaders;
- signals the importance of ensuring that the Code does not limit rights or privileges under the Charter or religious instruction rights or privileges under the Constitution;
- signals the importance of understanding disciplinary action that could be taken if the Code is breached, including a certificate being suspended or cancelled for serious unprofessional conduct;
- clarifies that the Code of Professional Conduct for Teachers and Teacher Leaders cannot be used to address professional incompetence concerns or complaints that relate to a teacher's or teacher leader's professional practice. Competency complaints are evaluated in relation to requirements identified in the applicable professional practice standards. For more information on professional practice standards, please refer to alberta.ca.
- clarifies that the Code of Professional Conduct for Teachers and Teacher Leaders is not intended to address matters that fall under local school authority jurisdiction. For example, addressing specific employment-related matters, such as the breach of an employment contract or whether an individual followed local policy, are the jurisdiction of the employer.
- carries over the reference to off-duty behaviour from the previous Professional Conduct Requirements for Teachers and Teachers Leaders found in the schedule of the *Practice Review of Teachers and Teacher Leaders Regulation*. Teachers and teacher leaders are held in high regard in society because of their unique position of trust and influence in educating students who are children, adolescents and young adults in the early childhood services to Grade 12 education system. This accountability is similar to what is found in other professions, such as those of doctors, nurses and lawyers.

Section 1 of the Code of Professional Conduct for Teachers and Teacher Leaders: In Relation to Students

The definition for the term “student” in the *Professional Conduct and Competency for Teachers and Teacher Leaders Regulation* states:

“student”, for the purposes of the code of professional conduct referred to in section 225.5 of the Act, includes a child enrolled in an early childhood services program.

This definition ensures clarity that the Code applies to all teachers and teacher leaders working with both children enrolled in early childhood services (ECS) programs established under the *Education Act* and students as defined in the *Education Act*. Subsections 1(a) to 1(h) below explain the requirements of the Code that teachers and teacher leaders have in relation to students.

Section 1(a)²

Section 1(a) of the Code states:

In relation to students, the teacher or teacher leader shall respect the dignity and rights of all students and persons without prejudice as to the prohibited grounds of discrimination set out in the Alberta Human Rights Act and with regard to rights as provided for in the Canadian Charter of Rights and Freedoms, and be considerate of the circumstances of students and persons.

Teachers and teacher leaders must act in a manner that respects the dignity and rights of all persons, with regard to the prohibited grounds of discrimination provided in the *Alberta Human Rights Act* (HRA) and the Charter. The rights in the HRA and the Charter create a framework for teachers and teacher leaders to approach the different circumstances of individuals with respect and dignity.

The *Alberta Human Rights Act* provides protection from discrimination under the following grounds:

- Age
- Ancestry
- Colour
- Family status
- Gender
- Gender expression
- Gender identity
- Martial status
- Mental disability
- Physical disability
- Place of origin
- Race
- Religious beliefs
- Sexual orientation
- Source of income

For more information about protected grounds under the [Alberta Human Rights Act](#), visit [Protected areas and grounds \(albertahumanrights.ab.ca\)](#).

² Section 1(a) is a combination of NEW and MAINTAINED provisions in comparison to the previous Alberta Teachers' Association Code of Professional Conduct and the Professional Conduct Requirements for Teachers and Teacher Leaders found in the *Practice Review of Teachers and Teacher Leaders Regulation*.

Section 1(b)³

Section 1(b) of the Code states:

In relation to students, the teacher or teacher leader is required to demonstrate a welcoming, caring, respectful and safe learning environment that respects diversity and nurtures a sense of belonging, which students are entitled to under the Act.

Listed below are some examples of welcoming, caring, respectful and safe behaviours that teachers and teacher leaders should demonstrate in a learning environment that respects diversity and nurtures a sense of belonging for students, as they are entitled to under the *Education Act*. To help build understanding of this requirement in the Code of Professional Conduct for Teachers and Teacher Leaders, examples of some behaviours that teachers must not demonstrate are also included. It should be noted that the examples below are only a sample of behaviours and not an exhaustive list of all behaviours.

