

**DISCIPLINE COMMITTEE OF THE
COLLEGE OF EARLY CHILDHOOD EDUCATORS**

B E T W E E N:

COLLEGE OF EARLY CHILDHOOD EDUCATORS

- and -

JENNIFER MESARIC
RECE # 64012

NOTICE OF HEARING

The Complaints Committee of the College of Early Childhood Educators has directed the matter regarding your conduct, as set out in the attached statement of allegations, to be referred to the Discipline Committee pursuant to paragraph 31(5)(a) of the *Early Childhood Educators Act, 2007* (the "Act").

A panel of the Discipline Committee (the "Panel") will hold a hearing pursuant to paragraph 33(1)(a) of the Act on August 10, 2021 at 1:00 p.m. **electronically by videoconference**, to determine whether you engaged in professional misconduct and/or are incompetent.

If you prefer to communicate with the College in French, or would like the hearing of your case to be conducted in French, then you must notify the College as soon as possible so that it can make reasonable attempts to accommodate your request.

The Act provides that where the Panel finds a member guilty of professional misconduct and/or to be incompetent, it may make an Order doing one or more of the following:

1. Directing the Registrar to revoke the member's certificate of registration.
2. Directing the Registrar to suspend the member's certificate of registration for a specified period, not exceeding 24 months.
3. Directing the Registrar to impose specified terms, conditions or limitations on the member's certificate of registration.

4. Requiring that the member be reprimanded, admonished or counseled by the Committee or its delegate and, if considered warranted, directing that the fact of the reprimand, admonishment or counseling be recorded on the register for a specified period of more than three years.
5. Imposing a fine in an amount that the Committee considers appropriate, to a maximum of \$2,000, to be paid by the member to the Minister of Finance for payment into the Consolidated Revenue Fund.
6. Fixing costs to be paid by the member.

The Panel may also direct the Registrar to not carry out a direction made under paragraphs 1, 2 or 3 above for a specified period and to not carry out the direction at all if specified terms are met within that period. The Panel may specify the terms it considers appropriate, including but not limited to terms requiring the successful completion of specified courses of study.

In making an order under paragraphs 1, 2 or 3, the Panel may also fix a period during which the member may not apply to have a new certificate issued, to have the suspension removed, or to vary the terms, conditions and limitations.

The Rules of Procedure of the Discipline Committee and of the Fitness to Practise Committee can be found on the College's website at college-ece.ca. The Rules can also be made available to you upon request.

IF YOU DO NOT ATTEND AT THE HEARING, IN PERSON OR BY REPRESENTATIVE, THE PANEL MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE OF THE PROCEEDINGS.

DATE: July 27, 2021



Beth Deazeley
Registrar & CEO
College of Early Childhood Educators

STATEMENT OF ALLEGATIONS

JENNIFER MESARIC, RECE # 64012

1. At all material times, Jennifer Mesaric (the “**Member**”) was a member of the College of Early Childhood Educators and was employed as an Early Childhood Educator (“**ECE**”) at St. Jude Early Learning Child Care Centre, in Mississauga, Ontario (the “**Centre**”).
2. On or about the late afternoon of December 20, 2019, the Member and B.A.A. (RECE) (collectively, the “**Staff**”) were supervising a group of preschool aged children at the Centre’s fenced playground, including C.R., an almost 3½ year old girl (the “**Child**”). At approximately 5:10pm the Staff brought the children inside, without realizing that the Child was left behind on the playground. The Member did not conduct a head count and did not check the attendance sheet to ensure that all the children were present.
3. The Child remained in the playground alone and unsupervised. It was already getting dark and the temperature at the time was -5 degrees Celsius.
4. Approximately 15 minutes later, at 5:25pm, a member of the public found the Child crying, cold and scared. He immediately escorted the Child back to the Centre and loudly banged on the Centre’s door. Until that point, the Member did not notice that the Child was missing.
5. By engaging in the conduct set out in paragraphs 2 – 4 above, the Member engaged in professional misconduct as defined in subsection 33(2) of the *Early Childhood Educators Act, 2007*, S.O. 2007, c. 7, Sch. 8 (the “**Act**”), in that:
 - a) The Member failed to supervise adequately a person who was under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(2);
 - b) The Member failed to maintain the standards of the profession, contrary to Ontario Regulation 223/08, subsection 2(8), in that:
 - i. The Member failed to observe and monitor the learning environment and take responsibility to avoid exposing children to harmful or unsafe situations, contrary to Standard III.C.2 of the College’s Standards of Practice;

- ii. The Member failed to provide safe and appropriate supervision of children based on age, development and environment, contrary to Standard III.C.5 of the College's Standards of Practice;
 - iii. The Member failed to know the current legislation, policies and procedures that are relevant to her professional practice and to the care and education of children, contrary to Standard IV.B.1 of the College's Standards of Practice;
 - iv. The Member failed to model professional values, beliefs and behaviours with children, families and colleagues, and/or failed to understand that her conduct reflects on her as a professional and on her profession at all times, contrary to Standard IV.C.4 of the College's Standards of Practice;
 - v. The Member failed to support and collaborate with colleagues, contrary to Standard IV.C.6 of the College's Standards of Practice;
- c) The Member acted or failed to act in a manner that, having regard to the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional, contrary to Ontario Regulation 223/08, subsection 2(10); and/or
- d) The Member acted in a manner that is unbecoming a Member, contrary to Ontario Regulation 223/08, subsection 2(22).