NOTICE OF PUBLICATION BAN

In the matter of College of Early Childhood Educators and Sarah Anne Barham, 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: Geneviève Breton, Chair
Amanda Barg, RECE
Samantha Zuercher, RECE

BETWEEN:

COLLEGE OF EARLY CHILDHOOD EDUCATORS	)	Vered Beylin For the College of Early Childhood Educators
and	)	
SARAH ANNE BARHAM Registration # 60644	)	Self-represented
	)	Elyse Sunshine Rosen Sunshine LLP Independent Legal Counsel
	)	Heard: March 28, 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 March 28, 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.

THE ALLEGATIONS

The allegations against the Member were contained in the Notice of Hearing dated February 20, 2025, which provided as follows:

1. At all material times, Sarah Anne Barham (the "Member") was a member of the College and was employed as a Supervisor at Centre Pivot du Triangle Magic/Magic Triangle – Levack site (the "Centre"), in Sudbury, Ontario.

2. On or about March 6, 2023, the Member was responsible for supervising a five-year-old child ("Child 1"). The Member left Child 1 alone and unsupervised in a washroom. As a result, the Member failed to notice that Child 1 left the washroom and wandered away. The Child was found approximately 4-5 minutes later near the Centre's stairwell, close to a door leading out of the building.

3. Following the incident described in paragraph 2, the Member provided false and/or misleading information about the incident to the Centre's management.

4. After the incident described in paragraph 2, the Member failed to do the following:

    a. She did not file a Serious Occurrence Report ("SOR") with the Ministry of Education (the "Ministry").

    b. She did not report the incident to the Children's Aid Society ("CAS"), and did not instruct other staff who were involved in the incident to report it.

    c. She did not document the incident, and did not instruct staff who witnessed the incident to document it, until instructed to do so by CAS, approximately a month and a half after the incident.

5. On or about April 4, 2023, a three-year-old child ("Child 2") hit their head in the preschool classroom, briefly lost consciousness and appeared to momentarily stop breathing. The Member refused to call 911 and directed staff not to call 911, in contravention of the Centre's Medical Emergency Policy. The Member then left the Centre, without ensuring Child 2's safety and well-being.

6. Between approximately April 4, 2023 and April 6, 2023, Member directed a staff member, who witnessed the incident described at paragraph 5, to provide false and/or misleading information in an incident report (the "False Report"). The Member then signed the False Report, and disposed of the witness' initial incident report.

7. Following the incident described in paragraph 5, the Member also failed to do the following:

    a. She did not file a SOR with the Ministry.

    b. She did not report the incident to CAS and did not instruct other staff who were involved in the incident to report it.

c. She did not document the incident.

8. By engaging in the conduct set out in paragraphs 2 to 7 above, the Member engaged in professional misconduct as defined in subsection 33(2) of the ECE Act, in that:

   a. The Member failed to supervise adequately a person who was under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(2);

   b. The Member failed to maintain the standards of the profession, contrary to Ontar-io Regulation 223/08, subsection 2(8), in that:
      i. The Member failed to understand the importance of creating and maintaining positive relationships with families and colleagues to support children's well-being, contrary to Standard I.B.4 of the College's Standards of Practice;
      ii. The Member failed to ensure that in her relationship with families and colleagues, the needs and best interests of the child are her highest priority, contrary to Standard I.C.7 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 observe and monitor the learning environment and take responsibility to avoid exposing children to harmful or unsafe situations, contrary to Standard III.C.2 of the College's Standards of Practice;
      v. The Member failed to provide safe and appropriate supervision of children based on age, development and environment, contrary to Standard III.C.5 of the College's Standards of Practice;
      vi. The Member failed to know the current legislation, policies and procedures that are relevant to her 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
      vii. The Member failed to model professional values, beliefs and behaviours with children, families and colleagues, and/or she failed to understand that her conduct reflects on her as a professional and on her profession at all times, contrary to Standard IV.C.4 of the College's Standards of Practice.

