

CHECKLIST: UNCONTESTED HEARING BEFORE THE FITNESS TO PRACTISE COMMITTEE

Uncontested Hearing: Typically, this refers to a hearing where the parties have reached an agreement about whether a finding of incapacity should be made and what measures should be imposed as a result. Typically, Terms, Limitations and Conditions (TCLs) are placed upon a member's Certificate of Qualification and Registration if they are found to be incapacitated. The parties present the panel with an *Agreed Statement of Facts and Acknowledgement of Incapacity* and ask the panel to accept their agreement about what findings the panel should make. If the panel makes findings in accordance with the agreement of the parties, the parties can also jointly submit what order(s) they agree the panel should make and 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 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 Acknowledgement of Incapacity* (if applicable); or
 2. *Statement of Uncontested Facts and Plea of No Contest* (if applicable).

Receive, review and sign a:

1. *Joint Submission on Terms, Conditions or Limitations* (if applicable) or a *Joint Submission on Order* (if applicable).

File the signed *Agreed Statement of Facts and Acknowledgement of Incapacity, Statement of Uncontested Facts and Plea of No Contest, Joint Submission on Terms, Conditions or Limitations* and/or *Joint Submission on Order* with the Tribunals Office at least 5 business days before the hearing. This is typically completed by College Counsel.

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

Consider whether I would like to make any submissions during the stage of the hearing where the Panel considers the Terms, Conditions and Limitations proposed by the parties (if applicable).

Consider whether I plan to rely on any documents during the hearing in addition to those in the *Agreed Statement of Facts and Acknowledgment of Incapacity, Statement of Uncontested Facts and Plea of No Contest, Joint Submission on Terms, Conditions and Limitations* and/or *Joint Submission on Order*.

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., requirements regarding medical documentation, medical treatment, 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.