

## NOTICE OF PUBLICATION BAN

In the matter of College of Early Childhood Educators and Tanya Kathleen Freamo this is notice that the Discipline Committee ordered that no person shall publish or broadcast the identity of, or any information that could identify, any person who is under 18 years old and is a witness in the hearing, or the subject of evidence in the hearing or under subsection 35.1(3) of the *Early Childhood Educators Act, 2007*.

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

**PANEL:** Stacey Stevenson, RECE, Chair  
Richard Fillion, DDS  
Samantha Zuercher, RECE

<b>BETWEEN:</b>	)	
	)	
COLLEGE OF EARLY	)	Vered Beylin
CHILDHOOD EDUCATORS	)	For the College of Early Childhood Educators
	)	
and	)	
	)	
TANYA KATHLEEN FREAMO	)	Not present and not represented
REGISTRATION # 22856	)	
	)	
	)	
	)	Elyse Sunshine,
	)	Rosen Sunshine LLP
	)	Independent Legal Counsel
	)	
	)	Heard: August 17, 2023

## **DECISION AND REASONS**

This matter was heard by a panel of the Discipline Committee (the “Panel”) of the College of Early Childhood Educators (the “College”) on August 17, 2023. The hearing proceeded electronically (by videoconference) pursuant to the *Early Childhood Educators Act, 2007*, S.O. 2007, c. 7, Sch. 8 (the “ECE Act”), and the College’s Rules of Procedure of the Discipline Committee and of the Fitness to Practise Committee.

At the outset, the Panel noted that the hearing was being recorded in the Zoom platform at the direction of the Panel for the hearing record, and ordered that no person shall make any audio or video recording of these proceedings by any other means.

## **MEMBER’S NON-ATTENDANCE AT THE HEARING**

Tanya Kathleen Freamo (the “Member”) was not present for the hearing. Counsel for the College advised that she was not expecting the Member to attend. She also provided evidence in the form of affidavits with copies of emails outlining the College’s communications with the Member about the hearing. The evidence provided by the College showed that the College had informed the Member of the purpose, date, time, and location of the hearing and that the hearing could proceed in the Member’s absence.

The Panel was satisfied that the Member had been informed of the purpose, date, time and location of the hearing. The Panel was further satisfied that it had continuing jurisdiction over the Member, even though her membership has been suspended for non-payment of fees. While generally, the Member’s non-attendance would mean the Member is deemed to contest the allegations, the College advised that the matter would be proceeding by way of agreement. Accordingly, the hearing proceeded in the Member’s absence.

## **PUBLICATION BAN**

The Panel ordered a publication ban following a motion by College Counsel pursuant to section 35.1(3) of the ECE Act. The order bans the public disclosure, publication and broadcasting outside

of the hearing room, any names or identifying information of any minor children who may be the subject of evidence in the hearing.

## **THE ALLEGATIONS**

The allegations against the Member were contained in the Notice of Hearing dated July 12, 2023, (Exhibit 1) which provided as follows:

1. At all material times, the Member was a member of the College and was employed as an Early Childhood Educator (“ECE”) at Linda Lowe Daycare Centre, in Pakenham, Ontario (the “Centre”).
2. Over the course of approximately five months, between approximately February 2021 and June 2021, the Member and D.M. (RECE) (collectively, the “Staff”) were responsible for supervising preschool-aged children at the Centre’s preschool room (“Room 4”). During this time, the Staff engaged in the following conduct towards the children:
  - a) On multiple occasions, the Staff forcefully and aggressively grabbed children by their arm(s) or wrists or clothes, pushed the children’s backs and pulled and/or dragged and/or lifted them off the ground. On at least one occasion, a child fell to the ground as a result of the Staff’s conduct.
  - b) On multiple occasions, the Staff yelled at children, including while standing with their faces in very close proximity to the children’s faces.
  - c) On multiple occasions, the Staff used derogatory and belittling language while speaking directly with children and/or in their presence. Among other things, the Staff called the children “retards”, “brats”, idiots”, stupid”, repeatedly referred to three specific children as “dumb”, “dumber” and “dumbest”, as well as called children who required assistance with getting dressed “invalid”.
  - d) On multiple occasions the Staff told children words to the effect of “jump off a bridge”, “run in front of a car”, “you’re bothering my life!”, “why do you exist?” and “you make me want to kill myself”.

