NOTICE OF PUBLICATION BAN

In the matter of College of Early Childhood Educators and Dylan Mitchell Peterson, 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: Kath Gradwell, RECE, Chair
Shernett Martin
Tam Mifsud, RECE

BETWEEN:

COLLEGE OF EARLY CHILDHOOD EDUCATORS	)	Vered Beylin For the College of Early Childhood Educators
- and -	)	
DYLAN MITCHELL PETERSON Registration # 56340	)	Self-represented
	)	Elyse Sunshine Rosen Sunshine LLP Independent Legal Counsel
	)	Heard: June 24, 2025

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 June 24, 2025. 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.

MEMBER'S NON-ATTENDANCE AT THE HEARING

Dylan Mitchell Peterson (the "Member") did not attend the hearing. College Counsel presented evidence outlining the College's communication with the Member informing him of the purpose, date, time, and location of the hearing, including proper service of the Notice of Hearing, and an email from the Member stating that he would not be able attending the hearing due to a change of time in his work schedule.

The Panel felt it was appropriate to conduct the hearing in the Member's absence because it was clear he had been properly notified and had made the decision not to attend. 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 and as such, the hearing proceeded on that basis.

THE ALLEGATIONS

The allegations against the Member were contained in the Notice of Hearing dated May 8, 2025, 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 Grandview Daycare in Grimsby, Ontario (the "Centre").

2. Between approximately December 2018 and March 2022, the Member engaged in the following aggressive, forceful and/or demeaning conduct towards toddlers and preschool-aged children at the Centre:

   a. On or about December 13, 2018, the Member forcefully grabbed a preschool-aged child by the arms, forcefully lifted the child to the Member's eye-level and yelled at the child, while in close proximity to their face. The child, who was scared and began crying, attempted to "get down" from the Member's hold. The Member then roughly placed the child back to the ground.

   b. On or about March 14, 2019, the Member grabbed a preschool-aged child by the arms and threw them onto a pillow on the floor. The Member then yelled at the child not to move, while standing in close proximity to his face.

   c. On or about January 18, 2021, the Member spoke aggressively to a preschool-aged child, and mocked them after they had a toileting accident.

   d. On or about December 22, 2021, during lunchtime, the Member spoke aggressively to several toddlers, stating words to the effect of "I'm the alpha, you need to listen to me", among other things. The Member then forcefully prevented the toddlers from leaving the table by grabbing at least two of them and pushed one of them back into their chair. Several toddlers cried and/or appeared "shocked" as a result of the Member's conduct.

   e. On or about March 22, 2022, the Member stood in close proximity to a toddler's faces, spoke with them aggressively and then forcefully grabbed a toy from the toddler's hands

and threw it across the playground. The child was “scared” and “startled” as a result of the Member’s conduct, and sought comfort from another staff member.

f. On or about March 22, 2022, the Member abruptly took a toddler’s hat away from them and placed it out of the toddler’s reach, in a prohibited attempt to discipline them. The toddler began to cry, and the Member then yelled at them while pointing in their face.

g. On or about March 23, 2022, during lunchtime, the Member withheld food from a toddler, in a prohibited attempt to discipline them.

h. On or about March 23, 2022, during naptime, the Member aggressively grabbed a toddler by their upper body and flipped them from their back onto their stomach. The Member then took away the toddler’s stuffed toy.

i. On or about March 23, 2022, the Member spoke aggressively to several toddlers while they were dressing to go outside, pointed his finger in their faces, and waved his arms in an aggressive manner.

j. On multiple occasions, in addition to the ones described above, the Member spoke to the children in an aggressive, abrupt and/or belittling manner, yelled while standing in close proximity to their faces and forcefully grab, hold and/or lift children. As a result of the Member’s conduct, children cried, felt sad and were scared.