For example, teachers and teacher leaders should:

- respect their students and take into account their background and socioeconomic context;
- model acceptance and tolerance of a wide variety of people and cultures; and
- show consideration for the feelings and circumstances of learners.

For example, teachers and teacher leaders must not:

- inappropriately stare at or touch a student's body;
- communicate with students using disrespectful or inappropriate language;
- knowingly make false or malicious statements about a student or group of students;
- subject a student to, or encourage other students to subject a student to, hazing or inhumane or degrading treatment;
- intentionally expose a student or group of students to unnecessary embarrassment or disparagement; or
- show favouritism or preferential treatment toward a particular student or group of students.

Section 1(c)⁴

Section 1(c) of the Code states:

In relation to students, the teacher or teacher leader shall teach or lead in a manner that does not intentionally contravene applicable legislation and policies of Alberta Education.

To assist in building understanding regarding this requirement in the Code, it is important to note that these are circumstances where a teacher or teacher leader may choose not to intentionally follow a directive that is either set out in legislation or provincial policy related to teaching or leading.

³ Section 1(b) is a NEW provision in comparison to the previous Alberta Teachers' Association Code of Professional Conduct and the Professional Conduct Requirements for Teachers and Teacher Leaders found in the *Practice Review of Teachers and Teacher Leaders Regulation*.

⁴ Section 1(c) is a combination of NEW and MAINTAINED provisions in comparison to the previous Alberta Teachers' Association Code of Professional Conduct and the Professional Conduct Requirements for Teachers and Teacher Leaders found in the *Practice Review of Teachers and Teacher Leaders Regulation*.

There are several provincial policies that are developed and implemented at the local school-authority level, which must align with provincial policy, that outline how teachers and teacher leaders carry out their roles and responsibilities related to teaching and leading. For more information about provincial Kindergarten to Grade 12 education policies and standards, visit <https://www.alberta.ca/k-12-education-policies-and-standards.aspx>.

Some examples of circumstances gathered from the *Education Act* where a teacher or teacher leader might intentionally engage in behaviour that does not follow legislation and policies that are applicable to the role of teaching and/or leading are described below:

- A teacher or teacher leader must not falsify, deliberately misrepresent or deliberately omit information regarding the evaluation of students, including improper administration of any standardized tests for which policies have been established as a requirement by Alberta Education.⁵
- Sections 196(1) and 196(2) of the *Education Act* outline a teacher's responsibilities. For example, section 196(2) states that "at any time during the period of time that a teacher is under an obligation to a board to provide instruction or supervision or to carry out duties assigned to the teacher by a principal or the board, the teacher must, at the request of the board,
 - participate in curriculum development and field testing of new curriculum,
 - develop, field test and mark provincial assessments, and
 - supervise student teachers."
- Section 197 of the *Education Act* outlines a teacher leader's responsibilities while employed in the role of a principal with a board. For example, a principal of a school must:
 - ensure that the instruction provided by the teachers employed in the school is consistent with the courses and programs of study prescribed, approved and authorized pursuant to this Act, and
 - ensure that students in the school have opportunity to meet the standards of education set by the Minister.
- Section 222 of the *Education Act* outlines a teacher leader's responsibilities while appointed to the role of a superintendent of schools with a board. For example, a superintendent shall:
 - supervise the operation of schools and the provision of education programs in the school division, including, but not limited to, the following:
 - implementing education policies established by the Minister;
 - ensuring that students have the opportunity in the school division to meet the standards of education set by the Minister;
 - ensuring that the fiscal management of the school division by the treasurer or secretary-treasurer is in accordance with the terms or conditions of any grants received by the board under this Act or any other Act;
 - providing leadership in all matters relating to education in the school division; and
 - report to the Minister with respect to the matters referred in the bullets above at least once a year, in a manner required by the Minister.

⁵ Alberta Education K-12 policies and standards, <https://www.alberta.ca/k-12-education-policies-and-standards.aspx>.