- e) On multiple occasions, the Staff punished children for having toileting accidents and/or harshly reprimanded them.
  - f) On more than one occasion, the Staff instructed children to remain alone in the hallway for a period of time, while closing the door to the classroom.
  - g) On one occasion, the Staff punished a child who said “silly” words about “poop”, by putting him in a bathroom, alone and unsupervised, and leaving him there for a period of time, during which the child missed eating a snack.
  - h) On one occasion, one of the children began to choke while eating. The Staff failed to take any action and stood by, observing the child’s face become red, and him continuing to choke until he vomited. The child was then told that he “deserved it because he put too much food in his mouth”, or words to that effect.
  - i) On multiple occasions, in response to children crying, the Staff said words to the effect of “You know how you stop that? You choke hold them”, “Ya, I just wish they would choke”, “Jeepers, get a life!”, and “This is why you have no friends”.
  - j) On more than one occasion, when children were brought into Room 4, the Staff greeted them with words to the effect of “no, thanks”.
3. As a result of the Staff’s conduct, as described in paragraph 2 above, many of the children in Room 4, cried on multiple occasions, felt sad and were scared.
4. By engaging in the conduct set out in paragraphs 2 – 3 above, the Member engaged in professional misconduct as defined in subsection 33(2) of the ECE Act in that:
- a) The Member failed to supervise adequately a person under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(2);
  - b) The Member physically abused a child who was under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3.1);
  - c) The Member verbally abused a child who was under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3);

- d) The Member psychologically or emotionally abused a child who was under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3.2);
- e) 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 be knowledgeable about a range of strategies that support ongoing positive interactions with children and families, contrary to Standard I.B.2 of the College's Standards of Practice;
  - ii. The Member failed to engage in supportive and respectful interactions with children to ensure they feel a sense of security and belonging, contrary to Standard I.C.2 of the College's Standards of Practice;
  - iii. The Member failed to work in partnership with children, families and colleagues to create a safe, healthy and inviting environment that promotes a sense of belonging, well-being and inclusion, contrary to Standard III.C.1 of the College's Standards of Practice;
  - iv. 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;
  - v. 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;
  - vi. 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; and/or
  - vii. The Member failed to model professional values, beliefs and behaviours with children, families and colleagues, and/or she 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.

- f) 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
- g) The Member acted in a manner that is unbecoming a Member, contrary to Ontario Regulation 223/08, subsection 2(22).

## **EVIDENCE**

Counsel for the College advised the Panel that agreement on the facts had been reached and introduced an Agreed Statement of Facts (Exhibit 2), which provided as follows:

### **The Member**

- 1. The Member has had a certificate of registration with the College for approximately 13 years. She has been suspended for non-payment of fees or penalties since January 2023, and does not have a prior discipline history with the College.
- 2. At all material times, the Member was employed as an ECE at the Centre.

### **The Incidents**

- 3. Over the course of approximately five months, between approximately February 2021 and June 2021, the Staff were responsible for supervising preschool-aged children at the Centre's Room 4. During this time, the Staff engaged in the following conduct towards the children:
  - a. On multiple occasions, the Staff forcefully and aggressively grabbed children by their arm(s) or wrists or clothes, pushed the children's backs and pulled and/or dragged and/or lifted them off the ground. On at least one occasion, a child fell to the ground as a result of the Staff's conduct.
  - b. On multiple occasions, the Staff yelled at children, including while standing with their faces in very close proximity to the children's faces.

