

NOTICE OF PUBLICATION BAN

In the matter of College of Early Childhood Educators and Naina Mubin Shaik 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
Richard Fillion, DDS
Ann Hutchings, RECE

BETWEEN:

COLLEGE OF EARLY
CHILDHOOD EDUCATORS

and

NAINA MUBIN SHAIK
REGISTRATION # 69173

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Vered Beylin

For the College of Early Childhood Educators

Self-represented

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, on consent of the Member, 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 August 2, 2023, (Exhibit 1) which provided as follows:

1. At all material times, Naina Mubin Shaik (the “Member”) was a member of the College of Early Childhood Educators and was employed as Registered Early Childhood Educator (“RECE”) at North York Crestview YMCA Before and After School Program (the “Centre”), in North York, Ontario.
2. On or about October 8, 2021, the Member was responsible for supervising a five-year-old child (the “Child”) in the Centre’s before and after school room. The Member engaged in a forceful interaction with the Child which included grabbing the Child, pinching the Child’s right arm and

throwing the Child onto a bench. As a result of the Member's actions, the Child felt pain, sustained bruises on their right arm, and was emotionally impacted.

3. By engaging in the conduct set out in paragraph 2 above, the Member engaged in professional misconduct as defined in subsection 33(2) of the ECE Act, in that:
 - a. The Member physically abused a child who was under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3.1);
 - b. The Member psychologically or emotionally abused a child who was under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3.2);
 - c. 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 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
 - v. 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.

- d. 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
- e. 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 the College and the Member had reached agreement on the facts, 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 5 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 RECE at the Centre.

The Incident

- 3. On October 8, 2021, at approximately 4:00 p.m., the Member and Y.H. (non-RECE) were responsible for supervising 17 kindergarten-aged children, including the Child. The Child was running around the classroom, approached the classroom door which led outside the building and attempted to open it. The Member then forcefully grabbed the Child, yelled that the Child was a “naughty kid”, pinched the Child’s right arm and forced the Child to sit down.
- 4. As a result of the Member’s actions, the Child felt pain and became upset and angry. The Child responded by pinching the Member to demonstrate to her the pain the Child felt. The

Child also sustained bruises on their right arm, at the location the Member pinched the Child.

5. Y.H. attempted to comfort the Child and offered the Child some water. The Member did not attempt to calm the Child down. Instead, she told Y.H. that the Child is “too much for [the Member]” and that the Child had to join Y.H.’s class instead of the Member’s.

Additional Information

6. On the evening of October 8, 2021, the Child’s mother noticed the bruises on the Child’s upper right arm when she was bathing the Child. When she asked the Child about them, the Child told her that the Member pinched the Child because the Child was not listening, and demonstrated how the Child was pinched. The mother photographed the injuries and reported concerns about the Member’s conduct to the Centre.
7. The Incident was investigated by Toronto Police Service (“Police”) and Children’s Aid Society (“CAS”). Police issued a criminal caution against the Member and CAS verified risk of physical force and/or harm to the Child.
8. The Ministry of Education concluded that the Member engaged in the prohibited practice of inflicting bodily harm on a child.
9. The Centre’s policy prohibited corporal punishment, physical restraint of a child, using harsh or degrading measures, or inflicting any bodily harm on children. The policy specifically mentioned pinching as an example of corporal punishment.
10. The Member was terminated from her position as an RECE at the Centre as a result of the Incident described above.

Admissions of Professional Misconduct

11. The Member admits that she engaged in and is guilty of professional misconduct as described in paragraphs 3 – 5 above, and as defined in subsection 33(2) of the ECE Act, in that:

- a. The Member physically abused a child who was under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3.1);
- b. The Member psychologically or emotionally abused a child who was under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3.2);
- c. 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 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
 - v. 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.
- d. 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

- e. 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. The Panel also conducted a verbal plea inquiry and was satisfied that the Member's admission was voluntary, informed and unequivocal.

