

NOTICE OF PUBLICATION BAN

In the matter of College of Early Childhood Educators and Tina Louise Carrière, 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: Julie Benoit, RECE, Chair
Katie Begley, RECE
Shernett Martin

BETWEEN:

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)	
COLLEGE OF EARLY)	Vered Beylin
CHILDHOOD EDUCATORS)	For the College of Early Childhood Educators
)	
and)	
)	
Tina Louise Carrière)	Self-represented
REGISTRATION # 22546)	
)	
)	
)	Elyse Sunshine,
)	Rosen Sunshine LLP
)	Independent Legal Counsel
)	
)	Heard: August 8, 2024

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 8, 2024. The hearing proceeded electronically (by videoconference) pursuant to the *Early Childhood Educators Act, 2007* (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 is permitted to 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 July 15, 2024, which provided as follows:

1. At all material times, Tina Louise Carrière (the “Member”) was a member of the College and was employed as a Registered Early Childhood Educator (“RECE”) at École élémentaire publique Terre des Jeunes (the “Centre”), in Alexandria, Ontario.
2. On or about May 17, 2022, while the Member was responsible for supervising preschool-aged children, she engaged in the following conduct:

- a. During nap time, the Member restrained a three-year-old child (“Child 1”) on their cot as they screamed, cried, and repeatedly attempted to push the Member’s arm away.
 - b. Later that afternoon, the Member locked a three-year-old child (“Child 2”) in a bathroom unsupervised and alone for approximately one minute. While they were locked in the bathroom, they cried, felt scared and were “emotionally dysregulated”.
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 supervise adequately a person who was under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(2);
 - d. 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
 - 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.
- e. 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
- f. The Member acted in a manner that is unbecoming a member, contrary to Ontario Regulation 223/08, subsection 2(22).

EVIDENCE

The Member and College Counsel advised the Panel that agreement had been reached on the facts and introduced an Agreed Statement of Facts, which provided as follows:

The Member

1. The Member has had a certificate of registration with the College for approximately 14 years. Her certificate of registration is currently suspended for non-payment of fees or penalties.
2. At all material times, the Member was employed as an RECE at the Centre.

The Incidents

3. On May 17, 2022, while the Member was responsible for supervising preschool-aged children, she engaged in the following conduct:
 - a. During nap time, the Member physically restrained Child 1 on their cot when they did not want to lie down. As the Member held Child 1 on their cot, they screamed, cried, and repeatedly attempted to push the Member's arm away.
 - b. Later that afternoon in the classroom, Child 2 was upset and crying. The Member instructed Child 2 to calm down and stop crying, but they continued to cry. The Member then placed Child 2 into a washroom, closed the door, and engaged a kickstand to lock them inside. While Child 2 was locked in the washroom unsupervised and alone for approximately one minute, they cried, felt scared, and was "emotionally dysregulated".

Additional Information

4. The College is not aware of any physical marks, injuries, or long-term emotional impacts to Child 1 or Child 2 as a result of the Member's conduct.
5. The Member's employment at the Centre was suspended during the Centre's investigation of the Incidents. Then, when the Centre's management advised the Member that the allegations were substantiated and her employment would be suspended for five days as a discipline measure, the Member resigned.
6. Prior to the incidents described in paragraph 3, the Centre took steps to address the Member's inappropriate conduct towards the children in her care in the following incidents:
 - a. On November 16, 2021, the Member pushed a toddler-aged child into a "cube" as the child was crying and trying to get out. The Member then returned to the "cube" and pushed the child on the buttocks to make them go back inside.

- b. On December 1, 2021, the Member approached a child and grabbed them by the collar to move them because the child was hiding from her. The Member told the child that “that’s not going to work with me” using a “loud and intimidating voice”, then the Member grabbed the child by the arm and pulled them with “excessive force”.

Verbal Caution by the College’s Complaints Committee

7. The incidents described in paragraph 6 were reported to the College and were considered by the College’s Complaints Committee. In a decision dated June 21, 2022, a panel of the Complaints Committee (the “Complaints Panel”) emphasized that they were particularly concerned that the Member appeared to have “become frustrated with the children and used inappropriate force in two separate incidents.” The Complaints Panel considered that there was no evidence of injury caused to either child, among other things, and ultimately decided to verbally caution the Member. The Member attended her verbal caution on February 22, 2024.