Section 1(d)⁶

Section 1(d) of the Code states:

In relation to students, the teacher or teacher leader shall not

- (i) intentionally harm or abuse a student verbally, psychologically or emotionally, or*
- (ii) harm or abuse a student physically or sexually.*

The first part of this requirement refers to intentional harm or abuse of a student verbally, psychologically or emotionally. In these circumstances, the focus is on the teacher's or teacher leader's intentions. For example, a teacher who ridicules, belittles or intimidates a student because of their physical characteristics could be perceived as intentionally causing the student harm.

Because of the serious nature of harm or abuse to a student that is physical or sexual, there is no requirement to consider the intention of the teacher or teacher leader. Whether or not there has been a breach of this provision in the Code will be determined on a case-by-case basis.

There may be some circumstances where a teacher or teacher leader makes physical contact with a student, in an appropriate manner, to prevent a dangerous situation from occurring or in trying to ensure student safety. In other rare circumstances, a teacher or teacher leader may need to use a physical restraint with a student to prevent the student from harming themselves or others. For more information about provincial standards related to physical restraints, visit [Standards for Seclusion and Physical Restraint in Alberta Schools](#).

In these circumstances, the teacher's or teacher leader's actions may reasonably be viewed as not being a breach of this requirement under the Code. Each situation would be reviewed on a case-by-case basis to determine whether or not this requirement in the Code was breached.

Some examples of behaviours in which teachers and teacher leaders must not engage are included below to help build an understanding regarding this provision in the Code. These actions could reasonably be viewed as causing intentional harm to or abuse of a student verbally, psychologically or emotionally or causing physical or sexual harm to or abuse of a student, resulting in a breach of the Code.

For example, teachers and teacher leaders must not:

- use harsh criticism, sarcasm or teasing toward a student;
- commit any act of child abuse, including physical or verbal abuse, cruelty to a child or any act of child endangerment;
- administer an act of corporal punishment or cause physical harm to a student, such as excessive or inappropriate physical force or contact with a student;
- have inappropriate conversations or make comments of a sexual nature with students;
- send any inappropriate messages, pictures or other inappropriate communication to students;

⁶ Section 1(d) is NEW in comparison to the previous Alberta Teachers' Association Code of Professional Conduct and the Professional Conduct Requirements for Teachers and Teacher Leaders found in the *Practice Review of Teachers and Teacher Leaders Regulation*.

- solicit, encourage or consummate a romantic or otherwise inappropriate relationship (whether through written, verbal or physical means) with a student; or
- engage in unwarranted and inappropriate touching of students.

Section 1(e)⁷

Section 1(e) of the Code states:

In relation to students, the teacher or teacher leader shall not

- (i) intentionally engage in an illegal activity or other activities that may cause a student to be put at or to remain at risk of harm or abuse, or*
- (ii) knowingly encourage or enable a student to engage in an illegal activity or other activities that may cause a student to be put at or to remain at risk of harm or abuse.*

Some examples of behaviours of which teachers and teacher leaders should be aware are included below to help build an understanding of this requirement in the Code. Also included are some examples of behaviours in which teachers and teacher leaders must not engage or in which they must not knowingly encourage or enable students to engage. These may be actions that are illegal or actions that may cause a student to be or remain at risk of harm or abuse. Engaging in these actions could reasonably be viewed as a breach of this requirement in the Code.

For example, teachers and teacher leaders should be aware that:

- there are potential dangers of being alone with a student in various types of situations and possible risks regarding how these types of situations may be perceived by others. Being mindful and using good professional judgment in these circumstances is important.
- the Internet and social networking can quickly blur the professional boundary between teacher and student;
- they are expected to establish and maintain respectful relationships;
- they are expected to know the difference between professional and personal life and to know how their behaviours affect students;
- while students may mistake an educator's friendliness for friendship, educators have an ongoing duty to help students understand the difference; and
- the onus is always on the teacher or teacher leader to set and maintain reasonable boundaries with students while teaching or leading and while off duty.

