



**BASIC FACTS ABOUT THE
TEACHERS DISCIPLINARY COMMITTEE
&
TEACHERS INVESTIGATION PANEL**





TEACHERS REGISTRATION COUNCIL OF NIGERIA

HEADQUARTERS

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TEACHERS REGISTRATION

COUNCIL OF NIGERIA

Motto: Teaching for Excellence

Vision: An effectively regulated teaching profession in Nigeria founded upon robust teacher education and practice and where teacher quality, discipline, professionalism, reward and dignity match international standards

Mission: To assure teacher excellence and professionalism among teachers at all levels of the education system through effective registration and licensing of teachers; accreditation, monitoring and supervision of teacher education programmes; promotion of continuing professional development; maintenance of discipline and leading the overall renaissance of the teaching profession in Nigeria.

ESTABLISHMENT/MANDATES OF TRCN

The Council was established by TRCN Decree 31 of 1993 now TRCN Act CAP. T3 of 2004. Several decades of agitation by professional teachers and other stakeholders for the establishment of a regulatory agency led to the enactment of the Act.

TEACHERS DISCIPLINARY COMMITTEE AND TEACHERS INVESTIGATING PANEL

Establishing the Teachers Disciplinary Committee (the Tribunal) and the Teachers Investigating Panel (the panel)

Section 9 (I) and (3) of the Teachers Registration Council of Nigeria **TRCN ACT CAP T3 of 2004** established the Teachers Disciplinary Committee and Teachers Investigating Panel, respectively.

TEACHERS DISCIPLINARY COMMITTEE (TDC)

Section 9(I) provides as follows: There is hereby established a tribunal to be known as the Teachers Disciplinary Committee.

Location of the Teachers Disciplinary Committee (the Tribunal)

The Federal Capital Territory (Abuja).

Duties of the Teachers Disciplinary Committee

This committee is charged with the duty of considering and determining any case referred to it by Teachers Investigation Panel.

Composition of the Teachers Disciplinary Committee

Sub-section (2) provides for the composition of the Committee and states as follows: “The committee shall consist of the Chairman of the Council and ten other members appointed by the Council”.

Quorum for the Meeting of the tribunal

The quorum of the Committee shall be four of whom at least two shall be registered members.

Selection of Members and Rules of Procedures

The Attorney General of the Federation shall make rules as to the selection of members of the committee for the purposes of any proceedings and as to the procedure to be followed and the rules of evidence to be observed in the procedures before the committee.

Courts of Corresponding Jurisdiction

To underscore the power of the Committee as sharing in the powers of a High Court, the Act in addition to the provisions above stated in section 10(4) that a teacher convicted may within twenty eight days of the conviction appeal to the Court of Appeal against the decision of the Committee and the Committee may appear as respondents to appeal.

The Committee therefore is according to the Act a tribunal or jury of very high standing that should be taken serious by teachers. The medical Tribunal set up by the Medical and Dental Council of Nigeria is a most applicable example. Frequently the nation witnesses the trial of medical doctors who committed acts of professional misconducts, like negligence leading to the death of patients, etc. The same will now be the case for teachers.

Scope of the Committee’s Assignment

The Committee’s primary assignment is to consider and determine cases referred to it by the Teachers Investigating Panel. According to section 10(I) of the Act, such cases may include where:

- (i) A member is charged with infamous conduct in any professional respect (as contained in the Teachers Code of Conduct or elsewhere).
- (ii) a member is convicted, by any court or committee in Nigeria or elsewhere having power to award imprisonment, of an offence (whether or not punishable with imprisonment) which in the opinion of the Committee is incompatible with the status of a teacher;
- (iii) The Committee is satisfied that the name of any person has been fraudulently registered or a member has made false claims in his registration documents.
- (iv) The committee may, if it thinks fit, give a direction reprimanding the person or ordering the Registrar to strike his name of the relevant part of the register.
- (v) The Committee may, if it thinks fit, differ its decision as to the giving a direction until a subsequent meeting of the Committee.
- (vi) No decision shall be deferred for any period exceeding two years in the aggregate; and
- (vii) No person shall be member of the Committee for the purposes of reaching a decision which has been differed or further differed unless he was present as a member of the Committee when the decision was deferred.

TEACHERS INVESTIGATING PANELS (TIP)

Section 9 (3) provides as follows: There shall be established in each State of the Federation and the Federal Capital Territory, Abuja a body to be known as the State Teachers Investigating Panel.

Location of the Teachers Investigation Panels

The 36 States of the Federation and the Federal Capital Territory, Abuja.

Duties of the Teachers Investigating Panel include:

- (i) Conducting a Preliminary investigation into any case where it is alleged that a member or any teacher has misbehaved in his capacity as a professional teacher, or should for any other reason be the subject of proceedings before the committee; and

- (ii) Deciding whether the case should be referred to the committee (Teachers Disciplinary Committee)

Composition of the Teachers Investigation Panel

Sub-section (4) provides for the composition of the panel members. A panel shall be appointed by the Council after consultation with the State Ministry of Education or the Federal Ministry of Education in the case of the Federal Capital Territory, Abuja and shall consist of five members one of whom shall be a legal practitioner.