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, 2007, in that:

a. The Member physically abused a child who was under his professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3.1);

b. The Member verbally abused a child who was under his professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3);

c. The Member psychologically or emotionally abused a child who was under his professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3.2);

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 his 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 he failed to understand that his conduct reflects on him as a professional and on his 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/or

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

EVIDENCE

The parties reached agreement on the facts and introduced an Agreed Statement of Facts, which provided as follows:

The Member

1. the Member obtained his certificate of registration with the College approximately 9.5 years ago, in September 2015. His certificate of registration has been suspended for non-payment of fees or penalties, since July 2022. He 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 Incidents

3. Between December 2018 and December 22, 2021, the Member engaged in the following aggressive, forceful and/or demeaning conduct towards preschool-aged children and toddlers at the Centre:

    a. On December 13, 2018, the Member forcefully grabbed a preschool-aged child by the arms, forcefully lifted the child to the Member's eye-level and yelled at the child, while in close proximity to their face. The child, who was scared and began crying, attempted to "get down" from the Member's hold. The Member then roughly placed the child back to the ground.

    The Supervisor spoke with the Member the following day and reminded the Member of appropriate ways of speaking and physically interacting with children in his care.

    b. On March 14, 2019, the Member grabbed a preschool-aged child by the arms and threw them onto a pillow on the floor. The Member then yelled at the child not to move, while standing in close proximity to their face.

    As a result of the incident, on April 3, 2019 the Member received a written warning and was placed on a Performance Improvement Plan ("Plan 1"), with the goal of ensuring the Member was meeting the Centre's expectations of behaviour guidance practices with children.

c. On January 18, 2021, the Member spoke in a loud and stern voice to a preschool-aged child that had soiled themself during nap time, and repeatedly and aggressively told the child to stop crying. The Member mocked the child, then carried them into the hallway as the child "went limp". The Member continued to belittle the child in the hallway, and removed their hands from their face as they cried. Another staff stepped in to remove the child from the Member's care, and consoled them.

   Following this incident the Member's employment at the Centre was suspended for three days.

d. On December 22, 2021, during lunchtime, the Member was getting frustrated that the children were not eating so he took away their plates and utensils, and said, "I'm the alpha male you listen to me" as well as other "inappropriate" and "negative" comments towards the children. The Member was also berating children and forcefully prevented them from leaving the table by grabbing at least two children and pushing one of them back into their chair. Several toddlers cried and/or appeared "shocked" as a result of the Member's conduct.

   After this incident, on February 16, 2022, the Member was placed on a second Performance Improvement Plan ("Plan 2"), with the goal of demonstrating consistency with "self-regulation, awareness and management of negative emotions with children". Plan 2 also required the Member to participate in peer mentoring and recommended engaging in anger management counselling.

Additional Information

4. The College is not aware of any physical marks, injuries, or long-term emotional impacts to the children as a result of Member's conduct.

5. In late 2021, the Member was moved from the pre-school classroom to the toddler classroom to ensure his conduct could be "observed on a continual basis".

6. On March 22, 2022 and March 23, 2022, multiple Centre staff reported to the Centre's management that on these two days they observed the Member engage in aggressive and

forceful conduct towards toddlers, which caused the children to cry, feel sad and/or be scared. If the Member were to testify, he would advise he denies conducting himself in the manner reported by staff in March 2022.

7. Following the staff's reports described in paragraph 6, the Member's employment at the Centre was terminated on March 28, 2022.

Admissions of Professional Misconduct

8. The Member admits that he engaged in and is guilty of professional misconduct only 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 his professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3.1);

   b. The Member verbally abused a child who was under his professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3);

   c. The Member psychologically or emotionally abused a child who was under his professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3.2);

   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 sup-port 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 his 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 he failed to understand that his conduct reflects on him as a professional and on his 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 circum-stances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional, contrary to Ontario Regulation 223/08, subsection 2(10); and/or

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.

Although the Member was not present at the hearing and a verbal plea was not taken, the Panel received a written plea inquiry signed by him.

SUBMISSIONS OF THE PARTIES ON LIABILITY

College Counsel submitted that the Member was guilty of professional misconduct and that the allegations of misconduct were supported by the facts set out in the Agreed Statement of Facts. College Counsel submitted that the Member engaged in physical, verbal and emotional abuse of children at the Centre over a four-year period.

