

**DISCIPLINE COMMITTEE OF THE
COLLEGE OF EARLY CHILDHOOD EDUCATORS**

B E T W E E N:

COLLEGE OF EARLY CHILDHOOD EDUCATORS

- and -

NICOLE CHERISE ARCHIBALD
RECE # 140318

NOTICE OF HEARING

The Complaints Committee of the College of Early Childhood Educators has directed the matter regarding your conduct, as set out in the attached statement of allegations, to be referred to the Discipline Committee pursuant to paragraph 31(5)(a) of the *Early Childhood Educators Act, 2007* (the "Act").

A panel of the Discipline Committee (the "Panel") will hold a hearing pursuant to paragraph 33(1)(a) of the Act on **April 14, 2025 at 1:00 p.m. electronically by videoconference**, to determine whether you engaged in professional misconduct and/or are incompetent.

If you prefer to communicate with the College in French, or would like the hearing of your case to be conducted in French, then you must notify the College as soon as possible so that it can make reasonable attempts to accommodate your request.

The Act provides that where the Panel finds a member guilty of professional misconduct and/or to be incompetent, it may make an Order doing one or more of the following:

1. Directing the Registrar to revoke the member's certificate of registration.
2. Directing the Registrar to suspend the member's certificate of registration for a specified period, not exceeding 24 months.
3. Directing the Registrar to impose specified terms, conditions or limitations on the member's certificate of registration.

4. Requiring that the member be reprimanded, admonished or counseled by the Committee or its delegate.
5. Imposing a fine in an amount that the Committee considers appropriate, to a maximum of \$2,000, to be paid by the member to the Minister of Finance for payment into the Consolidated Revenue Fund.
6. Fixing costs to be paid by the member.

The Panel may also direct the Registrar to not carry out a direction made under paragraphs 1, 2 or 3 above for a specified period and to not carry out the direction at all if specified terms are met within that period. The Panel may specify the terms it considers appropriate, including but not limited to terms requiring the successful completion of specified courses of study.

In making an order under paragraphs 1, 2 or 3, the Panel may also fix a period during which the member may not apply to have a new certificate issued, to have the suspension removed, or to vary the terms, conditions and limitations.

The Rules of Procedure of the Discipline Committee and of the Fitness to Practise Committee can be found on the College's website at college-ecce.ca. The Rules can also be made available to you upon request.

IF YOU DO NOT ATTEND AT THE HEARING, IN PERSON OR BY REPRESENTATIVE, THE PANEL MAY PROCEED IN YOUR ABSENCE AND YOU WILL NOT BE ENTITLED TO ANY FURTHER NOTICE OF THE PROCEEDINGS.

DATE: February 20, 2025



Beth Deazeley
Registrar & CEO
College of Early Childhood Educators

STATEMENT OF ALLEGATIONS

NICOLE CHERISE ARCHIBALD, RECE # 140318

1. At all material times, Nicole Cherise Archibald (the “**Member**”) was a member of the College of Early Childhood Educators and was employed as a Registered Early Childhood Educator (“**RECE**”) at RisingOaks Early Learning (the “**Centre**”), in Ayr, Ontario.

2. Between on or about January to July 2023, the Member engaged in the following conduct with preschool-aged children:

- a. In January 2023, the Member recorded a video of her kissing Child 1 on the lips and permitting Child 1 to kiss and lick the Member’s face.
- b. From approximately January 2023 onwards, on multiple occasions, the Member kissed preschool-aged children on their faces.
- c. On or about July 17, 2023, during naptime, the Member lay down next to Child 2 and placed a blanket over her and Child 2’s heads, in contravention of the Centre’s management direction to the Member. The Member then kissed Child 2.
- d. On or about the afternoon of July 17, 2023, the Member asked Child 1 and Child 3 for kisses before kissing both children on the lips, in contravention of the Centre’s management direction to the Member to stop kissing children.

3. By engaging in the conduct set out in paragraph 2 above, the Member engaged in professional misconduct as defined in subsection 33(2) of the *Early Childhood Educators Act*, 2007, S.O. 2007, c. 7, Sch. 8, in that:

- a. 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 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;

- ii. The Member failed to understand that she is responsible for maintaining and managing professional relationships with children, contrary to Standard V.B.1 of the College's Standards of Practice;
 - iii. The Member failed to understand that boundary violations with children, include sexual misconduct and non-sexual boundary violations, and failed to understand that non-sexual boundary violations can be emotional, physical, social or financial, contrary to Standard V.B.4 of the College's Standards of Practice; and/or
 - iv. The Member failed to establish and maintain clear and appropriate boundaries in professional relationships with children under her professional supervision, contrary to Standard V.C.1 of the College's Standards of Practice.
- b. 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); and/or
 - c. The Member acted in a manner that is unbecoming a Member, contrary to Ontario Regulation 223/08, subsection 2(22).