SUBMISSIONS OF THE PARTIES ON LIABILITY

The College submitted that the Member was guilty of professional misconduct through her conduct. All of the allegations of misconduct were supported by the facts set out in the Agreed Statement of Facts.

College Counsel submitted that the facts demonstrate that the Member engaged in physically aggressive conduct towards a young child, disregarding the Child's social, mental and emotional well-being. She failed to support the sense of well-being, belonging, and safety of the Child and the other children in the room, and to work with other staff to make the Child feel safe.

The Member's conduct fell below expectations of RECEs and was not developmentally appropriate. She failed to follow the Standards of Practice and the Centre's policies which prohibit pinching and excessive force, and which encourage engaging in positive child guidance practices. She failed to model professional values to the children and other RECEs and more broadly, to the profession.

RECEs are expected to be caring and empathetic and to act with integrity. The College submitted that, by her actions, the Member failed to engage in supportive and respectful interactions with a child under her care. While dealing with the Child, the Member used excessive force to prevent the child from exiting the door; though the actions of the Child required intervention, the Member's response to the Child's actions was inappropriate. She engaged in pinching, which is noted in the

Centre's policies as an example of corporal punishment, which is prohibited. As a result of the Member's conduct towards the Child, the Child was in pain, upset and angry and pinched the Member back. The Child's response showed that the Member's conduct was emotionally abusive and showed a lack of respect for the Child.

College Counsel submitted that the Member failed to establish a caring relationship and to respond to the needs of the Child by maintaining a safe, healthy and inviting learning environment of the College's Standards of Practice. Further, the Member failed to know, understand and abide by legislation, policies and procedures relevant to the profession and to make decisions and provide positive behavior guidance in the best interest of the Child. The College submitted that the Member failed to model professional behaviour with children and her colleagues, and she failed to understand that her conduct always reflects on her as a professional and on her profession. Her conduct in these instances was disgraceful, dishonourable, unprofessional and clearly unbecoming.

The Member made no submission on liability, but agreed that she had committed the acts of professional misconduct as outlined in the Notice of Hearing.

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 found that all the allegations set out in the Notice of Hearing are supported by the facts contained in the Agreed Statement of Facts. 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 on October 8, 2021, while the Member was supervising a group of kindergarten-age children, she engaged in aggressive and forceful conduct towards a five-year-old child.

The Panel finds that as a result of this conduct, the Member physically and emotionally abused a child under her care, and she failed to engage in supportive and respectful interactions with a child under her care. The Member did not attempt to calm the Child down; instead she told staff that the Child is “too much for her”. RECEs are required to be caring and empathetic and to act with integrity, and to comply with the Standards of Practice of the profession.

By her conduct, the Member failed to demonstrate knowledge and use a range of strategies that support ongoing positive interactions with children and families. She failed to engage in supportive and respectful interactions with a child under her care. Through her actions, she neglected to work in partnership with children, families and other RECEs to create a safe, healthy and inviting environment that promotes a sense of belonging, well-being and inclusion.

Her conduct demonstrated that she did not comply with Standards, which required her to know, understand and abide by legislation, policies and procedures relevant to the profession and did not make a decision that provided positive behavior guidance in the best interest of the Child. Through her action, she did not model professional behaviour with children and other RECEs.

The Code of Ethics requires RECEs to make the well-being, learning and care of children their foremost responsibility. It requires them to value the rights of children and create learning environments where all children can experience a sense of security and belonging. The Panel finds that the Member breached the Code and all of these Standards. The Panel finds that the Member failed to model professional values and behaviours with children. Her conduct, as outlined above, would clearly be regarded by members of the profession as disgraceful, dishonourable and unprofessional. It reflects negatively on the Member and the profession, and would also constitute conduct unbecoming a member of the profession.

The Panel acknowledges that this was a single incident, but even a single incident can constitute physical and emotional abuse of a child, as well as a breach of numerous standards of practice.