viii. The Member failed to be knowledgeable about legislation, policies and procedures related to the Child and Family Services Act, contrary to Standard VI.B.4 of the College's Standards of Practice;

ix. The Member failed to comply with the Child and Family Services Act about her duty to report suspected child abuse and neglect to the Children's Aid Society, contrary to Standard VI.C.8 of the College's Standards of Practice;

c. 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);

d. The Member signed or issued, in her professional capacity, a document that she knew or ought to have known, contained a false, improper, or misleading statement, contrary to Ontario Regulation 223/08, subsection 2(16);

e. The Member failed to keep records as required by her professional duties, contrary to Ontario Regulation 223/08, subsection 2(18);

f. The Member contravened a law, which contravention caused, or may cause a child who is under her professional supervision to be put in or remain at risk, contrary to Ontario Regulation 223/08, subsection 2(21); and/or

g. The Member acted in a manner that is unbecoming a member, contrary to Ontar-io Regulation 223/08, subsection 2(22).

EVIDENCE

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

The Member

1. The Member has had a certificate of registration with the College for approximately 8 years. She is in good standing with the College and does not have a prior discipline history with the College.

2. At all material times, the Member was employed as a Team Lead, Acting Supervisor at the Centre.

The Incidents

3. On March 6, 2023, while the Member was responsible for supervising Child 1, she left Child 1 alone and unsupervised in a washroom. As a result, the Member failed to notice that Child 1 left the washroom and wandered away. A placement student ("H.G.") noticed that Child 1 was missing and notified the Member. Child 1 was found by H.G. approximately 4 to 5 minutes later hiding behind a door near the Centre's stairwell, close to a door leading out of the building.

4. Following the incident described in paragraph 3, H.G. and another staff member suggested that the Member file a Serious Occurrence Report, but the Member disagreed. The Member then provided false and/or misleading information about the incident to the Centre's management.

5. After the incident described in paragraphs 3 – 4, the Member failed to do the following:

    a. She did not file an SOR with the Ministry.

    b. She did not report the incident to CAS, and did not instruct other staff who were involved in the incident to report it.

    c. She did not document the incident, and did not instruct staff who witnessed the incident to document it, until instructed to do so by CAS, approximately a month and a half after the incident.

6. On April 4, 2023, at approximately 2 p.m., Child 2 hit their head in the preschool classroom, resulting in a “red mark” on their head, and began to cry loudly. H.G., who was responsible for supervising the classroom with another staff member, approached Child 2 and asked them what had happened. Child 2 then put their hands on their head and continued to cry loudly, while H.G. attempted to comfort them. Then, Child 2’s eyes “rolled back” and they briefly lost consciousness in H.G.’s arms. Child 2 appeared to stop breathing for “multiple seconds”. H.G. blew air in Child 2’s face and asked a staff member who entered the room to immediately notify the Member. Child 2 then regained consciousness and started crying loudly for their mother.

7. Upon being notified of the incident, the Member called the Child’s mother, and left her a voice message stating that Child 2 hit their head and “was unconscious and not breathing”. When H.G. asked the Member if they should call 911, the Member responded “no” and emergency services were not called; however, the Member instructed staff to call 911 if Child 2’s condition changed. The Member did not contact any other emergency contacts for Child 2. Instead, she instructed staff to continue caring for Child 2 and left the Centre before Child 2 was picked up by their family later in the afternoon. H.G. and another staff remained with Child 2 until they were picked up.

8. Between April 4, 2023 and April 6, 2023, H.G. prepared an incident report regarding the incident with Child 2, as described in paragraph 6 (the “Initial Report”). The Member refused to sign the Initial Report and directed H.G. to provide false and/or misleading information in an incident report (the “False Report”), by removing the reference that Child 2 briefly stopped breathing during the incident. The Member then signed the False Report and disposed of the Initial Report.

9. Following the incident described in paragraphs 6 – 8, the Member also failed to do the following:

    a. She did not file an SOR with the Ministry.

    b. She did not report the incident to CAS and did not instruct other staff who were involved in the incident to report it.

c. She did not document the incident.

Additional Information

10. On April 15, 2023, Child 2's mother contacted CAS to report the incident involving Child 2, and other concerns regarding the Centre.

11. During the CAS investigation, information regarding the incident with Child 1 came to light.

12. CAS verified the concerns that the Member failed to call emergency services for Child 2 and directed a staff to change the incident report.

13. H.G. felt uncomfortable as a result of the Member's request to change her Initial Report and "struggled to re-write the report".