The Member's conduct fell below the standards and expectations of RECEs by failing to demonstrate developmentally appropriate strategies for managing children. He failed to comply with the College's Code of Ethics and Standards of Practice, legislation and the Centre's policies and procedures which

outline prohibited practices. There is no justification for physical force nor verbal or emotionally abusive conduct. Moreover, the Member failed to model professional values to the children, other RECEs, and the profession overall.

College Counsel submitted that the Member failed to provide a learning environment that is secure and allows children and families to have a sense of belonging. The Member failed to engage in supportive and respectful interactions with children in their care. The Member committed physical abuse by forcefully lifting a child and tossing them onto a pillow. He confined another child by preventing them from leaving a table at lunch time. The Member committed verbal abuse by yelling at a third child in close proximity to their face. He also mocked a fourth child who soiled themself, and he used negative and inappropriate words toward the children at the lunch table. The Member committed psychological and/or emotional abuse as evidenced by the children crying and appearing scared.

College Counsel submitted that the Member's conduct failed to model professional behaviour with children, families and colleagues. This negative behaviour erodes the trust parents and the public place in RECEs. The Member's behaviour was disgraceful, dishonorable, unprofessional and unbecoming of a RECE.

The Member agreed that he had committed the acts of professional misconduct as outlined in paragraph 3 of the Agreed Statement of Facts.

FINDINGS AND REASONS FOR DECISION

The Panel accepted the Parties' submissions, including the Member's admission of guilt, and found him guilty of professional misconduct as follows.

The Member physically abused a child who was under his professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3.1). The Panel finds that the Member's conduct in forcefully lifting a child and throwing them onto a pillow, and physically restraining toddlers from leaving the table, among other things constitutes physical abuse. The Member's aggressive and violent conduct was a lengthy pattern of behaviour involving multiple children.

The Member verbally abused a child who was under his professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3). He demonstrated this by yelling at a child in close proximity to their face, mocking a child after a toileting accident, and making demeaning and belittling comments in the learning environment. For example, he said words to the effect of “I’m the alpha male, you need to listen to me.” He also spoke loudly and sternly to children, requiring intervention from other staff members.

The Member psychologically or emotionally abused a child who was under his professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3.2). This was demonstrated by him taking away children’s plates and eating utensils during meal time, belittling a child for a toileting accident, making a child cry, and causing children to be scared in response to his aggressive words and actions, among other things.

The Member failed to maintain the standards of the profession, contrary to Ontario Regulation 223/08, subsection 2(8) in that he 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. His repeated use of aggressive and forceful tactics showed a lack of knowledge about developmentally appropriate strategies for managing behaviour.

This conduct created a fearful and intimidating environment that was not conducive to the children’s sense of security and belonging, contrary to Standard I.C.2 of the College’s Standards of Practice. Instead, he showed a lack of respect and compassion, which made children cry and appear shocked, sad and scared.

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. He demonstrated this through his conduct which asserted dominance over children and the learning environment.

The Member failed to know relevant legislation, policies and procedures, contrary to Standard IV.B.1 of the College’s Standards of Practice. He demonstrated this by blatantly disregarding not one but two performance plans, which he did not follow. He also failed to comply with directions from his supervisor on the appropriate ways of speaking and physically interacting with children.

The Member failed to model professional values, beliefs and behaviours with children, families and colleagues, and he failed to understand that his conduct reflects on him as a professional and on his profession at all times, contrary to Standard IV.C.4 of the College's Standards of Practice. The Member's inappropriate conduct was witnessed by several children, which affected not only the individual child to whom his words and actions were directed, but also the other children in the room.

Moreover, the Member continued to engage in misconduct despite multiple interventions from management and despite knowing that he could face consequences. This showed a profound lack of self-reflection, a refusal to accept feedback, and an unwillingness to improve his practice.

For all of the above reasons, the Panel found the Member's conduct to be disgraceful, dishonourable and unprofessional, and would be considered unbecoming a member.