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 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 30 days of the date of the Order.
2. Directing the Registrar to suspend the Member’s certificate of registration for a period of
 - a. eight months; or
 - b. the period of time required to comply with terms, conditions and limitations set out in paragraphs 3(a) and 3(b) below,

whichever is greater.

The suspension will take effect from the date of this Order and will run without interruption as long as the College has not otherwise prohibited the Member from practising or suspended the Member for any other reason.

3. Directing the Registrar to impose the following terms, conditions and limitations on the Member’s certificate of registration:

Coursework

- a. Prior to the Member commencing or resuming employment as an RECE or engaging in the practice of early childhood education, as defined in section 2 of the ECE Act, the Member must successfully complete, with a minimum passing grade of 70% (or to the satisfaction of the Director of Professional Regulation (the “Director”) if a grade is not assigned) and at her own expense, the following course(s) (subject to the Director’s pre-approval):
 - i. Building positive and responsive relationships with children; and
 - ii. Positive intervention strategies.

- b. The Member must provide the Director with proof of enrollment and successful completion of the course(s).

Mentorship

- c. Prior to the Member commencing or resuming employment as an RECE or engaging in the practice of early childhood education, as defined in section 2 of the ECE Act, the Member, at her own expense, will arrange a mentoring relationship with a Mentor, who:
 - i. is an RECE in good standing with the College,
 - ii. is employed in a supervisory position,
 - iii. has never been found guilty of professional misconduct and/or incompetence by the Discipline Committee of the College,
 - iv. is not currently found to be incapacitated by the Fitness to Practise Committee of the College,
 - v. is not currently the subject of allegations referred to the Discipline Committee or the Fitness to Practise Committee of the College, and
 - vi. is pre-approved by the Director. In order to pre-approve the Mentor, the Member will provide the Director with all requested information, including (but not limited to) the name, registration number, telephone number, address and résumé of the Mentor.

For clarity, once the suspension in section 2 above ends, the Member can commence or resume employment as an RECE after arranging a mentorship relationship with a pre-approved Mentor.

- d. Within 14 days of commencing or resuming employment as an RECE, the Member will ensure that the Director is notified of the name, address and telephone number of all employers.

- e. The Member will provide the Mentor with a copy of the following documents within 14 days of being notified that the Mentor has been approved by the Director, or within 14 days after the release of such documents, whichever is earliest:
 - i. the Panel's Order,
 - ii. the Agreed Statement of Facts,
 - iii. the Joint Submission on Penalty and Costs, and
 - iv. the Panel's Decision and Reasons.
- f. The Member will meet with the Mentor at least every two weeks after the Mentor has been approved by the Director to discuss the following subjects:
 - i. review of the College's Code of Ethics and Standards of Practice,
 - ii. the acts or omissions by the Member, which resulted in the Discipline Committee finding the Member guilty of professional misconduct,
 - iii. the potential consequences of the misconduct to the parents/children affected, and to the Member's colleagues, profession and self,
 - iv. strategies for preventing the misconduct from recurring, and
 - v. the Member's daily practice and any issues that arise, to ensure that she is meeting the College's Standards of Practice (without disclosing personal or identifying information about any of the children under the Member's care, or clients of her employer(s)).
- g. After a minimum of five sessions, the Member can seek the Director's permission to stop participating in the mentorship sessions by providing the Director with a report by the Mentor that sets out the following:
 - i. the dates the Member attended the sessions with the Mentor,
 - ii. that the Mentor received a copy of the documents referred to in paragraph 3(e),

- iii. that the Mentor reviewed the documents set out in paragraph 3(e) and discussed the subjects set out in paragraph 3(f) with the Member, and
 - iv. the Mentor's assessment of the Member's insight into her behaviour.
 - h. All documents delivered by the Member to the College or the Mentor will be delivered by email, registered mail or courier, and the Member will retain proof of delivery.
 - i. The College may require proof of compliance with any of the terms in this Order at any time.
4. Requiring the Member to pay the College's costs fixed in the amount of \$1,000 within six months of the date of this Order.

