

Professional Misconduct Complaints at the College of Early Childhood Educators

The [College of Early Childhood Educators](#) (CECE) governs registered early childhood educators (RECEs) in the province of Ontario. All designated early childhood educators (DECEs) working for Ontario public school boards must be RECEs and are therefore governed by the CECE. This is the case whether a DECE is working on a full-time basis with a school board or as an occasional DECE.

All DECEs must ensure they are familiar with the CECE's [Code of Ethics and Standards of Practice](#), [Professional Misconduct Regulation](#), [professional advisories](#), and any other ongoing requirements and expectations that the College imposes, including [Continuous Professional Learning \(CPL\)](#). (See the Professional Relations Services (PRS) Matters Bulletin on the Designated Early Childhood Educator Performance Appraisal, Learning Plans, and Continuous Professional Learning for more information.)

Any breach of these standards and expectations could result in a professional misconduct complaint.

How are professional misconduct complaints initiated?

One of the roles played by the CECE is to handle complaints of professional misconduct about its members.

A complaint against a member can be filed by the member's employer or by any member of the public. Additionally, members must self-report if they have been found guilty of an offence or if they have been charged with an offence (*Early Childhood Educators Act* (ECE Act), s. 57.1 and s. 57.2). For more information, see the PRS Matters Bulletin on [criminal charges and self-reporting obligations](#).

Children's Aid Society and Family & Child Services

On their annual CECE membership renewal form, members must also report a variety of matters that may potentially affect their practice as ECEs, including any verified allegations or concerns by the Children's Aid Society (CAS) or a family and child services (F&CS) organization. If you received a verified CAS/F&CS allegation, please contact PRS before completing your annual membership renewal form for advice and support. Any of these reports or complaints could result in a professional misconduct complaint being pursued through the College.

What happens when a complaint is filed?

Step 1

When the CECE receives a complaint, the Complaints Committee will review it to see if it raises any potential professional misconduct. Based on this review, the College will sometimes offer a member the option of resolving the complaint through Complaint Resolution (CR) process, an alternative to going through an investigation and possible referral to the Discipline Committee. The CR process involves

negotiating a resolution directly with the CECE, which would result in the complaint being closed at the Complaints Committee level. A complaint resolved through the CR process does not appear on the public register. A summary of the resolution without the member's name or identifying information can only be published on the website or in the official publication, where the member and CECE have agreed to this as part of a resolution.

Step 2

If the CECE decides to launch an investigation, this will include gathering relevant information from the complainant, the employer (i.e., the DECE's school board), obtaining witness statements, and any other relevant documentation. The DECE who is the subject of the complaint will be contacted by a CECE investigator and will be provided with a copy of the complaint, as well as any documentation or other evidence the CECE investigator has obtained during the investigation (this is known as "disclosure"). The DECE will be given a deadline for filing a written response to the complaint.

Step 3

Once the investigation is complete, the investigator will refer the matter to the CECE Complaints Committee, which will review the information gathered by the investigator, including the DECE's written response.

Step 4

The Complaints Committee has a range of outcomes it may reach following the review, from dismissing the complaint to referring it, in whole or in part, to the Discipline Committee or the Fitness to Practise Committee (if it believes there are capacity concerns).

Under [Section 31 \(5\) \(e\) of the ECE Act](#), the Complaints Committee can also take action it feels is appropriate in the circumstances, without referring the matter to the Discipline Committee or Fitness to Practice Committee, including:

- (i) issuing a caution, reminder, advice, or admonishment to the person complained against, or
- (ii) requiring the member to complete a specified continuing education or remediation program.

Step 5

If a complaint goes to the Discipline Committee, a Notice of Hearing will be issued and posted on the CECE public register. The complaint will then proceed either as a contested hearing or a negotiated resolution with the college regarding the conduct and the appropriate penalty.

The Discipline Committee has a number of penalties it can impose if it finds grounds that the member has engaged in professional misconduct or incompetence. These include imposing terms, conditions, or limitations on the member's certificate and/or suspending or revoking the member's certificate (ECE Act, s. 33 (4)).

Can the Discipline Committee revoke my licence?

Yes. Revocation is mandatory for any findings of sexual abuse of a child, a prohibited act involving child pornography, or any prescribed sexual act (ECE Act, s. 33.2 (2)).

With a finding of professional misconduct, the Discipline Committee can also require a member to be reprimanded, admonished, or counselled by the committee or its delegate, impose a fine of up to \$2,000 on a member, and/or order the member to pay costs (ECE Act, s. 33 (5)).

What to do if you receive a CECE complaint

If you receive notice of a CECE complaint, you should call PRS immediately (1-888-838-3836 or 416-962-3836). You may be eligible for ETFO legal support to respond to the complaint (the CECE will provide a deadline for your response). If your case does not meet the criteria for ETFO legal support, you may want to retain a lawyer on your own.

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