Quorum for the meeting of the panel

The quorum for the panel shall be three.

The modus operandi of the Teachers Investigating Panel:

- (i) The teacher so affected shall be informed by the Panel that an allegation has been made against him and shall be invited to respond to it
- (iii) Where the Panel establishes evidence of misconduct it shall refer the case to the Teachers Disciplinary Committee.

DISCIPLINE AND PUNISHMENT

The Council has published a Teachers Code of Conduct (TCC) to define the minimum ethical standards expected of professional teachers. The TCC is given free of charge to teachers at the point of registration. Teachers, who for any reason did not get a copy, might of necessity get a copy from the nearest TRCN office. It forecloses the possibility that any teacher will claim ignorance of what constitutes virtues or vices in the discharge of his professional duty. With the establishment of the Code, the Council will exercise its disciplinary functions on erring teachers.

Disciplinary Actions, Sanctions and Punishment

On the conviction of a teacher against any of the category of offenses stated above, the Teachers Disciplinary Committee (the Tribunal) can give directives for:

- (i) Advice
- (ii) Reprimand
- (iii) Suspension of registration (for months)
- (iv) Cancellation of registration
- (v) Deletion of name temporarily or permanently from the Teachers Register

(vi) Criminal prosecution in accordance with the relevant laws of the country

For purposes of subsection (I) (b) of this section, a person shall not be treated as convicted as therein mentioned, unless the conviction stands at a time when no appeal or further appeal is pending or may (without extension of time) be brought in connection with the conviction.

When the committee gives a direction under subsection (I) of section 10, the committee shall cause notice of the direction to be served on the person to whom it relates.

The person to whom such a direction related may, at any time within twenty eight days from the date of service on him of notice of the direction, appeal against the direction to the court of Appeal; and the committee may appear as respondent to the appeal and, for the purpose of enabling directions to be given as to the costs of the appeal and of proceedings before the committee, the committee shall be deemed to be a party thereto whether or not it appears on the hearing of the appeal.

A direction of the committee under subsection (I) of section 10 shall take effect-

- When no appeal under this section is brought against the direction within the time limited for such an appeal, on the expiration of that time; or
- Where such an appeal is brought and is withdrawn or struck out for want of prosecution, or the withdrawal or striking out of the appeal; or
- Where such an appeal is brought and it is not withdrawn or struck out as afore said, if and when the appeal is dismissed, and shall not take effect except in accordance with the foregoing provision of this subsection.

A person whose name is removed from the register in pursuance of a direction of the committee under section 10, shall not be entitled to be registered again except in pursuance of a direction in that behalf given by the committee on the application of that person; and a direction under this section for the removal of a person's name from the register, may prohibit an application under this subsection by that person until the expiration of such period from the date of the direction (and he has duly made such an application, from the date of his last application) as may be specified in the direction.

ACTS COMMISSION OR OMISSION ADJUDGED TO BE MISCONDUCT

- (i) Forgery or mutilation of official document
- (ii) Fighting in or within the school premises
- (iii) Assaulting a student or teacher
- (iv) Abuse of a student or a Teacher
- (v) Intimidation of student(s)
- (vi) Harassment (sexual or otherwise)
- (vii) Habitual late comer
- (viii) Unauthorised Absenteeism
- (ix) Taking undue advantage of students or Teachers
- (x) Illegal or Unauthorized collection of money from students
- (xi) Facilitating, aiding abetting or assessor to exam malpractice
- (xii) Irregular or unauthorized awards of marks
- (xiii) Bribery (giving or taking)
- (xiv) Disobedience of lawful order
- (xv) Stealing
- (xvi) Extortion from students
- (xvii) Money for marks Racket
- (xviii) Sex for Marks Racket
- (xix) Employing Unqualified Teachers
- (xx) Teaching with non-qualifying or unrecognized certificate
- (xxi) Teaching without registration with TRCN etc

Duty to Report

Section II (I) of the Act provides as follows: It shall be the duty of the head of an educational institution to report any misconduct by a registered member to the panel.

Who can Report

- (i) Student
- (ii) Teacher
- (iii) Head of Institution
- (iv) Parents
- (v) Any Stake holder
- (vi) General Public

Penalty for Not Reporting

A person in breach of the provisions of subsection (I) of section I I shall be guilty of an offence and liable on conviction to a fine of ₦1,000 or to imprisonment for a term of three months or both.

Where to Report

- (i) Head of any Academic Institution
- (ii) State Ministry of Education
- (iii) Federal Ministry of Education
- (iv) Nigeria Union of Teachers
- (v) All States Offices of the Teachers Registration Council of Nigeria
- (vi) Head Quarters of Teachers Registration Council of Nigeria
www.trcn.gov.ng
- (vii) Hotline of Teachers Registration Council of Nigeria
- (viii) By post to TRCN Headquarters.

All enquiries to be directed to:

Registrar/Chief Executive
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