14. The Centre's Medical Emergency Policy states that if an injury or illness occurs where the person is "unable to explain" how the injury occurred, staff are to "assume the worst and call or have someone else call for emergency assistance '9-1-1'".

15. According to the Centre's Serious Occurrence Policy, a serious occurrence is defined, in part, as a "life-threatening injury to or a life-threatening illness of a child" and "an incident where a child who is receiving childcare goes missing or is temporarily unsupervised". In such situations, the "licensees, designates or supervisors" are required to report such incidents to the Ministry within 24 hours.

16. The Member's employment with the Centre was terminated on April 18, 2023, as a result of the Incidents.

17. If the Member were to testify, she would advise the following:

    a. Since she did not witness Child 2 stop breathing, she believed the incident report should not include that fact as it did not reflect what she believed occurred. She regrets "accidentally" shredding H.G.'s Initial Report and requesting that H.G. re-write the

report and recognizes it was inappropriate and unprofessional to do so. However, she did not intend to mislead the Centre's management or the Child's parents.

b. Following the Incidents, she has taken measures to improve her practice of the profession by engaging in professional development that focuses on responsive leadership.

Admissions of Professional Misconduct

18. The Member admits that she engaged in and is guilty of professional misconduct as described in paragraphs 3 to 9 above, and as defined in subsection 33(2) of the ECE Act in that:

a. The Member failed to supervise adequately a person who was under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(2);

b. 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 understand the importance of creating and maintaining positive relationships with families and colleagues to support children's well-being, contrary to Standard I.B.4 of the College's Standards of Practice;
   ii. The Member failed to ensure that in her relationship with families and colleagues, the needs and best interests of the child are her highest priority, contrary to Standard I.C.7 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 observe and monitor the learning environment and take responsibility to avoid exposing children to harmful or unsafe situations, contrary to Standard III.C.2 of the College's Standards of Practice;
   v. The Member failed to provide safe and appropriate supervision of children based on age, development and environment, contrary to Standard III.C.5 of the College's Standards of Practice;

vi. The Member failed to know the current legislation, policies and procedures that are relevant to her 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

vii. The Member failed to model professional values, beliefs and behaviours with children, families and colleagues, and/or she failed to understand that her conduct reflects on her as a professional and on her profession at all times, contrary to Standard IV.C.4 of the College's Standards of Practice.

viii. The Member failed to be knowledgeable about legislation, policies and procedures related to the Child and Family Services Act, contrary to Standard VI.B.4 of the College's Standards of Practice;

ix. The Member failed to comply with the Child and Family Services Act about her duty to report suspected child abuse and neglect to CAS, contrary to Standard VI.C.8 of the College's Standards of Practice;

c. 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);

d. The Member signed or issued, in her professional capacity, a document that she knew or ought to have known, contained a false, improper, or misleading statement, contrary to Ontario Regulation 223/08, subsection 2(16);

e. The Member failed to keep records as required by her professional duties, contrary to Ontario Regulation 223/08, subsection 2(18);

f. The Member contravened a law, which contravention caused, or may cause a child who is under her professional supervision to be put in or remain at risk, contrary to Ontario Regulation 223/08, subsection 2(21); and/or

g. 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.

The Panel received a written plea inquiry signed by the Member. The Panel also conducted a verbal plea inquiry and was satisfied that the Member's admission was voluntary, informed and unequivocal.

SUBMISSIONS OF THE PARTIES ON LIABILITY

College Counsel submitted that the evidence clearly established the allegations of professional misconduct as set out in the Notice of Hearing. This case involved a failure to provide adequate supervision and a pattern of failure to document and false reporting which makes it one of the most serious cases of this nature involving a Registered Ealy Childhood Educator ("RECE").

The College stated that the Member didn't properly watch over Child 1, who was in her care, and didn't properly tell staff what they needed to do when reporting and writing down incidents. For Child 2, the Member signed a report that was false and left out important details. She told staff to include false information and destroyed the original report. She also didn't keep proper records,

These actions broke two important laws: not reporting was against the Child and Family Services Act (CFSA), and not filing a serious incident report went against the Child Care and Early Years Act (CCEYA). The Member also failed to meet several professional standards expected of all RECEs, such as watching the learning environment, making sure children are supervised safely, and knowing the laws to help with proper documentation.

