

NOTICE OF PUBLICATION BAN

In the matter of College of Early Childhood Educators and Julia Christine Bernardi-Matthews, 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
Geneviève Breton
Samantha Zuercher, RECE

BETWEEN:

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)	
COLLEGE OF EARLY)	Vered Beylin
CHILDHOOD EDUCATORS)	For the College of Early Childhood Educators
)	
and)	
)	
JULIA CHRISTINE BERNARDI-)	Self-represented
MATTHEWS)	
REGISTRATION # 52029)	
)	
)	
)	
)	
)	Elyse Sunshine
)	Rosen Sunshine LLP
)	Independent Legal Counsel
)	
)	Heard: October 18, 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 October 18, 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.

MEMBER’S NON-ATTENDANCE AT THE HEARING

Julia Christine Bernardi-Matthews (the “Member”) did not attend the hearing. Counsel for the College documented evidence outlining the College’s attempts to communicate with the Member about the hearing. This evidence indicated that the College had informed the Member of the purpose, date, time, and location of the hearing on several occasions, including by properly serving the Notice of Hearing. College Counsel also provided an e-mail from the Member that stated she was unable to attend the hearing due to a family emergency and consented to the hearing continuing in her absence. This satisfied the Panel that the Member had been informed of the purpose, date, time and location of the hearing and that the Member consented to the hearing proceeding in her absence. Accordingly, the Panel determined that the hearing could proceed. While a member’s absence would generally mean that they would be deemed to deny the allegations, in this case, College Counsel advised the Panel that the Member had admitted to the allegations of misconduct and had signed an Agreed Statement of Facts.

PUBLICATION BAN

The Panel ordered a publication ban following a motion by College Counsel pursuant to section 35.1(3) of the ECE Act. The order bans the public disclosure, publication and broadcasting outside of the hearing room, any names or identifying information of any minor children who may be the subject of evidence in the hearing.

THE ALLEGATIONS

The allegations against the Member were contained in the Notice of Hearing dated September 18, 2024, which provided as follows:

1. At all material times, the Member was a member of the College and was employed as a Registered Early Childhood Educator (“RECE”) at Parkway Day Care Centre (the “Centre”) in Townsend, Ontario.
2. On or about the afternoon of May 2, 2023, the Member aggressively and abruptly moved an almost two-year-old toddler (the “Child”). The Member forcefully grabbed the Child by their upper arms, pinning them against the Child’s body and squeezed the Child’s arms against their torso. The Member then lifted the Child up off the chair they were seated on, and forcefully sat them down on a different chair, causing the Child to whimper. As a result of the Member’s conduct, the Child suffered bruising on their arm.
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
 - 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
- e. The Member acted in a manner that is unbecoming a member, contrary to Ontario Regulation 223/08, subsection 2(22).

EVIDENCE

College Counsel advised the Panel that an 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 nine 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 the afternoon of May 2, 2023, while the Member was responsible for supervising the toddler group, she began sanitizing toys with a diluted bleach solution. The Child kept trying to grab the sanitized toys and did not adhere to the Member's requests not to touch them. The Member then aggressively and abruptly moved the Child away from the toys, by forcefully grabbing the Child by their upper arms, pinning them against the Child's body, squeezing the Child's arms against their torso, lifting the Child up off the chair they were seated on, and forcefully sitting them down on a different chair. As a result of the Member's conduct, the Child was whimpering and suffered bruising on their arm.

Additional Information

4. On May 5, 2023¹, the Child's mother reported concerns regarding the Member's conduct during the Incident and the bruise on the Child's arm to the Centre's management and to Child and Family Services of Grand Erie ("CFS"). After investigating, the CFS verified concerns that the Member had caused physical harm to the Child.
5. The Incident occurred in the presence of at least two other children who were seated around the table at the time.
6. Approximately a month prior to the Incident, the Centre's management verbally addressed concerns with the Member regarding her practice, including using a harsh tone in interactions with children. The Centre's management also noted that the Member was experiencing personal and mental health challenges at the time and encouraged her to address them.
7. When the Centre learned about the Incident, it terminated the Member's employment.

¹ College Counsel made a request to correct a typo in the Statement of Allegations in paragraph 4, by striking the words "May 5, 2024" and adding in "May 5, 2023". The Member agreed by email prior to the hearing to the proposed change and the Panel approved the request.

8. If the Member were to testify, she would advise the following:
- a. At the time of the Incident, she was experiencing significant stress from challenging personal circumstances, which impacted her mental health and wellbeing. Following the Incident, she sought treatment and counselling.
 - b. She recognizes that the bleach solution posed a risk of harm to the children she was supervising and acknowledges she should not have been sanitizing toys in the children's presence.
 - c. She regrets moving the Child in the manner described above. The Child often put toys in their mouth, and the Member was concerned the Child might do so with the sanitized toys. Her intent was to distance the Child from risk of harm, not to hurt them.

Admissions of Professional Misconduct

9. 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 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.
- 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
- 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 which was signed by the Member.

SUBMISSIONS OF THE PARTIES ON LIABILITY

College Counsel submitted that the Member was guilty of professional misconduct, the allegations of which 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 physical and emotional well-being. The Member failed to model the professional values, beliefs and behaviours required of an RECE and did not create and maintain positive and caring relationships with children under her supervision. When the Member began sanitizing with a bleach solution alongside the children, she created a situation that was dangerous to the children. This was entirely avoidable. The Member also aggressively and abruptly moved the Child, resulting in bruising, which constitutes physical abuse. The Child cried in response, constituting emotional abuse.