For example, teachers and teacher leaders must not:

- give students illegal drugs or other restricted substances, or encourage their use;
- send a student or minor to purchase illegal drugs or other restricted substances;
- encourage or enable students to assault or otherwise endanger other students;
- ask or encourage students to shoplift or engage in theft; or

⁷ Section 1(e) is NEW in comparison to the previous Alberta Teachers' Association Code of Professional Conduct and the Professional Conduct Requirements for Teachers and Teacher Leaders found in the *Practice Review of Teachers and Teacher Leaders Regulation*.

- share subversive or other messages or material related to illegal activities.

Section 1(f)⁸

Section 1(f) of the Code states:

In relation to students, the teacher or teacher leader shall not disclose information received about a student in confidence or in the course of performing the teacher's or teacher leader's professional duties except

- (i) as required by law, or*
- (ii) where*
 - (A) in the teacher's or teacher leader's judgment, it would be in the best interests of the student to disclose the information, and*
 - (B) the disclosure of the information is permitted by law.*

This requirement is about the importance of maintaining confidentiality when disclosing information received about a student in confidence or while teachers or teacher leaders are in the course of performing their professional duties. Discretion must be used in these circumstances. The exception to this requirement would be circumstances where the disclosure of information involving a student may be necessary because the law requires it. For example, there is necessary reporting for a student whose circumstances may require intervention under the *Child, Youth and Family Enhancement Act*.

Another circumstance that is an exception in disclosing information received about a student in confidence or in the course of performing one's professional duties is a disclosure where, in the judgment of a teacher or teacher leader, the disclosure would be in the best interests of the student and the disclosure is permitted by law. In such cases, both of these conditions must be met. Laws that may reasonably have to be considered regarding this type of disclosure would be privacy legislation such as the *Personal Information Protection Act* or the *Freedom of Information and Protection of Privacy Act*.

Some examples of behaviours of which teachers and teacher leaders should be aware are included below to help build an understanding of this requirement in the Code. Also included are some examples of behaviours in which teachers and teacher leaders must not engage related to disclosing information about students. Engaging in these actions could reasonably be viewed a breach of this requirement in the Code.

For example, teachers and teacher leaders should be aware that:

- classrooms are not public spaces and students are entitled to privacy;
- they have a responsibility to maintain the confidentiality of information they receive about students; and
- there are privacy rules and laws governing student information.

For example, teachers and teacher leaders must not:

- disclose a student's personal or private information to anyone who is not authorized to have the information;
- discuss their students in an identifiable way at a social gathering or outside of professional duties;

⁸ Section 1(f) is MAINTAINED in comparison to the previous Alberta Teachers' Association Code of Professional Conduct and the Professional Conduct Requirements for Teachers and Teacher Leaders found in the *Practice Review of Teachers and Teacher Leaders Regulation*.

- post pictures and information about their students on the Internet without permission; or
- have friends or family members access or enter student marks into a computer system.

Section 1(g)⁹

Section 1(g) of the Code states:

In relation to students, the teacher or teacher leader shall not

- (i) *accept pay for tutoring a student in any subjects in which the teacher or teacher leader is responsible for giving classroom instruction to that student, but may provide tutoring to other students not in the teacher's or teacher leader's charge, subject to local school policy,*
- (ii) *take advantage of a professional position to profit from the sale of goods or services to or for students in the teacher's or teacher leader's charge, or*
- (iii) *while in a position of authority, teach or lead in a manner that exploits the teacher's or teacher leader's relationship with students for ideological advantage, material advantage or other advantage.*

This requirement in the Code is about protecting students from exploitation. The Code maintains prohibitions on teachers and teacher leaders from receiving money for tutoring or sales to their students. This provision also clarifies where local school or school board policy exists around accepting pay for tutoring other students who are not in the teacher's or teacher leader's charge. Teachers and teacher leaders should review and follow local policy, where it exists, to determine whether or not to accept pay for offering tutoring to other students who are not in their charge.

Regarding "ideological advantage," the *Professional Conduct and Competency for Teachers and Teacher Leaders Regulation* states:

"ideological advantage" means perspectives taught to students in a biased manner with the intent to take advantage of a student's uninformed or under-informed opinions, but does not include programs of study established under the Act.

