

NOTICE OF PUBLICATION BAN

In the matter of College of Early Childhood Educators and Diala Mahfouz 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: Katie Begley, RECE, Chair
Michelle Eaton
Ann Hutchings, RECE

BETWEEN:)	
)	
COLLEGE OF EARLY)	Vered Beylin
CHILDHOOD EDUCATORS)	For the College of Early Childhood Educators
)	
and)	
)	
DIALA MAHFOUZ)	Self-represented
REGISTRATION # 13927))	
)	
)	
)	Lonny Rosen,
)	Rosen Sunshine LLP
)	Independent Legal Counsel
)	
)	Heard: August 22, 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 22, 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.

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.

EXCLUSION OF MEMBERS OF PUBLIC FROM THE HEARING

On a motion by the Member, following submissions of the College and the Member, the Panel made an Order excluding members of the public from attending the hearing of this matter, pursuant to Section 35(7) of the ECE Act.

Section 35 (7) of the ECE Act permits the Discipline Committee to order that the public be excluded from the hearing or any part of the hearing if, in the Committee’s opinion, the possibility of serious harm or injustice to any person justifies a departure from the general principle that hearings should be open to the public.

The Member asked that the public be excluded from this hearing. The Member submitted that members of the public should not be in attendance as observers, as members of the community in which she lived and worked who had spread rumours and made statements about her online

were in attendance as observers (although there was no evidence before the Panel to this effect) and she was concerned that this would continue. The College initially opposed the Member's request but changed its position out of concern that, based on comments made by the Member relating to how she proposed to plead (i.e., that she felt she had no choice in the matter), the anticipated guilty plea may not be accepted. The College submitted that the hearing was expected to be resolved, but in the event the hearing did not proceed as anticipated, a contested hearing would be required, and in those circumstances, individuals possibly in attendance at the hearing as members of the public could be called as witnesses. The College argued that this would prejudice the Member's right to a fair hearing and therefore justified closing the hearing.

The Panel concluded that so long as the possibility of this matter proceeding to a contested hearing remained, the possibility of injustice to the Member due to the presence of witnesses for the College at the hearing as observers justified departure from the general principle that hearing should be open to the public.

THE ALLEGATIONS

The allegations against the Member were contained in the Notice of Hearing dated July 17, 2023, (Exhibit 1) which provided as follows:

1. At all material times, Diala Mahfouz (the "Member") was a member of the College of Early Childhood Educators 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 T.K.F (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).

THE MEMBER'S PLEA

The Member admitted to the allegations in the Notice of Hearing.

The Panel received a written plea inquiry (Exhibit 2) which was signed by the Member. The Panel also conducted a verbal plea inquiry and was satisfied that the Member's admission was voluntary, informed and unequivocal.

EVIDENCE

Counsel for the College and the Member advised the Panel that agreement had been reached on the facts, and the College filed as evidence an Agreed Statement of Facts (Exhibit 3), which provided as follows:

The Member

1. The Member has had a certificate of registration with the College for approximately 14 years. She is in good standing with the College 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 Member and T.F. (RECE) were responsible for supervising preschool-aged children at the Centre's Room 4. During this time, the Member and T.F. engaged in the following conduct towards the children:
 - a. On multiple occasions, the Member and T.F. 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 and T.F.'s conduct.
 - b. On multiple occasions, the Member and T.F. yelled at children, including while standing with their faces in very close proximity to the children's faces.
 - c. On multiple occasions, the Member and T.F. used derogatory and belittling language while speaking directly with children and/or in their presence. Among other things, the Member and T.F. 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". On one occasion, the Member said words to the effect of "Why

are all my retarded friends here first?”. On at least one occasion, the Member also asked children if they are retarded.

- d. On multiple occasions the Member and T.F. 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 one occasion, while speaking to a child with speech delay, the Member said words to the effect of “What is wrong with you do you even speak English? I don’t understand you”. The Member then walked away from the child and told him words to the effect of this is why he didn’t have friends.
- f. On multiple occasions, the Member and T.F. punished children for having toileting accidents and/or harshly reprimanded them, among other things stating words to the effect of “bad boys wear diapers”.
- g. On more than one occasion, the Member and T.F. instructed children to remain alone in the hallway for a period of time, while closing the door to the classroom.
- h. On one occasion, the Member and T.F. 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.
- i. On one occasion, a child began to choke while eating. The Member and T.F. 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 T.F. 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 Member and T.F. failed to document the incident and did not report it to the Centre’s management.
 - ii. The Member and T.F. 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.

- j. On multiple occasions, in response to children crying, the Member and T.F. 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”.
 - k. On more than one occasion, when children were brought into Room 4, the Member and T.F. greeted them with words to the effect of “no, thanks”.
 - l. On multiple occasions, the Member and T.F. 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 Member and T.F.’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 Member and T.F.’s conduct. Ultimately, the Executive Director filed a Serious Occurrence Report with the Ministry of Education (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 Member and T.F.’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 Member and T.F. engaged in prohibited practices and issued Compliance Orders against them.
8. An ECE student who was placed to work in Room 4 alongside the Member and T.F. withdrew from her placement at the Centre, after expressing concerns regarding the Member and T.F. 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 Member and T.F. 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, the Centre terminated the Member’s employment.
11. If the Member were to testify, she would advise that she recognizes her conduct towards the children was “harsh” and regrets it. It occurred as a result of “frustration” from feeling “overworked” and “burnt out”. The Member understands that her words were inappropriate and that she can be “over the top”. The Member also regrets not intervening to stop T.F.’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).

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 over a 5-month period, the Member engaged in forceful and aggressive conduct towards young 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's conduct fell far below expectations of registered early childhood educators (RECEs), and was not appropriate. She failed to follow the Standards of Practice and the Centre's policies and expectations, which prohibited aggressive behavior, harsh and belittling language and isolating children.