Admissions of Professional Misconduct

8. The Member admits that she engaged in and is guilty of professional misconduct as described in paragraph 3 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 supervise adequately a person who was under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(2);

- d. 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
 - 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.
- e. 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);
- f. 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 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

College Counsel submitted that the Member was guilty of professional misconduct, and physical and emotional abuse of two children under her care. All of the allegations of misconduct are supported by the facts set out in the Agreed Statement of Facts.

College Counsel submitted that the facts demonstrate that the Member physically abused a preschool aged child by restraining them. The Member also emotionally abused a child by locking them inside a bathroom. In both incidents, the Member showed a complete disregard for the children's physical and emotional well-being.

College Counsel submitted that the Member's conduct fell far below the standard of RECEs and demonstrated a profound lack of compassion and respect toward the children. RECEs are expected to be caring and empathetic and to act with integrity. The Member's conduct demonstrated that she failed to be knowledgeable about a range of strategies that support ongoing positive interactions with children and families. Through her actions, the Member failed to engage in supportive and respectful interactions with children under her care. The Member created an atmosphere of fear by using forceful and coercive intervention strategies. Treating children in this manner takes away a layer of support and shatters their sense of security in an environment where they are supposed to feel safe. By physically and emotionally abusing two children, the Member also potentially impacted the emotional well-being of other children present.

College Counsel submitted that the Member failed to establish a caring relationship and to respond to the needs of the children under her care by maintaining a safe, healthy and inviting learning environment. Further, the Member failed to understand and abide by legislation, policies and procedures relevant to the profession, and to make decisions and provide positive behaviour guidance in the best interest of the children. Her conduct in these instances was disgraceful, dishonourable, unprofessional and clearly unbecoming of an RECE.

The Member made no submissions on liability, but agreed by way of the Agreed Statement of Facts, 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 admissions 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.

The Panel found that the Member physically and emotionally abused children under her care. She failed to engage in supportive and respectful interactions. Additionally, her conduct did not represent the expected standards and professional practices outlined in the *Code of Ethics and Standards of Practice*. The Member's conduct was unacceptable and inconsistent with the College's standards and values.

The Panel found that the Member failed to model professional values and behaviours with children. Restraining children and locking children in a bathroom would clearly be regarded by members of the profession as disgraceful, dishonourable and unprofessional. It reflects negatively on the Member and on the profession as a whole, and would also constitute conduct unbecoming of a member of the profession.

The Panel found that the facts as presented support the finding that the Member engaged in all of the acts of professional misconduct.

POSITION OF THE PARTIES ON PENALTY

The parties made a joint submission as to an appropriate penalty and costs 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 from the date of the Order.
2. Directing the Registrar to suspend the Member's certificate of registration for a period of
 - a. 11 months; or
 - b. the period of time required to comply with terms, conditions and limitations set out in paragraphs 3(a) to 3(f) below,

Whichever is greater.

The suspension will take effect from the date the Member reinstates her certificate of registration with the College 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 courses (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 courses.

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.
- d. 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.
- e. The Member will meet with the Mentor at least every 2 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)).
- f. The Member will complete a minimum of 2 mentorship sessions to the satisfaction of the Director prior to 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.
- g. After a minimum of 7 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(d);
 - iii. that the Mentor reviewed the documents set out in paragraph 3(d) and discussed the subjects set out in paragraph 3(e) 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.

Other

- i. 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.

- j. 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 6 months of the date of this Order.

Submissions of the College on 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 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 eight aggravating factors in this case:

1. The children were preschool age which made them more vulnerable as they were not able to verbalize what happened or report the abuse.
2. The behaviour indicated a pattern of conduct as the Member had already received a caution regarding similar offences. The pattern of behaviour was serious enough to reflect negatively on the profession of early childhood education as a whole, and to erode the trust families place in RECEs.
3. The conduct resulted in the children being subjected to an unnecessary and prohibitive power struggle, which escalated to forceful and violent interactions.
4. The physical restraint had an emotional impact on one particular child who was crying and was trying to escape the restraint.
5. The member intentionally failed to supervise a child when locking him into the bathroom therefore exposing him to potential harm. Confining a child is a prohibited and a cruel practice and will not be tolerated.
6. The conduct occurred in the presence of other children. Although there was no evidence of harm to the other children, this conduct had the potential of impacting their sense of security and belonging.