The addition of the ideological advantage provision to the Code is to ensure that teachers and teacher leaders do not teach or lead in a manner that would reasonably be viewed as exploiting their position of trust, influence and authority to promote their perspectives to students, in a biased manner, with the intent of taking advantage of a student who may not have an opinion about a topic because the student is uninformed or under-informed. This would not include the information in the programs of study or curriculum established under the *Education Act*.

Some behaviours of which teachers and teacher leaders should be aware are included below to help build an understanding of this requirement in the Code. Also included are some examples of behaviours in which teachers and teacher leaders must not engage. Engaging in these actions could reasonably be viewed as breach of this requirement in the Code.

For example, teachers and teacher leaders should be aware that:

- they are entitled to their personal opinions about social, political or economic issues. However, they must be cautious when teaching students to ensure that their position of trust, influence and authority is not used to teach their students their perspectives – that may reasonably be viewed as being biased – with the intent to take advantage of their students' uninformed or under-informed opinions about a topic.
- they can still discuss controversial issues in the classroom. For instance, the social studies programs of study define controversial issues as those topics that are publicly sensitive and upon which there may not

⁹ Section 1(g) is a combination of NEW and MAINTAINED provisions in comparison to the previous Alberta Teachers' Association Code of Professional Conduct and the Professional Conduct Requirements for Teachers and Teacher Leaders found in the *Practice Review of Teachers and Teacher Leaders Regulation*.

be a consensus of values or beliefs. They include topics on which reasonable people may sincerely disagree. Opportunities to deal with these issues are an integral part of education in Alberta.

- they should consult local school-authority policies and discuss with their supervisor before accepting any paid tutoring opportunities for students.

For example, teachers and teacher leaders must not:

- receive money or other compensation from a student's parents for tutoring that student if that student is already in the teacher's class;
- deliberately suppress or distort subject matter for which they are responsible in order to take advantage of a student's under-informed opinion;
- accept gifts from school vendors or potential vendors for personal use or gain where there appears to be a conflict of interest; or
- solicit students or their parents to purchase equipment, supplies or services from the teacher or teacher leader or to participate in activities that financially benefit the teacher or teacher leader personally.

Section 1(h)¹⁰

Section 1(h) of the Code states:

In relation to students, the teacher or teacher leader may delegate specific and limited aspects of instructional activity to non-certificated personnel, provided that the teacher or teacher leader supervises such activity.

Some behaviours related to delegating authority to non-certificated personnel of which teachers and teacher leaders should be aware are included below as examples to help build an understanding of this requirement in the Code of Professional Conduct for Teachers and Teacher Leaders.

Teachers and teacher leaders should be aware that:

- non-certificated personnel cannot assume the role or responsibilities of a teacher or teacher leader set out in legislation;
- the *Education Act* and related regulations set out the requirements for holding a certificate in order to be employed as a teacher, principal or superintendent; and
- the *Education Act* also includes the responsibilities of a teacher and principal employed by a board established under the *Education Act* and the role and responsibilities of a superintendent of schools appointed under the *Education Act*.

¹⁰ Section 1(h) is MAINTAINED in comparison to the previous Alberta Teachers' Association Code of Professional Conduct and the Professional Conduct Requirements for Teachers and Teacher Leaders found in the *Practice Review of Teachers and Teacher Leaders Regulation*.

Section 2 of the Code of Professional Conduct for Teachers and Teacher Leaders: In Relation to Parents

Section 2¹¹

Section 2 of the Code states:

In relation to parents of students, the teacher or teacher leader shall

- (a) respect parents and be considerate of their circumstances,*
- (b) treat information received from and about parents with discretion,*
- (c) be respectful in communications with and about parents, and*
- (d) not discuss other students except where the matters being discussed are relevant to their child and then only to the extent that, in the teacher's or teacher leader's judgment, is necessary.*

Parents are an important part of ensuring the success of students. This requirement sets the professional conduct requirements that teachers and teacher leaders are obligated to meet when interacting with the parents of students.

A guardian is included in the definition of a parent in Section 2 of the *Education Act*. For purposes of the Code, a guardian is considered to be a parent as defined in the *Education Act*. The term "guardian" is not used in the Code for this reason.