College Counsel submitted that the Member's conduct was inappropriate and unbecoming as she failed to support the sense of well-being, belonging, and safety of the Child. RECEs are expected to form caring and positive relationships with children, families and colleagues.

College Counsel submitted that the Member failed to follow the Standards of Practice which prohibit the use of physical force, and which encourage engaging in positive and developmentally appropriate child guidance practices. Physical force is prohibited, and it is never appropriate to use violence when intervention is needed to ensure a child's safety.

The Member also failed to establish a caring relationship with the Child and to respond to their needs by maintaining a safe, healthy and inviting learning environment as required by the Standards of Practice. Furthermore, the Member failed to know, understand and abide by legislation, policies and procedures relevant to the profession and to make decisions and provide positive behaviour guidance in the best interests of the Child.

College Counsel submitted that such conduct was unbecoming of a member and reflects negatively on the profession as a whole and erodes parents' trust in RECEs.

The Member was not in attendance at the hearing but agreed that she had committed the acts of professional misconduct outlined in the Notice of Hearing and Agreed Statement of Facts.

FINDINGS AND REASONS FOR DECISION

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

The Panel found that all the allegations set out in the Notice of Hearing are supported by the facts contained in the Agreed Statement of Facts. The Panel found that the College met its burden of proof 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 the Member aggressively and abruptly moved the Child which resulted in bruising on their arm and the Child crying. This serious conduct constituted physical and emotional abuse. The Member's decision to sanitize the toys using bleach in the vicinity of the children was not necessary and it created an unsafe environment. The incident was avoidable.

The Member did not comply with the Standards of Practice which required her to know, understand and abide by legislation, policies and procedures relevant to the profession, including providing developmentally appropriate guidance and learning environment in which the Child's sense of belonging and safety were at risk. 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 found that the Member also failed to model professional values and behaviours with children. Her conduct was a serious disregard of her professional obligations and reflects negatively on the Member and is unbecoming of a member of the profession.

The Panel acknowledged that this was a single brief incident, but even a single incident can reflect negatively on the profession and erode families' trust in RECEs.

The Panel found that the facts as presented support all of the allegations that the Member engaged in all of the acts of misconduct alleged in the Notice of Hearing.

POSITION OF THE PARTIES ON PENALTY

The parties made a joint submission as to an appropriate penalty and costs order (the “Proposed Order”) and 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. 7 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 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 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 this circumstance and would send a message to the Member, to the profession, and the public at large that the Member's conduct was unacceptable and would not be tolerated. As such, the Proposed Order would discourage the Member and other RECEs from engaging in similar conduct. The Proposed Order would also assist in rehabilitating the Member and ensure that she learned fully from her mistake. 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.

Counsel for the College indicated that there were seven aggravating factors:

1. The Child was a young toddler who needed to rely on adults to ensure their safety and well-being.
2. The Member's conduct caused bruising on the Child's arm.
3. The Member's conduct had a negative emotional impact, proved by the Child crying after the Member grabbed their arm.
4. The incident occurred because the Member chose to disinfect the toys with a mild bleach solution while the children were present in the classroom. She created a situation that was dangerous to the children, resulting in her need to move the children away from toys. The Member recognized she was wrong in doing so.
5. The incident occurred in the presence of at least two other toddlers and may have negatively impacted their sense of security and belonging in the classroom.
6. There were prior concerns of the Centre regarding the Member's interactions with children.
7. Although brief, the Member's conduct was serious enough to reflect negatively on the profession. Any conduct that causes injury erodes the trust that parents and families put in RECEs and the profession as a whole.

Counsel for the College indicated that there were three mitigating factors:

1. The Member admitted to the allegations of misconduct. She agreed to a joint submission with remediation measures indicating insight and remorse for her conduct, which saves the College the time and expense of a lengthy hearing.
2. The Member had no prior history with the College.
3. The Member was facing challenging and personal circumstances that affected her mental health and well-being. Following the incident, the Member sought counselling and treatment to help her with those circumstances.

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 four cases to demonstrate that the Proposed Order was proportionate and consistent with penalties ordered by the Discipline Committee for similar conduct:

- *College of Early Childhood Educators v. Shaik, 2023 ONCECE 17*
- *College of Early Childhood Educators v. Evans, 2024 ONCECE 16*
- *College of Early Childhood Educators v. Chechak*²
- *College of Early Childhood Educators v. Rochon, 2023 ONCECE 16*

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. 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.

² At the time of the hearing, the Chechak decision was not finalized and Panel was only provided with the Agreed Statement of Facts and the Order.

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 Registrar to suspend the Member's certificate of registration for a period of
 - a. 7 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 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. 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 Early Childhood Educators Act, 2007.
- 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 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 Proposed Order included a suspension that will prevent the Member from practising as an RECE for at least seven months and until she completes the required coursework. The Panel viewed this suspension as appropriate, given the severity of the conduct (even though it was a single incident) and the other aggravating factors. The Panel considered that the Member admitted to her conduct and pled guilty but this did not diminish the severity of the incident.

The Panel found that 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.

It is the obligation of RECEs to treat all children with respect and dignity and create environments where all children can safely experience a sense of belonging and inclusion. The Panel wants to reinforce that any incident of physical and emotional abuse will not be tolerated.


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 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, 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.



Katie Begley, RECE, Chair

November 8, 2024

Date