Counsel for the College submitted that the Proposed Order was appropriate in the circumstances. College Counsel submitted that the Proposed Order would send a message broadly to the community of RECEs and to the public at large that the Member's conduct was unacceptable and would not be tolerated. 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 would assist in rehabilitating the Member and ensure that she learned fully from her wrongdoing. 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 five aggravating factors:

1. The physical contact with the Child was excessively forceful and amounted to an unnecessary power struggle. It was an inappropriate intervention.
2. The Child sustained bruising on their arm as a result of the incident.
3. The incident had a negative emotional impact on the Child as demonstrated when the Child became upset and angry.
4. The Member's conduct took place in the presence of other children and impacted their sense of security and belonging.
5. Although brief, the Member's conduct was serious enough to reflect negatively on the profession and erode the trust that parents put in RECEs.

The College indicated that there were two mitigating factors:

1. The Member pled guilty and agreed to remediation, which demonstrated insight on the Member's part and saved the cost of a lengthy hearing.
2. The Member has no prior record of misconduct with the College.

College Counsel submitted that an additional factor, which was not a mitigating factor but was relevant as it was the absence of an aggravating factor, was the fact that this was a single incident and there was no indication of a pattern of behaviour.

College Counsel submitted that the penalty would instill trust in the ability of the College to regulate the profession, and that further rehabilitation through coursework and mentorship is a key element of supporting the public trust.

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 four cases to demonstrate that the Proposed Order was proportionate and consistent with similar conduct:

1. *College of Early Childhood Educators v Yujie Chen*, 2022 ONCECE 15
2. *College of Early Childhood Educators v Karyn Shelley Snow*, 2022 ONCECE 12
3. *College of Early Childhood Educators v Rosie Jameak Black*, 2023 ONCECE 1
4. *College of Early Childhood Educators v William George De Wit*, 2021 ONCECE 12

College Counsel submitted that these cases demonstrated that RECEs who were found to have physically abused a child under their care in similar circumstances received penalties consisting of suspensions in addition to terms of mentorship and coursework. While no two cases are identical, College Counsel submitted that these cases showed that the Proposed Order was within the range of penalties imposed in similar cases and was appropriate in this particular case.

College Counsel submitted that the Proposed Order included an amount for costs agreed upon by the parties. The College submitted that, although this was a symbolic amount representing a fraction of the College's actual costs, it was important to demonstrate that the membership as a

whole, through their dues, should not be required to pay the entire cost of investigating and prosecuting the inappropriate actions of one member.

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

PENALTY DECISION

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

1. The Member is required to appear before the Panel to be reprimanded within 60 days from the date of the Order.
2. The Registrar is directed to suspend the Member's certificate of registration for a period of
 - a. eight months; or
 - b. the period of time required to comply with terms, conditions and limitations set out in paragraphs 3(a) and 3(b) below,

whichever is greater.

The suspension will take effect from the date of this Order and will run without interruption as long as the College has not otherwise prohibited the Member from practising or suspended the Member for any other reason.

3. Directing the Registrar to impose the following terms, conditions and limitations on the Member's certificate of registration:

Coursework

- a. Prior to the Member commencing or resuming employment as an RECE or engaging in the practice of early childhood education, as defined in section 2 of the ECE Act, the Member must successfully complete, with a minimum passing grade of 70% (or to the satisfaction of the Director if a grade is not assigned) and at her own expense, the following course(s) (subject to the Director's pre-approval):

- i. Building positive and responsive relationships with children; and
 - ii. Positive intervention strategies.
- b. The Member must provide the Director with proof of enrollment and successful completion of the course(s).