7. There have been prior concerns regarding the Member's conduct towards children. The fact that the College investigated the prior concerns should have increased the Member's awareness and deterred her from engaging in misconduct.
8. The Member's conduct was serious enough to reflect negatively on the profession.

The College submitted that there were three mitigating factors. The Member pled guilty, thereby saving the College the time and expense of a contested hearing. The Member had no prior discipline history.

College Counsel submitted that there were two additional considerations which warranted consideration. First, there was no evidence of marks left on Child 1. Second, the College is not aware of any long-lasting emotional impacts on the children as a result of the Member's conduct.

Counsel for the College 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.

College Counsel provided the Panel with three cases to satisfy that the Proposed Order was proportionate and consistent with penalties ordered in cases with similar conduct.

- *College of Early Childhood Educators v Leslie Nicole Raybon, 2021 ONCECE 2*
- *College of Early Childhood Educators v Carmina Bautista Julio, 2023 ONCECE 10*
- *College of Early Childhood Educators v Cynthia Nicole Rochon, 2023 ONCECE 16*

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 its dues, should not be required to pay for the investigation and prosecution of inappropriate actions of one member.

Submissions of the Member on Penalty and Costs

The Member made no submission on penalty or costs.

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 from the date of the Order.
2. The Registrar is directed to suspend the Member's certificate of registration for a period of
 - a. 11 months; or
 - b. the period of time required to comply with terms, conditions and limitations set out in paragraphs 3(a) to 3(f) below,
Whichever is greater.

The suspension will take effect from the date the Member reinstates her certificate of registration with the College 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. The Registrar is directed 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 courses (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 courses.

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.

- d. 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.

- e. The Member will meet with the Mentor at least every 2 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)).
- f. The Member will complete a minimum of 2 mentorship sessions to the satisfaction of the Director prior to 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.
- g. After a minimum of 7 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(d);
 - iii. that the Mentor reviewed the documents set out in paragraph 3(d) and discussed the subjects set out in paragraph 3(e) 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.

Other

- i. 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.
- j. The College may require proof of compliance with any of the terms in this Order at any time.

4. The Member is required to pay the College's costs fixed in the amount of \$1,000, to be paid within 6 months of the date of this Order.

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 Panel is aware that while no two cases are exactly alike, reviewing earlier cases can help determine the appropriate level of penalty. The Panel therefore considered the previous cases presented by College Counsel and felt that the Proposed Order was proportionate and consistent with other cases where there was similar conduct.

The Panel found that a suspension was necessary in this case to address the Member's use of physical and emotional abuse by restraining a child and by locking a child in a bathroom, which are unacceptable forms of child guidance and reinforcement. The Member should have a number of appropriate behaviour management strategies at her disposal to support and promote positive behaviours. The Panel trusts that this suspension will demonstrate to the Member how seriously the College takes this kind of unacceptable conduct and allow her time to reflect on her actions.

The penalty we ordered includes a suspension that will last at least 11 months, and that will prevent the Member from practicing 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 Member already received a verbal caution regarding similar conduct. 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.

The Panel therefore found that the penalty jointly proposed by the parties in this case was appropriate. The Panel also considered that the Member cooperated with the College by agreeing to the facts and proposed penalty and accepted responsibility for her conduct.

The Panel found that the penalty ordered satisfies the principles of specific and general deterrence and public protection.

The terms, conditions and limitations we imposed, including courses in positive intervention strategies and anger management, will help to rehabilitate the Member and educate her regarding best practises for early learning. This will also help protect the public.

Having considered all of these factors, the Panel was satisfied that the penalty ordered in this case was appropriate and in the public interest.

In future, the Panel feels that the penalty imposed to address misconduct, which includes physical abuse of a child, needs to be stronger in order to deter this behaviour on the part of members of the profession, as we have noticed an increase in discipline proceedings involving this type of misconduct. The Panel encourages the Discipline Committee to continue to seek suspensions of at least this length in cases involving physical and verbal abuse.

ORDER AS TO COSTS

Subsection 33(5)(4) of the 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 agreed that this is an appropriate case for costs to be awarded and the amount proposed by the parties is reasonable.

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

I, Julie Benoit, RECE, sign this decision and reasons for the decision as Chairperson of this Discipline panel and on behalf of the members of the Discipline panel.



Julie Benoit, RECE, Chair

October 24, 2024

Date