# Consent to Participate in Discipline Resolution Process

## About This Form

The Discipline Resolution Process allows the Discipline Committee to make decisions in some cases without a hearing. The Discipline Resolution Process is described in Rule 8.15 in the [Rules of Procedure of the Discipline Committee and of the Fitness to Practise Committee](https://www.hearings-ece.ca/wp-content/uploads/resources/Rules.pdf). There is also more information about it [here](https://www.hearings-ece.ca/wp-content/uploads/resources/Discipline_Resolution_Process.pdf).

This form must be completed to use the Discipline Resolution Process to finalize the case. The Discipline Resolution Process can present both benefits and risks, so the RECE needs to be aware of and understand those details.

|  |
| --- |
| **Without prejudice:** This document is confidential **until** the RECE and the Prosecutor confirm that they will be using the Discipline Resolution Process to finalize the case.  If they do not use the Discipline Resolution Process to finalize the case, this document will remain confidential and can only be used during Case Management. It cannot be used during a hearing or in any other way, except if the RECE and the Prosecutor agree that it can be used in another way. |

## When and How to Use This Form

This form shows that the case is eligible for the Discipline Resolution Process and that the RECE understands and agrees for the Discipline Committee to use that process to make a decision about the case.

The Prosecutor will then [deliver this document and the Proposed Resolution to the RECE and also file them with the Hearings Office](https://www.hearings-ece.ca/wp-content/uploads/resources/Sending_Documents.pdf) at least 15 Business Days before the Case Conference to Plan for Finalization.

These requirements are described in Rule 3.09(4) and 3.09(5) in the [Rules of Procedure of the Discipline Committee and of the Fitness to Practise Committee](https://www.hearings-ece.ca/wp-content/uploads/resources/Rules.pdf).

# Consent to Participate in Discipline Resolution Process

This consent form is about the accusations of professional misconduct that the Complaints Committee referred to the Discipline Committee about RECE NAME, REGISTRATION # (the “RECE”) on DATE. To enter into the Discipline Resolution Process, the RECE must initial next to the statements and the RECE and the College must sign below:

|  |  |
| --- | --- |
|  | RECE’s  Initials |
| I participated in Case Management. |  |
| I reached agreement with the Prosecutor on all aspects of the case. |  |
| I understand that the Discipline Resolution Process is not a hearing. It is a meeting held by a Panel of the Discipline Committee that is open to the public. |  |
| I understand that unless the Discipline Committee withdraws all accusations of professional misconduct, the Panel’s written decision will be posted publicly on the Hearings Office’s website and on the website [CanLII](https://www.canlii.org/). |  |
| I understand that unless the Discipline Committee withdraws all accusations of professional misconduct, a summary of the decision will be published in *Connexions*. |  |
| I understand that information about the resolution will be added to my page of the College of Early Childhood Educator’s public register. |  |
| I understand that in most cases, the Discipline Resolution Process will end with the Panel making a final decision about the case without a hearing. If it does not, a different Discipline Committee Panel will hold a hearing to make the final decision. |  |
| I understand that I am giving up (“waiving”) my right to a hearing before the Discipline Committee. |  |
| I understand that I am giving up (“waiving”) my right to appeal the Discipline Committee’s decision in court.\*[[1]](#footnote-2) |  |

If the RECE is admitting to any accusations of professional misconduct, they must also initial next to these statements:

|  |  |
| --- | --- |
|  | RECE’s Initials |
| I understand the accusations against me and what they mean. |  |
| I understand that if I admit to the accusations, I am giving up my right to require the College to prove the case against me. |  |
| I plead guilty to the accusations against me. |  |
| My decision to plead guilty is voluntary (made of my own free will). |  |
| I understand that my guilty plea and the information in the Proposed Resolution will support the Panel in deciding that I am guilty of professional misconduct. |  |
| I understand that by admitting to the accusations, the Panel will probably decide I am guilty of professional misconduct. |  |
| I understand that if the Panel decides I am guilty of professional misconduct, it can order consequences (often called a penalty) that could include, among other things, revocation or suspension of your certificate of registration and/or terms, conditions and limitations placed on your certificate of registration. |  |
| I know that I have a right to seek my own legal advice. |  |

As allowed by [section 33.1 of the *Early Childhood Educators Act, 2007*](https://www.ontario.ca/laws/statute/07e07#BK43), and Rule 3 of the [Rules of Procedure of the Discipline Committee and of the Fitness to Practise Committee](https://www.hearings-ece.ca/wp-content/uploads/resources/Rules.pdf), by signing here I voluntarily consent to participate in the Discipline Resolution Process:

|  |  |
| --- | --- |
| RECE’s name: | Date: |
| RECE’s signature: |

I confirm that this case is eligible for the Discipline Resolution Process. It does not involve any accusations that make it ineligible according to the *Early Childhood Educators Act, 2007*, and the proposed Order does not include a fine or costs:

|  |  |
| --- | --- |
| College representative’s name: | Date: |
| College representative’s signature: |

|  |  |  |  |
| --- | --- | --- | --- |
| I went over this form, including all of the answers given above, with RECE NAME during a Case Conference to Plan for Finalization that I conducted on DATE.   |  |  | | --- | --- | | Case management facilitator’s name: | Date: | | Case management facilitator’s signature: | |

1. \* If the Panel does not make a final decision about the case during the Discipline Resolution Process and a hearing is needed, the RECE and the College will have the right to appeal the decision from the **hearing** in court. [↑](#footnote-ref-2)