- c. On multiple occasions, the Staff used derogatory and belittling language while speaking directly with children and/or in their presence. Among other things, the Staff called the children “retards”, “brats”, “idiots”, “stupid”, repeatedly referred to three specific children as “dumb”, “dumber” and “dumbest”, as well as called children who required assistance with getting dressed “invalid”.
- d. On multiple occasions the Staff told children words to the effect of “jump off a bridge”, “run in front of a car”, “you’re bothering my life!”, “why do you exist?” and “you make me want to kill myself”.
- e. On multiple occasions, the Staff punished children for having toileting accidents and/or harshly reprimanded them, among other things stating words to the effect of “bad boys wear diapers”. On one of these occasions, the Member aggressively grabbed a child after he urinated on the floor on the way to the bathroom, pulled him into the bathroom and yelled at him to take off his clothing so she could clean him up. On another occasion, the Member yelled at children during naptime to go to the bathroom and not wet the bed. When two children soiled themselves, the Member told the children that it was disgusting, they know better than to pee in bed and that they should wear diapers if they cannot control themselves.
- f. On more than one occasion, the Staff instructed children to remain alone in the hallway for a period of time, while closing the door to the classroom.
- g. On one occasion, the Staff punished a child who said “silly” words about “poop”, by putting him in a bathroom, alone and unsupervised, and leaving him there for a period of time, during which the child missed eating a snack.
- h. On one occasion, a child began to choke while eating. The Staff failed to take any action and stood by, observing the child’s face become red, and him continuing to choke until he vomited. The child then vomited a second time. The Member and/or D.M. then told the child that he “deserved it because he put too much food in his mouth”, or words to that effect. Following this incident:
  - i. The Staff failed to document the incident and did not report it to the Centre’s management.

- ii. The Staff advised the child's mother that the child vomited twice and could not return to daycare unless a COVID test was complete, despite knowing the child vomited after choking on food.
  - i. On multiple occasions, in response to children crying, the Staff said words to the effect of "You know how you stop that? You choke hold them", "Ya, I just wish they would choke", "Jeepers, get a life!", and "This is why you have no friends".
  - j. On more than one occasion, when children were brought into Room 4, the Staff greeted them with words to the effect of "no, thanks".
  - k. On multiple occasions, the Staff made negative and/or judgmental comments about children and/or their parents, in the presence of those children or other children and staff.
4. As a result of the Staff's conduct, as described in paragraph 3 above, many of the children cried on multiple occasions, felt sad and were scared. Among other things, some of the children began repeatedly referring to themselves and other children as "bad". At least one child did not want to attend the Centre, and repeatedly "begged" their parents to stay home.

### **Additional Information**

5. The Centre's Executive Director and the board of directors were notified on several occasions, verbally and in writing, regarding concerns about the Staff's conduct. Ultimately, the Executive Director filed a Serious Occurrence Report with the Ministry on June 24, 2021. The Ministry immediately reported the concerns to the Children's Aid Society ("CAS").
6. CAS conducted an investigation and verified child protection concerns arising from the Staff's conduct, as described in paragraphs 3 and 4 above. In relation to the Member, CAS verified the following:
- a. Physical force and/or maltreatment resulting in risk of harm to a child;
  - b. Risk of emotional harm to a child as a result of an action and/or inaction and or inadequate response; and
  - c. inadequate supervision resulting in risk of harm to a child and/or distress to child.



7. The Ministry determined that the Staff engaged in prohibited practices and issued Compliance Orders against them.
8. An ECE student who was placed to work in Room 4 alongside the Staff withdrew from her placement at the Centre, after expressing concerns regarding the Staff being “mean and aggressive with the children” and creating an “unprofessional and toxic environment”, among other things.
9. Several staff members advised during their interviews with CAS that they would resign from the Centre if the Staff were allowed to continue working there.
10. The Member’s employment at the Centre was suspended during the CAS investigation. Then, after the allegations against the Member were verified, she was notified her employment would be terminated. The Member chose to resign instead.
11. If the Member were to testify, she would advise that her conduct towards the children occurred as a result of “frustration” during “a tough year” where “things were stressful” and that she felt overwhelmed and needed a break. The Member recognizes her conduct was wrong and regrets it. The Member also regrets not intervening to stop D.M.’s actions and failing to ensure the children’s safety and well-being.