POSITION OF THE PARTIES ON PENALTY

The parties made a joint submission as to an appropriate penalty and costs order and submitted that the Panel should make an order that includes the following elements:

- Requiring the Member to be verbally reprimanded before a Panel of the Discipline Committee.
- Directing the Registrar to suspend the Member's certificate of registration with the College for 12 months (or longer contingent on the completion of terms, conditions and limitations).
- Directing the Registrar to Impose the following terms, conditions and limitations on the Member's certificate of registration:
    - Successful completion of the following courses before resuming employment or practice as an RECE: Building positive and responsive relationships with children; Positive intervention strategies; and Anger management.
    - The Member must obtain a mentor acceptable to the College and participate in a mentorship program for a minimum of seven sessions, of which two sessions must be completed before the Member resumes employment or practice as an RECE.
- The Member must pay costs to the College in the amount of $1000 within three years of the date of the final order.

Submissions of the College on Penalty and Costs

College Counsel noted that there is a disturbing increase in the number of discipline cases that involve physical abuse coming forward to the College. The proposed penalty is aimed at achieving four objectives: denunciation to send a clear message that misconduct will not be tolerated; general deterrence to prevent members of the profession from committing misconduct in the future; specific deterrence to prevent this Member from committing misconduct in the future; and remediation and rehabilitation to improve the Member's conduct so that he can safely return to practice. College Counsel noted that while the Member is unlikely to return to practice as he has been suspended from practice for nearly three years (and his certificate of registration will be administratively revoked), remediation and rehabilitation are still important objectives in the event that the Member wants to return to practice in the future.

College Counsel submitted that in crafting the proposed penalty, the parties took into account the aggravating and mitigating factors. The aggravating factors were:

1. The Member's conduct constituted a pattern of inappropriate behaviour over a four-year period involving four specific incidents.
2. The children's young ages made them highly dependent on adults for their safety and highly vulnerable as they are less able to seek help when they are mistreated.
3. The Member engaged in unnecessary and prohibited power struggles with children that escalated to forceful and violent interactions.
4. The Member engaged in verbal abuse by yelling at children in close proximity to their faces and mocking children.
5. In three of the incidents, the Member's behaviour had significant negative emotional impacts on a child as evidenced by them crying and looking scared. This required another staff member to intervene.
6. The incidents occurred in the presence of groups of children who saw the Member's conduct. This resulted in a negative impact on their sense of safety and security.
7. The Member's conduct continued and escalated despite reminders, a warning, two improvement plans, and a suspension from the Centre.
8. The Member's conduct was serious and reflected negatively on the profession and eroded the trust of the public.

College Counsel noted two mitigating factors:

1. The Member plead guilty to professional misconduct and took responsibility for his actions by entering into an Agreed Statement of Facts and Joint Statement on Penalty and Costs, therefore saving the College time and the cost of a contested hearing.
2. The Member does not have any history of prior misconduct with the College.

As an additional factor for the Panel's consideration, College Counsel noted that no children appeared to have sustained any physical marks or lasting damage as a result of the Member's conduct.

College Counsel submitted that the proposed penalty should be comparable to other recent cases with similar findings of professional misconduct. College Counsel presented the Panel with three similar cases for consideration:

- *College of Early Childhood Educators v. Zyman, 2025* ONCECE 5
- *College of Early Childhood Educators v. Bojkov, 2024* ONCECE 5
- *College of Early Childhood Educators v. Dupelle, 2025* ONCECE 2

College Counsel submitted that the Discipline Committee is increasingly ordering harsher penalties for severe misconduct – even in cases where children did not sustain prolonged impacts from an RECE's abusive conduct. In particular, College Counsel noted that in *Zyman,* the panel ordered a 14-month suspension along with coursework and mentorship. This is at the longer end of suspensions typically ordered. The panel in *Zyman* emphasized that a harsh penalty was warranted due to the member's demeaning, forceful and aggressive conduct toward multiple children over a period of two weeks. This pattern of behaviour is similar to the Member's misconduct in the current case.

In *Bojkov*, the member used aggressive and demeaning language toward children and physically restrained them. Like the Member in the current case, the member in *Bojkov* had been previously warned and directed by management to correct her behaviour and was also suspended from her employment. The Discipline Committee panel ordered a 12-month suspension from practice as well as coursework and mentorship.