It is also important to remember that, while teachers and teacher leaders have conduct requirements set out in the Code that must be met in relation to the parents of students they teach, parents also have responsibilities outlined in section 32 of the *Education Act*.

An example of a behaviour of which teachers and teacher leaders should be aware is included below to help build an understanding of this requirement in the Code. Examples of other behaviours in which teachers and teacher leaders must not engage related to parents or guardians of students are also included. Engaging in these actions could reasonably be viewed a breach of this requirement in the Code.

For example, teachers and teacher leaders should be aware that:

- relationships with students and their families must be based on mutual respect, trust and, where necessary, confidentiality and on acknowledging the contribution that these qualities make to students' well-being and learning; and
- there are local policies regarding resolving conflicts with parents, and teachers can seek guidance from their employer if they reasonably believe conversations with parents may be confrontational.

For example, teachers and teacher leaders must not:

- behave in a rude or hostile manner when interacting with parents;
- communicate with parents in a harassing, defamatory, threatening, abusive or obscene manner; or
- share or discuss information received from parents with others who are not authorized to have the information.

¹¹ Section 2 is a combination of NEW and MAINTAINED provisions in comparison to the previous Alberta Teachers' Association Code of Professional Conduct and the Professional Conduct Requirements for Teachers and Teacher Leaders found in the *Practice Review of Teachers and Teacher Leaders Regulation*.

Section 3 in the Code of Professional Conduct for Teachers and Teacher Leaders: In Relation to Colleagues

Section 3¹²

Section 3 of the Code states:

In relation to colleagues, the teacher or teacher leader shall

- (a) not undermine the confidence of students in other teachers or teacher leaders,*
- (b) not criticize the professional competence or professional reputation of another teacher or teacher leader, except
 - (i) in confidence to appropriate officials, or*
 - (ii) in making a complaint about the alleged unprofessional conduct or alleged professional incompetence of a teacher or teacher leader under the Act,**
- (c) not take any steps to pursue the discipline or dismissal of another teacher or teacher leader because of animosity or for personal advantage, and*
- (d) in addition to other reporting required by law, report to the Commissioner the conduct of another teacher or teacher leader who is alleged to cause or have caused psychological, emotional, physical or sexual harm or abuse to a student.*

The requirement to talk to a colleague first about a conduct-related concern involving that colleague, which existed in previous codes of conduct for the teaching profession, has been removed. Where a concern exists related to another certificated colleague, a teacher or teacher leader may now talk directly and in confidence to an appropriate official about their concern.

Removing the requirement to address the behaviour of another teacher or teacher leader directly with them first gives teachers and teacher leaders the opportunity to discuss a concern with a supervisor or other appropriate official for advice. This approach is particularly important in circumstances where there may be concerns related to harassment, abuse or other situations that may cause potential harm.

Another requirement in this section stipulates that teachers and teacher leaders must report the conduct of a certificated colleague to the Commissioner where the actions of the certificated colleague allegedly caused psychological, emotional, physical or sexual harm or abuse to a student. This includes, for example, circumstances where a teacher or teacher leader may have first-hand knowledge of a situation because they:

- witnessed inappropriate behaviour involving a certificated colleague and a student or students;
- saw information on a device or directly witnessed a conversation involving a certificated colleague and a student or students that caused harm or abuse; or
- received information, disclosed by a student, indicating that harm or abuse has occurred or is still occurring.

There may be other reasonable circumstances where reporting would also be necessary. It is recommended that the teacher or teacher leader contact the Office of the Registrar to discuss how reporting must be completed regarding a certificated colleague.

A teacher or teacher leader may choose to consult first with an appropriate official to seek advice regarding how to proceed before reporting is initiated with the Alberta Teaching Profession Commission. An appropriate official may be the school

¹² Section 3 is a combination of NEW and MAINTAINED provisions in comparison to the previous Alberta Teachers' Association Code of Professional Conduct and the Professional Conduct Requirements for Teachers and Teacher Leaders found in the *Practice Review of Teachers and Teacher Leaders Regulation*.

principal, a supervisor or a member of the human resources department in a school authority's central office. It is important to note that, while a teacher or teacher leader may seek advice from an appropriate official, legal responsibility related to reporting ultimately remains with the teacher or teacher leader who must determine how to proceed regardless of the information or advice received from an appropriate official.