### **Admissions of Professional Misconduct**

12. The Member admits that she engaged in and is guilty of professional misconduct as described in paragraphs 3 to 4 above, and as defined in subsection 33(2) of the ECE Act in that:
  - a. The Member failed to supervise adequately a person under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(2);
  - b. The Member physically abused a child who was under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3.1);
  - c. The Member verbally abused a child who was under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3);

- d. The Member psychologically or emotionally abused a child who was under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3.2);
- e. 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 be knowledgeable about a range of strategies that support ongoing positive interactions with children and families, contrary to Standard I.B.2 of the College's Standards of Practice;
  - ii. The Member failed to engage in supportive and respectful interactions with children to ensure they feel a sense of security and belonging, contrary to Standard I.C.2 of the College's Standards of Practice;
  - iii. The Member failed to work in partnership with children, families and colleagues to create a safe, healthy and inviting environment that promotes a sense of belonging, well-being and inclusion, contrary to Standard III.C.1 of the College's Standards of Practice;
  - iv. 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;
  - v. 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;
  - vi. 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; and/or
  - vii. The Member failed to model professional values, beliefs and behaviours with children, families and colleagues, and/or she 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.

- f. 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
- g. The Member acted in a manner that is unbecoming a Member, contrary to Ontario Regulation 223/08, subsection 2(22).

## **THE MEMBER'S PLEA**

The Member admitted to the allegations in the Agreed Statement of Facts.

The Panel received a written plea inquiry (Exhibit 3) which was signed by the Member.

## **SUBMISSIONS OF THE PARTIES ON LIABILITY**

The College submitted that the Member was guilty of professional misconduct through her conduct, and that all of the allegations of misconduct contained in the Notice of Hearing were supported by the facts set out in the Agreed Statement of Facts.

College Counsel submitted that the facts demonstrate that during the period between February 2021 and June 2021, the Member engaged in forceful and aggressive conduct and verbal abuse with preschool children, disregarding the children's physical, emotional and psychological well-being. She failed to support the sense of well-being, belonging, and safety of all the children in the room, and to work with other staff to make the children feel safe.

The Member also failed to adequately supervise toddlers on multiple occasions. She jeopardized a child's safety when a child was choking and she didn't try to help.

The Member's conduct fell far below expectations of RECEs, and was not appropriate. She failed to follow the Standards of Practice and the Centre's policies and expectations, which prohibited physical abuse, aggressive behavior, harsh language, and isolating children. She failed to work in partnership with children, families and colleagues to create a safe, healthy and inviting environment.

College Counsel further stated that the evidence demonstrates that the Member failed to know and abide by legislation, policies and procedures relevant to her professional practice. Among other things, the Member failed to document an incident and make a report where required.

The Member also failed to be knowledgeable about a range of strategies that support ongoing positive interactions with children. College Counsel noted that there is no justification for physical force or verbal abuse as a mechanism for guiding children's behaviour, even in situations of challenging interactions with children.

College Counsel submitted that the Member's conduct failed to model professional values and behaviours to the children. She also failed to model professional behaviour to other colleagues. She failed to understand that as the RECE in the classroom, she is responsible for creating and maintaining positive relationships with her colleagues.

The College submitted that the Member's conduct in these instances was disgraceful, dishonourable, unprofessional and clearly unbecoming.

The Member was not present and made no submission on liability.

## **FINDINGS AND REASONS FOR DECISION**

Having regard to the facts set out in the Agreed Statement of Facts, the Panel accepted the Member's admission and found her guilty of professional misconduct as alleged in the Agreed Statement of Facts and the Notice of Hearing.

The Panel found that all the allegations set out in the Notice of Hearing are supported by the facts contained in the Agreed Statement of Facts presented by the parties. The Panel found that the College met its onus and established that it was more likely than not that the Member engaged in the acts of misconduct as alleged.

Specifically, the Panel found that between February and June, 2021, while the Member was employed at the Centre, she engaged in aggressive and forceful conduct and emotional abuse towards the children in her care on multiple occasions.

The Panel finds that as a result of this conduct, the Member physically, verbally, psychologically and emotionally abused children in her care, and she failed to engage in supportive and respectful interactions with children under her care.

The Panel found that the Member engaged in physical abuse of children when on multiple occasions, the Member forcefully and aggressively grabbed children by their arm(s) or wrists or clothes, pushed the children's backs and pulled and/or dragged and/or lifted them off the ground.