The Ministry of Education issued an investigation of the Centre in response to a complaint. The Ministry determined that the Member "engaged in prohibitive practices" and issued compliance orders against her. CAS verified maltreatment, risk of emotional harm and inadequate supervision resulting in harm. An ECE student withdrew her placement at the Centre after expressing concerns regarding the member being mean and aggressive, unprofessional and creating a toxic environment.

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

The Member admitted to the behaviour, but claimed that other people were involved, and asserted that some of it was taken out of context. The Member acknowledged that she made choices that she will be living with for the rest of her life. The Member submitted that she was not given a chance to correct her behaviour, despite that the conduct at issue occurred over a five-month period.

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 Notice of Hearing.

The Panel finds that as a result of the conduct to which she admitted, 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 a child when she forcibly and aggressively grabbed and pushed children, and dragged and/or lifted them off the ground. On one occasion a child started to choke while eating. The Member failed to take any action and stood by observing as the child's face became red while he choked until he vomited. The Member then told the child he deserved it because he put too much food in his mouth. Further, the Member failed to document the incident or report it, and advised the child's mother that the child vomited twice and that he could not return to daycare unless a COVID test was completed, despite knowing that the child vomited after choking on food.

The Panel found that the Member verbally abused children when she used derogatory and belittling language, targeting three specific children as "dumb, dumber and dumbest".

The Panel found that the Member emotionally and psychologically abused children on multiple occasions, as the Member told children words to the effect of "jump off of 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".

Additionally, when speaking with a child with a speech delay, she used words to the effect of “what’s wrong with you, do you even speak English?” and “I don’t understand you.” As a result of the Member’s conduct, many children cried, felt sad and were scared. At least one child did not want to attend the Centre and repeatedly begged their parents to stay home.

The Panel considered that the CAS verified the child protection concerns, indicating the seriousness of the Member’s conduct.

The Panel was satisfied, based on the Agreed Statement of Facts and the document references contained therein, that the Member demonstrated a pattern of behaviour in which she engaged in the acts of professional misconduct outlined above over a five-month period. The Panel finds that the facts as presented support the finding 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 provided the Panel with a joint submission as to an appropriate penalty and costs order (the “Proposed Order”). The parties were in agreement 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 the date of the Proposed Order.

Submissions of the College on Penalty and Costs

Counsel for the College submitted that the Proposed Order was appropriate in the circumstances and that it 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 submitted that there were twelve aggravating factors:

1. The Member had engaged in a pattern of abusive behaviour occurring over five months.
2. The age of the children made them more vulnerable to the conduct as they are not able to defend themselves and are less likely to report the conduct.
3. On multiple occasions the Member's conduct included violence and force against the children.
4. The physical abuse involved multiple children, resulting in risk of harm as verified by CAS.
5. The Member's conduct was detrimental to children's emotional wellbeing. Children cried and were scared, referring to themselves as "bad". One child didn't want to attend the Centre as a result of the Member's conduct.
6. The Member showed disregard for a child's physical health in the face of imminent danger by ignoring a choking child and taking no action when the child began to vomit.
7. The Member repeatedly subjected the children to verbal abuse including yelling in proximity, using derogatory terms and inappropriate language, and making negative and judgmental comments.
8. The verbal abuse in conjunction with physical abuse occurred in the presence of other children and eroded the sense of security to all children within the classroom.
9. The Member witnessed and ignored abuse by her room partner thereby failing in her own obligation to intervene when the abuse occurred.
10. On multiple occasions, the Member failed to provide adequate supervision, leaving children alone in the hallway or bathroom, unattended.
11. The conduct of the Member had a profound impact on other staff. One ECE student withdrew from her placement at the Centre because of the Member's behaviour.
12. The Member's conduct reflects negatively on the profession as a whole and erodes the trust that parents and families put in RECEs.

The College submitted that the mitigating factors included the Member's guilty plea, which showed insight into her 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 no prior reported history of misconduct.

College Counsel advised the Panel that it should be mindful that a jointly proposed penalty should be accepted unless the penalty was so harsh or lenient that it would bring the administration of justice into disrepute or would otherwise not be in the public interest.

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 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.

The College advised the Panel that the Member's colleague had also entered a plea agreement with the College and had been found guilty by the Discipline Committee of similar professional misconduct on August 17, 2023. The panel in that matter (*College of Early Childhood Educators v Tanya Kathleen Freamo*, 2023) imposed the same order as to penalty and costs as the Proposed Order in this case.

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 RECEs. 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 will ensure 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.

The Panel is concerned this behaviour went on for a prolonged amount of time. The Panel would like to use this opportunity to remind supervisors of their additional obligations to supervise staff according to the Code of Ethics and Standards of Practice. The Panel wishes to reinforce that physical, verbal, emotional and psychological abuse will not be tolerated and urges the College to continue to seek severe penalties in future cases involving such conduct. Both the Member and TF failed in their obligations to intervene when they witnessed their colleague's misconduct. The Panel encourages future Discipline Committee panels to severely sanction not only RECEs

who engage in physical, emotional, verbal or psychological abuse of children, but those who witness such abuse and fail to intervene to stop it.

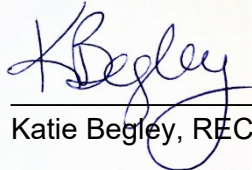
ORDER AS TO COSTS

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 six months of this Order.

I, Katie Begley, sign this decision and reasons for the decision as Chair of this Discipline panel and on behalf of the members of the Discipline panel.



Katie Begley, RECE, Chair

September 14, 2023
Date