Ensuring discretion and confidentiality in these matters, once they have been discussed with an appropriate official or reported, is important to protect the safety and privacy of the student or students involved in a situation and to ensure the integrity of a possible investigation or other processes that may result.

It is important to note that this requirement in the Code is not suggesting that reports be made to the Commissioner based on rumours that may be unfounded, nor does this mean that all teachers on a staff would be required to report to the Commissioner if they all learn about a matter from a third party. Examples provided include, but are not limited to, circumstances where a teacher or teacher leader may have first-hand knowledge of a situation because they witnessed the inappropriate behaviour or heard conversations between a certificated colleague and a student, saw information on a device, or a student disclosed such information. In these situations, and possibly others, reporting would be warranted.

Some examples of behaviours related to colleagues in which teachers and teacher leaders must not engage are described below. This is not an exhaustive list of behaviours that fall in this category of the Code. Engaging in these actions could reasonably be viewed as a breach of the Code.

For example, teachers and teacher leaders must not:

- make public comments, in a professional or non-professional capacity, that disparage the reputation of other teachers and teacher leaders;
- disparage another teacher or teacher leader, their work or their methods to that teacher's students or their students' parents or to the broader school community, including other parents and staff within a school authority;
- neglect to file a complaint with the Office of the Registrar where instances of abuse of or harm to a student that are first-hand knowledge or that are reported by a student who may have experienced harm or abuse perpetrated by another teacher or teacher leader; or
- attempt to have another teacher or teacher leader fired in order to take their position because of a personal grudge or for other personal gain.

Section 4 in the Code of Professional Conduct for Teachers and Teacher Leaders: In Relation to the Teaching Profession

Section 4¹³

Section 4 of the Code states:

In relation to the teaching profession, the teacher or teacher leader shall

- (a) behave in a manner that maintains the honour and dignity of the profession, and*
- (b) not engage in activities that adversely affect the quality of the teacher's or teacher leader's professional service.*

Some behaviours of which teachers and teacher leaders should be aware are included below as examples to help build an understanding of this requirement in the Code. Examples of other behaviours related to the teaching profession in which teachers and teacher leaders must not engage are also referenced below. Engaging in these actions could reasonably be viewed a breach of this requirement in the Code.

For example, teachers and teacher leaders should be aware that:

- their actions while off duty may adversely impact their reputation and that of the profession; and
- they should maintain a level of professionalism when at school even if students are not present.

For example, teachers and teacher leaders must not:

- falsify, misrepresent, omit or erroneously report professional qualifications or employment history;
- engage in inappropriate use of alcohol or illegal substances on school premises or during school events;
or
- use school resources to view, upload, download or circulate any of the following:
 - sexually related or pornographic messages or material;
 - violent or hate-related messages or material;
 - racist or other offensive messages aimed at a particular group or individual;
 - malicious, libellous or slanderous messages or material; or
 - subversive or other messages or material related to illegal activities.

Disclaimer: The information in this document was current at the time of publication (March 2023). As legislation, regulations and case law may change over time, in cases of any inconsistency between the information in this document and the *Education Act*, the *Professional Conduct and Competency for Teachers and Teacher Leaders Regulation* and Schedule 1.1 in the regulation known as the Code of Professional Conduct for Teachers and Teacher Leaders, the legislation will always prevail. This document is for information purposes only. The Crown, its agents, employees or contractors will not be liable for any damages, direct or indirect, arising out of use of the information in this document. This document is not to be used, reproduced, stored or transmitted for commercial purposes without written permission from the Government of Alberta.

¹³ Section 4 is MAINTAINED in comparison to the previous Alberta Teachers' Association Code of Professional Conduct and the Professional Conduct Requirements for Teachers and Teacher Leaders found in the *Practice Review of Teachers and Teacher Leaders Regulation*.