On at least one occasion, a child fell to the ground as a result of the Member's conduct.

The Panel found that the Member verbally abused children when on multiple occasions, the Member yelled at children, including while standing with their face in very close proximity to the children's faces. In addition, the Member regularly used derogatory and belittling language while speaking directly with children and/or in their presence.

The Panel found that on multiple occasions, the Member punished children for having toileting accidents and/or harshly reprimanded them, among other things stating words to the effect of "bad boys wear diapers". On one occasion, the Member aggressively grabbed a child after he urinated on the floor on the way to the bathroom, pulled him into the bathroom and yelled at him to take off his clothing so she could clean him up. On another occasion, the Member yelled at children during naptime to go to the bathroom and not wet the bed. When two children soiled themselves, the Member told the children that it was disgusting, they know better than to pee in bed and that they should wear diapers if they cannot control themselves.

The Panel found that the Member failed to provide adequate supervision of the children in her care. Specifically, on more than one occasion, children were instructed to remain in the hallway unsupervised with the classroom door closed. The Panel also found that the Member failed to ensure the health and safety of the children in her care. On one occasion, a child began to choke while eating. The Member failed to take any action and stood by, observing the child's face become red, and him continuing to choke until he vomited. The child then vomited a second time. The Member then told the child that he "deserved it because he put too much food in his mouth", or words to that effect. After this event, the Member failed to document the incident or report it to management.

The Panel found that because of the Member's conduct, as described, many of the children cried on multiple occasions, felt sad and were scared. Among other things, some of the children began repeatedly referring to themselves and other children as "bad". At least one child did not want to

attend the Centre, and repeatedly “begged” their parents to stay home. The behaviour of the Member left lasting effects on the children both psychologically and emotionally.

The Panel found that the Member failed to model professional values, beliefs and behaviours with children, families and colleagues, and she failed to understand that her conduct reflects on her as a professional and on her profession at all times. The Member acted unprofessionally in the presence of colleagues and an RECE student, who withdrew from the placement after expressing concerns about the Member’s conduct.

The Panel was satisfied, based on the evidence contained in the Agreed Statement of Facts, that the Member engaged in all of the acts of misconduct alleged in the Notice of Hearing.

## **POSITION OF THE PARTIES ON PENALTY**

Counsel for the College and the Member made a joint submission as to an appropriate penalty and costs order (the “Proposed Order”). The parties submitted that the Panel should make an order as follows:

1. Requiring the Member to appear before a Panel of the Discipline Committee to be reprimanded within 60 days of this Order.
2. Directing the Registrar to immediately revoke the Member’s certificate of registration.
3. Requiring the Member to pay the College’s costs fixed in the amount of \$1,000, within 6 months of this Order.

## **Submissions of the College on Penalty and Costs**

Counsel for the College submitted the following in respect of penalty and costs.

Counsel for the College submitted that the Proposed Order was appropriate in the circumstances and would send a message broadly to the profession and to the public at large that the Member’s conduct was unacceptable and would not be tolerated. Counsel further submitted that it would discourage other RECEs from engaging in similar conduct and it would send a specific message to

the Member that her conduct was unacceptable. The Proposed Order was also within the range of penalties imposed in similar cases, while taking into account the specific aggravating and mitigating factors of this case.

The College indicated that there were twelve aggravating factors in this case:

1. The Member's conduct was a pattern of behaviour over a lengthy period of time, approximately five months.
2. The age of the children made them more vulnerable to the Member's conduct because young preschoolers are unable to defend themselves and unlikely to report the incidents.
3. On multiple occasions, the Member's conduct included violence and use of force.
4. The physical abuse involved multiple children and resulted in a risk of harm.
5. The Member's conduct was detrimental to the children's emotional well-being. On multiple occasions children cried, felt scared or sad. Some referred to themselves as bad, and one child did not want to attend the Centre.
6. The Member showed a complete disregard for the children's physical health, even when a child was in danger as they were choking.
7. The Member repeatedly subjected children to verbal abuse, which included yelling in close proximity to the child and using derogatory terms. The Member made negative and judgmental comments about the children and their parents in the children's presence.
8. The Member's verbal abuse, in conjunction with physical and emotional abuse, occurred in the presence of other children and eroded the sense of security for all children in the room.
9. On multiple occasions the Member witnessed and ignored abuse towards the children by D.M. and failed to stop that individuals' conduct, breaching her obligation to ensure the safety of all children in the classroom and compounding her misconduct.
10. On multiple occasions, the Member failed to provide adequate and developmentally appropriate supervision. She left children unsupervised in the hall or the bathroom as a method of discipline.