Because she was in a position of trust and leadership, it's especially troubling that she didn't set a good example. Her actions reflect badly on her and the profession. They show a serious lack of responsibility and are considered unprofessional, shameful, and dishonourable. Not reporting and documenting incidents breaks the trust families have in RECEs and is seen as behavior that is not acceptable for someone in the profession.

The Member made no submissions.

FINDINGS AND REASONS FOR DECISION

Having regard to the facts set out in the Agreed Statement of Facts, the Panel accepted the Member's admission and found her guilty of professional misconduct as alleged in the Agreed Statement of Facts and the Notice of Hearing.

The Panel found that the evidence demonstrated that the Member failed to adequately observe and monitor the environment, which jeopardized the well-being and safety of children under her care. In one instance, a child went missing. In another instance, a child hit their head leading to a loss of consciousness.

The Member failed to adhere to current legislation, policies, and procedures relevant to her profession. This included the failure to properly document and report incidents to both CAS and the Ministry. In addition, she falsified reports and instructed subordinate staff to provide false documentation regarding the incidents. This is particularly egregious given the position of trust inherent in her role as a supervisor. The Member also disregarded the Centre's medical policy by failing to call 911 after a child lost consciousness, placing their well-being at risk. The Member's actions revealed a serious lack of integrity, judgment, and professional responsibility.

The Panel concluded that the Member's conduct demonstrated dishonesty, a disregard for the welfare and safety of children, and a complete disregard of her professional obligations. Such conduct is unacceptable and would reasonably be viewed by members of the profession and the public as disgraceful, dishonorable, and unprofessional, as well as unbecoming of a member. It fundamentally erodes the public's trust in the RECE profession.

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:

- Directing the Member to be verbally reprimanded before a Panel of the Discipline Committee to occur within 60 days from the Order.

- Directing the Registrar to suspend the Member's certificate of registration with the College for 20 months (or longer contingent on 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 courses in Duty to Report, Professionalism and Ethics, and Communicating Effectively with Parents before resuming employment or practice as an RECE
    - 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 should pay costs to the College in the amount of $1000 within 12 months of the date of the final order.

Submissions of the College on Penalty and Costs

College Counsel submitted that this case involved a pattern of false reporting and failure to document and report, which makes it one of the most serious cases of an RECE in a position of trust to come before the Discipline Committee. College Counsel indicated that a combination of factors were considered when formulating the proposed penalty, including rehabilitation and remediation, the penalty range in comparable cases, and the determination of costs.

College Counsel submitted that the penalty must protect young and vulnerable children whose safety and well-being are trusted to RECEs. It must maintain and preserve the public's confidence that the College can and will regulate the conduct of its members. College Counsel also highlighted that the penalty meets the following objectives:

- Denunciation to RECEs and the public that the College won't tolerate dishonest conduct, particularly when it impacts children's health, safety and wellbeing,
- General deterrence of other RECEs in engaging in similar conduct,
- Specific deterrence of the Member from engaging in professional misconduct in the future, and
- Rehabilitation and remediation, which College Counsel indicated is particularly important when the Member contemplates returning to the profession, highlighting the importance of ensuring that children under her care are protected.

College Counsel outlined 12 aggravating factors for the Panel to consider with respect to the proposed penalty:

1) The Member was a leader at the Centre and held a position of trust and authority, and as such had an enhanced obligation to adhere to all legislative requirements and standards of practice required of RECEs while also ensuring the staff under her supervision were adhering to these requirements.
2) The Member's conduct was not a momentary lapse of judgement, but a pattern of behaviour over a period of approximately a month and a half relating to two separate incidents involving children.
3) The Member's conduct included failure to supervise a 5-year-old child who, as a result, remained unsupervised for approximately 4 to 5 minutes.
4) The Member advised staff not to call 911 during the incident involving Child 2 when staff directly asked if they should. This was in direct contravention to the Centre's emergency medical policy which, by virtue of her role, she was responsible for enforcing. This put the safety and well-being of Child 2 at risk.
5) The Member provided false and/or misleading information to the Centre's management regarding the first incident.
6) The Member failed to file SORs with the Ministry in relation to both incidents. This is particularly concerning because of direction found in the Centre's policy about what constitutes a Serious Occurrence and the direction that reporting must be done within 24 hours.
7) The Member failed to document both incidents and she did not instruct staff to document the first incident until CAS required it a month and a half later. For the purpose of reliability and accuracy, it is very important that it happens in close proximity to the incident that is being documented while the incidents are fresh in everyone's minds. Later there is a risk that important details may not be remembered by witnesses.
8) The Member failed to report both incidents to CAS and failed to direct staff to report to CAS. Even though there is no allegation of child abuse, the circumstances of the incidents were serious enough that they warranted reporting to CAS.
9) The Member's misconduct occurred in 2023, despite College resources being published prior to 2023 emphasizing the importance of Duty to Report, and enhanced obligations of RECEs who are employed as supervisors.