In *Dupelle*, the member was found guilty of physically and psychologically or emotionally abusing a child by way of slapping them and yelling at them, among other allegations of misconduct. Similar to the current case and *Bojkov*, the member in *Dupelle* had received previous intervention from management and yet continued her inappropriate behaviour. The panel ordered an eight-month suspension in that case.

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. 12 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 of Professional Regulation (the "Director") if a grade is not

assigned) and at his own expense, the following courses (subject to the Director's pre-approval):

i. Building positive and responsive relationships with children;
ii. Positive intervention strategies; and
iii. Anger management.

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 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 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. the coursework the Member is ordered to complete, as set out in paragraph 3(a),
   v. strategies for preventing the misconduct from recurring, and
   vi. the Member's daily practice and any issues that arise, to ensure that he 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 his employer(s)).

f. The Member will complete a minimum of two 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 seven 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 his 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 three years 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 denunciation, specific deterrence, general deterrence and, where appropriate, rehabilitation and remediation. The penalty should be proportionate to the misconduct.

The Panel is aware that no two cases are exactly alike. However, earlier cases can help demonstrate whether the proposed penalty in the current case is within the range of penalties ordered in similar cases. The Panel considered the previous cases presented by College Counsel and felt that the proposed order was within an appropriate range. However, the Panel noted that the Member's four-year duration of misconduct resulted in a 12-month suspension compared to a two-week duration of misconduct that resulted in a 14-month suspension in the *Zyman* case.

That said, the Panel finds that the 12-month suspension will prevent the Member from practising until he gains more insight into his behaviour and his approach to guiding children through the required coursework and mentoring. The Panel also believes that the extensive coursework and mentorship supports his remediation and rehabilitation should he wish to return to practice. The Panel further believes the 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 also acknowledges that the Member cooperated with the College by agreeing to the facts and proposed penalty.

The Panel was mindful of the fact that, in considering a joint submission, the jointly proposed penalty should be accepted unless it would bring the administration of justice into disrepute or it is otherwise not in the public interest.

While the Panel accepts the joint submission on penalty in this case, it does so with reservation. The Panel accepts it because it was jointly proposed by the College and the Member and because it would not, in the final opinion of the Panel, bring the administration of justice into disrepute or otherwise be contrary to the public interest. However, the Panel wonders why revocation was not proposed in lieu of a 12-month suspension. Moreover, the Panel notes that the Member has been administratively suspended for nearly three years and has not indicated an interest in returning to practice, giving the Panel cause for concern that he and his actions suggest he is not amenable to remediation and rehabilitation. However, the Panel was satisfied that the proposed penalty meets the threshold to accept it.

The Panel is disturbed by the Member's lack of respect and harsh approach toward children. He continued his inappropriate and abusive behaviour for a period of four years, despite the Centre's attempts to assist him in changing his behaviour. He was offered guidance, review of accepted practices, mentorship, two performance warnings with remediation plans, and a suspension of three days. Despite these many interventions, he did not appear to make any efforts to improve.

Given the Member's demonstrated lack of awareness and self-reflection around his conduct, the Panel emphasizes that if he does intend to return to practice, it is essential for him to approach the suspension, coursework and mentorship with a sincere and concerted effort to significantly improve in order for him to safely return to practice.

The Panel wants to send a strong message that abuse – whether physical, verbal, psychological or emotional – warrants a harsh penalty that is proportionate to its severity and duration. It encourages the College to continue to seek appropriately harsh penalties for multiple and prolonged incidents of abuse in the future.

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 jointly proposed that $1000 be paid within three years of the date of the final Order would be reasonable in this case. The Panel accepts this, however it is surprised that the Member is being given a three-year payment term when the previous cases cited (and many other cases that came before the Discipline Committee) ordered that costs be paid within 12 months. Notwithstanding this discrepancy and the lack of explanation from College Counsel, the Panel notes that because this is part of a joint submission, the Panel will not reject it and therefore orders that the Member pay the College its costs, fixed in the amount of $1,000 to be paid within three years of the date of the final Order.

I, Kath Gradwell, RECE, sign this decision and reasons for the decision as Chair of this Discipline panel and on behalf of the members of the Discipline panel.

Kath Gradwell

Kath Gradwell, RECE, Chair

August 29, 2025

Date