11. The conduct of the Member and D.M. had a profound impact on other staff and an ECE student. The ECE student withdrew from the placement and other staff advised CAS that they would resign if the Member continued to work at the Centre.
12. The Member's conduct reflects negatively on the profession and erodes the trust parents put in ECEs.

The College submitted that the mitigating factors included the Member's guilty plea but stated that nothing short of a revocation could suffice to address the Member's conduct. By agreeing to the facts and penalty, the Member saved the College the time and expense of a contested hearing. The Member also had been registered with the College for approximately 13 years without any prior reported history of misconduct, which was also a mitigating factor.

The College provided the Panel with five cases to reassure the Panel that the Proposed Order was consistent with penalties imposed on other members who had engaged in similar misconduct:

*College of Early Childhood Educators v Latesha Kristen Parenteau*, 2022 ONCECE 11

*College of Early Childhood Educators v Amal Ali*, 2019 ONCECE 2

*College of Early Childhood Educators v Karyn Shelley Snow*, 2022 ONCECE 12

*College of Early Childhood Educators v Rosie Jameak Black*, 2023 ONCECE 1

*College of Early Childhood Educators v Sheryl Anne Grant*, 2023 ONCECE 6

The College submitted that considering these cases and the unique aggravating and mitigating factors in this case, would reassure the Panel that the Proposed Order was appropriate in these circumstances.

### **Submissions of the Member on Penalty and Costs**

The Member agreed to the Proposed Order but did not make any submissions.



## **PENALTY DECISION**

The Panel accepted the joint submission on penalty and makes the following order as to penalty:

1. The Member is required to appear before the Panel to be reprimanded within 60 days of the date of this Order.
2. The Registrar is directed to immediately revoke the Member's certificate of registration.

## **REASONS FOR PENALTY**

The Panel understands that the penalty ordered should protect the public and enhance public confidence in the ability of the College to regulate registered early childhood educators. This is achieved through a penalty that addresses specific deterrence, general deterrence and, where appropriate, rehabilitation and remediation. The penalty should be proportionate to the misconduct.

In considering the joint submission, the Panel was mindful that a jointly proposed penalty should be accepted unless its acceptance would bring the administration of justice into disrepute or it is otherwise not in the public interest. It is the Panel's conclusion that the Proposed Order addresses the principles of specific and general deterrence, and ensures the confidence of the public in the ability of the College to regulate the profession as well as protection of the public.

The Discipline Committee has previously expressed concern at the increasing number of discipline cases involving physical abuse, and the Panel reiterates this concern. It is the obligation of RECEs to treat all children with respect, dignity and create environments where all children can safely experience a sense of belonging and inclusion. The Panel wishes to reinforce that physical, verbal, emotional and psychological abuse will not be tolerated and urges the College to continue seeking severe penalties in future cases involving such conduct. The Panel also notes that RECEs may feel stressed or overworked but it is never acceptable to use violence against children.

## **ORDER AS TO COSTS**

Subsection 33(5)(4) of the ECE Act provides that in an appropriate case, a panel may make an order

requiring a member who the panel finds has committed an act of professional misconduct to pay all or part of the College's legal costs and expenses, investigation costs and hearing costs.

The parties are in agreement with respect to costs and the amount of costs to be ordered. The Panel agrees that this is an appropriate case for costs to be awarded and the amount proposed by the parties is reasonable.

The Panel orders that the Member pay the College its costs, fixed in the amount of \$1,000, to be paid within 6 months of the date of this Order.

**I, Stacey Stevenson, sign this decision and reasons for the decision as Chair of this Discipline Panel and on behalf of the members of the Discipline Panel.**



Stacey Stevenson, RECE, Chair

September 8, 2023

Date