10) The Member refused to sign the initial report that the placement student prepared regarding Child 2 and directed her to provide false and/or misleading information about the incident. When the Member called the child's mother, said that the Child 2 was unconscious and not breathing, but in the report she asked the placement student to remove the mention that the child stopped breathing. This was dishonest and inappropriate.
11) The placement student felt uncomfortable with the Member's request and she struggled to re-write it. The student's observation was that Child 2 did stop breathing. Given she was a placement student and looked to the Member for positive role modeling, the Member's conduct had the potential of eroding the trust that is required of management and the profession at large.
12) The Member's conduct as a whole is serious enough to erode the reputation of this profession. Integrity and accuracy even in the face of challenging circumstances is of paramount importance and would be detrimental if parents and the public at large lost trust in the ability of RECEs to accurately and honestly document incidents.

College Counsel also submitted that there were three significant mitigating factors for the Panel to consider:

1) The Member pleaded guilty to misconduct and agreed to a joint submission on penalty, which demonstrates insight and remorse as well as the ability to take steps to remediate her conduct. This accountability in the face of serious misconduct is important. Additionally, by admitting to the allegations and submitting a guilty plea, she saved the College the time and expense of a contested hearing.
2) The Member does not have a history of prior misconduct with the College.
3) Following the incident, the Member took steps to improve her practice and took professional development courses, which demonstrates her commitment to learning from her wrongdoing.

To support the appropriateness of the proposed penalty as falling within the range of reasonable and acceptable outcomes, College Counsel provided the Panel with five prior decisions in which a member received a similar penalty for conduct similar to that in the present case. The Panel recognizes that while the decisions referred to by College Counsel are not binding on the Panel, similar cases should generally be treated alike.

- *College of Early Childhood Educators v. Forrestall, 2022* ONCECE 4
  In this case, the member demonstrated dishonest behaviour, a lack of integrity or disregard for the welfare of members of the public, when they failed to remain on the scene of a fatal accident and lied about what happened the following day. The member was suspended for 24 months.

- *College of Early Childhood Educators v. Patterson, 2023* ONCECE 7
  This case reflected a single incident of failing to supervise a child that resulted in a life-threatening brain injury. In this case, the member called 911 and sought emergency care for the child, which likely prevented a more serious outcome. The member was suspended for 14 months.

- *College of Early Childhood Educators v. Akosah, 2022* ONCECE 9
  The member was the supervisor and left a child unsupervised for six minutes. While no injuries were sustained, the member failed to document the incident, did not report it to the Ministry nor the child's parents. They provided false information about the situation, first denying it happened, then falsifying information about their involvement. The member was suspended for 12 months.

- *College of Early Childhood Educators v. Jalbert, 2023* ONCECE 11
  The member was the supervisor and received several verbal and written reports of misconduct a staff member was committing. They failed to take steps to reduce / prevent the misconduct, did not report it to CAS and did not instruct staff to report to CAS, but rather instructed staff not to report to CAS. They did not file a serious occurrence with the Ministry of Education and did not create any documentation, they lied to the College investigator and failed to comply with the College investigation. This member received a 14-month suspension.

- *College of Early Childhood Educators v. Sihdu* – decision pending
  The member was the supervisor and responsible for supervising children and helping them out of their outdoor clothing. They did not notice a two-year-old child left the group and walked into the kitchen where hot food spilled on the child's face, causing first and second-degree burns. The member engaged in a pattern of manipulation, dishonesty and tampering of the

centre's investigation with the purpose of distancing herself from the situation, leaving the cook and RECE to take the blame. The member received a 24-month suspension.