Mentorship

- c. Prior to the Member commencing or resuming employment as an RECE or engaging in the practice of early childhood education, as defined in section 2 of the ECE Act the Member, at her own expense, will arrange a mentoring relationship with a Mentor, who:
 - i. is an RECE in good standing with the College,
 - ii. is employed in a supervisory position,
 - iii. has never been found guilty of professional misconduct and/or incompetence by the Discipline Committee of the College,
 - iv. is not currently found to be incapacitated by the Fitness to Practise Committee of the College,
 - v. is not currently the subject of allegations referred to the Discipline Committee or the Fitness to Practise Committee of the College, and
 - vi. is pre-approved by the Director. In order to pre-approve the Mentor, the Member will provide the Director with all requested information, including (but not limited to) the name, registration number, telephone number, address and résumé of the Mentor.

For clarity, once the suspension in section 2 above ends, the Member can commence or resume employment as an RECE after arranging a mentorship relationship with a pre-approved Mentor.

- d. Within 14 days of commencing or resuming employment as an RECE, the Member will ensure that the Director is notified of the name, address and telephone number of all employers.
- e. The Member will provide the Mentor with a copy of the following documents within 14 days of being notified that the Mentor has been approved by the Director, or within 14 days after the release of such documents, whichever is earliest:
 - i. the Panel's Order,
 - ii. the Agreed Statement of Facts,
 - iii. the Joint Submission on Penalty and Costs, and
 - iv. the Panel's Decision and Reasons.
- f. The Member will meet with the Mentor at least every two weeks after the Mentor has been approved by the Director to discuss the following subjects:
 - i. review of the College's Code of Ethics and Standards of Practice,
 - ii. the acts or omissions by the Member, which resulted in the Discipline Committee finding the Member guilty of professional misconduct,
 - iii. the potential consequences of the misconduct to the parents/children affected, and to the Member's colleagues, profession and self,
 - iv. strategies for preventing the misconduct from recurring, and
 - v. the Member's daily practice and any issues that arise, to ensure that she is meeting the College's Standards of Practice (without disclosing personal or identifying information about any of the children under the Member's care, or clients of her employer(s)).
- g. After a minimum of five sessions, the Member can seek the Director's permission to stop participating in the mentorship sessions by providing the Director with a report by the Mentor that sets out the following:

- i. the dates the Member attended the sessions with the Mentor,
 - ii. that the Mentor received a copy of the documents referred to in paragraph 3(e),
 - iii. that the Mentor reviewed the documents set out in paragraph 3(e) and discussed the subjects set out in paragraph 3(f) with the Member, and
 - iv. the Mentor's assessment of the Member's insight into her behaviour.
- h. All documents delivered by the Member to the College or the Mentor will be delivered by email, registered mail or courier, and the Member will retain proof of delivery.
- i. The College may require proof of compliance with any of the terms in this Order at any time.

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.

The Proposed Order included a suspension that will last at least eight months, and that will prevent the Member from practising as an RECE until she completes the extensive coursework required of her. The Panel viewed this suspension as appropriate, given the aggravating and mitigating factors, and particularly the fact that the misconduct involved a single incident and the Member admitted to her conduct and pleaded guilty.

This suspension, together with the reprimand, would serve to deter the Member from engaging in further misconduct and deter other RECEs from engaging in such conduct. The Panel found that

the extensive coursework and mentorship would provide both public protection and rehabilitation of the Member.

It is the Panel's conclusion that the Proposed Order addresses the principles of specific and general deterrence and rehabilitation, and ensures the confidence and protection of the public.

Panels of the Discipline Committee have expressed concern at the increasing number of discipline cases involving physical abuse, and the Panel renews its concern in this regard. 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 wants to reinforce that physical abuse will not be tolerated and urges the College to continue seeking more severe penalties in the future for this conduct.

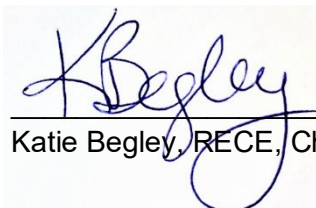
ORDER AS TO COSTS

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 the date of the 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 15, 2023
Date