

CHECKLIST: UNCONTESTED HEARING BEFORE THE DISCIPLINE COMMITTEE

Uncontested Hearing: Typically, this refers to a hearing which is scheduled when the parties have reached an agreement about what findings of professional misconduct and/or incompetence the panel should make and also, sometimes, what penalty orders or other orders the panel should make. The parties present the panel with an *Agreed Statement of Facts and Guilty Plea* or a *Statement of Uncontested Facts and Plea of No Contest* and ask the panel to accept their agreement about what findings the panel should make. If the panel makes the findings in accordance with the agreement of the parties, the parties can then also jointly submit what penalty or other orders the panel should make and then the panel decides whether it will accept the joint submission of the parties.

Preparing for an Uncontested Hearing

- Read the College's [Practice Direction for Electronic Proceedings](#). College hearings, including motions, typically happen through videoconference.
- Read Rule 3.03 (Joint Submissions) of the College's [Rules of Procedure of the Discipline Committee and Fitness to Practise Committee](#).
- Read Rule 3.02 (Plea of No Contest) of the College's [Rules of Procedure of the Discipline Committee and Fitness to Practise Committee](#) (if applicable).
- Read the Notice of Hearing, including the allegations against me.
- Complete a technology set up with the Tribunals Office.
 - Tribunals staff will reach out to conduct a quick tech set up in advance of the hearing date if I am participating in my hearing.
- Schedule a hearing date with College Counsel, which has been confirmed by the Tribunals Office.

Documents

- Discuss with College Counsel and, if an agreement is reached, receive, review and sign either an:
 1. *Agreed Statement of Facts and Guilty Plea* (if applicable); or

2. *Statement of Uncontested Facts and Plea of No Contest* (if applicable)

Receive, review and sign a:

1. *Joint Submission on Penalty* (if applicable).

File the signed *Agreed Statement of Facts and Guilty Plea* or *Statement of Uncontested Facts and Plea of No Contest* and/or *Joint Submission on Penalty* with the Tribunals Office at least 5 business days before the hearing. This is typically done by College Counsel.

Consider whether I would like to make any submissions during the finding stage of the hearing (if applicable).

Consider whether I would like to make any submissions during the penalty stage of the hearing (if applicable).

Consider whether I plan to rely on any additional documents during the hearing.

- For example, I have considered whether I would like to rely on any previous cases to support the joint submission on penalty during the penalty stage of the hearing. If so, I can find previous Discipline Committee decisions as well as other court and tribunal decisions for free on [CanLII](#).

Email any additional documents I plan to rely on during the hearing, if any, to College Counsel at least 7 business days before the hearing.

Email my documents, if any, and proof of service in PDF format to the Tribunals Office at least 5 business days before the hearing.

Following an Uncontested Hearing

Receive and read the Panel's Decision, Reasons for Decision and Order.

Comply with the Panel's Order, i.e., coursework, suspension, etc.

Additional Resources

- [Tribunals Glossary](#)
- [Tribunals Book of Authorities](#)

FAQS

- [Who should a member speak with if they need an accommodation for their hearing?](#) (See also Language of Hearings and Right to Use French, Rule 4.04)
- [What are the technological requirements to attend a hearing?](#)
- [What happens during a hearing?](#)

Disclaimer

The information contained in this checklist should not be taken as legal advice and is meant to provide a general high-level overview of steps that self-represented Members can take to prepare themselves for their hearing. Additional steps may be required. Self-represented Members should carefully review the [Ontario College of Teachers Act, 1996](#), [Rules of Procedure of the Discipline Committee and of the Fitness to Practise Committee](#) and the [Tribunals Book of Authorities](#) to prepare themselves for their hearing.