Submissions of the Member on Penalty and Costs

The Member made no submissions on penalty and costs.

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. 20 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 practicing 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 her own expense, the following courses (subject to the Director's pre-approval):

i. Duty to Report;
ii. Professionalism and Ethics; and
iii. Communicating Effectively with Parents.

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, at her own expense, 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 2 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. strategies for preventing the misconduct from recurring, and
   v. the Member's daily practice and any issues that arise, to ensure that she 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 her employer(s)).

f. The Member will complete a minimum of 2 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 7 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 her 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 12 months 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 specific deterrence, general deterrence and, where appropriate, rehabilitation and remediation. The penalty should be proportionate to the misconduct.

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

It is the Panel's conclusion that the penalty ordered meets the sentencing principles outlined above. Accordingly, the Panel accepted the joint submission on penalty and costs.

In reaching its decision, the Panel carefully considered the joint submission of the parties, the aggravating and mitigating factors, and the findings of comparable cases submitted by College Counsel. The Panel found that the term of suspension in the proposed penalty is proportionate with the range of suspensions that were imposed in the comparable cases that were put before the Panel. The suspension, along with the reprimand, will act as a specific deterrent to the Member, and a general deterrent to other members of the profession, from engaging in such conduct. The terms, conditions and limitations imposed will help to protect the public by ensuring that the Member returns

to practice with a strengthened understanding of her professional obligations. The Member will also be rehabilitated through the mentoring sessions and course work on the duty to report and professional ethics.

The Member's actions represent a serious breach of the trust placed in her by parents, colleagues, and the public. Her failure to provide adequate supervision, combined with discouraging staff from seeking emergency medical assistance for a child, demonstrated a significant disregard for the safety and well-being of children under her care.

As a supervisor, leader, and role model within the profession, the Member was expected to maintain a higher standard of conduct. Her failure to meet these expectations undermined the trust of staff and the well-being of children who rely on RECEs to provide them with a safe and nurturing environment. Instructing staff to falsify official information and destroy the initial report constitutes a grave breach of professional standards and ethics. Such conduct indicates a concerning lack of judgment and responsibility expected of someone in a supervisory position.

The repeated failure to properly document and report incidents further emphasized the seriousness of the Member's misconduct and underscored the necessity of a significant penalty to address this pattern of behavior.

The Member's failure to adhere to the fundamental duty to document and report, as required by the *Child and Family Services Act* and the *Early Childhood Educators Act*, constituted a serious disregard of her professional and legal responsibilities. Moreover, the Member's deliberate acts of tampering with evidence and instructing a subordinate to falsify documentation are particularly concerning. This demonstrated a profound lack of judgment, a disregard for professional ethics, and a willingness to obstruct accountability.

The Panel wants to emphasize the importance of reporting incidents accurately and honestly at the time of the occurrence. In this case, had the Member properly reported the failure to supervise incidents and followed protocols, it is unlikely that the situation would have escalated to a penalty that involves a lengthy suspension. It is always best practice to take accountability for one's actions, particularly when the health, safety, and well-being of children are involved. RECEs in a supervisory role must be aware that those working under their leadership look to them as a role model. Accordingly, their behaviour must align with the College's Code of Ethics and Standards of Practice.

Documenting as quickly as possible is of paramount importance. Failure to document immediately after an incident interferes with the ability of authorities to investigate, and in a center's ability to learn and take steps to avoid future incidents of a similar nature.

In conclusion, the Panel wishes to emphasize that the failure to document and report incidents will not be tolerated. But more importantly, the deliberate tampering with evidence, lying and instructing subordinates to provide false information will be met with severe consequences.

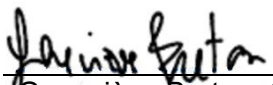
ORDER AS TO COSTS

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 are in agreement with respect to costs and the amount of costs to be ordered. The Panel agrees that this is an appropriate case for costs to be awarded and the amount proposed by the parties is reasonable.

The Panel orders that the Member pay the College its costs, fixed in the amount of $1,000 to be paid within 12 months of the date of this Order.

I, Geneviève Breton, sign this decision and reasons for the decision as Chair of this Discipline panel and on behalf of the members of the Discipline panel.



Geneviève Breton, Chair

October 1, 2025

Date