

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

B E T W E E N:

COLLEGE OF EARLY CHILDHOOD EDUCATORS

- and -

JINA KIM
RECE # 45364

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 **September 22, 23, 24, 27 & 28, 2021 at 9:30 a.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 and, if considered warranted, directing that the fact of the reprimand, admonishment or counseling be recorded on the register for a specified period of more than three years.
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: May 7, 2021



Beth Deazeley
Registrar & CEO
College of Early Childhood Educators

STATEMENT OF ALLEGATIONS

JINA KIM, RECE # 45364

1. At all material times, Jina Kim (the “**Member**”) was a member of the College of Early Childhood Educators and was employed as an Early Childhood Educator (“**ECE**”) at Simcoe Childcare Services (the “**Centre**”) in Innisfil, Ontario.
2. On or about November 30, 2016, the Member and two educational assistants were supervising a group of toddlers, including M.G., a 2 year old boy (the “**Child**”) inside the toddler room. At approximately 2pm the Member became frustrated with the Child and repeatedly asked him to apologize to one of the EAs for not listening to her. The Child began crying. The Member then forcefully held the Child by his upper arms, as she lifted him and carried him a short distance from the room to the hallway.
3. The Child continued crying in the hallway. The Member then took hold of the Child with both of her hands on his upper arms and pulled him down to a seated position. The Member then briefly covered the Child’s mouth with her hand, in an attempt to stop his crying.
4. The Member then lifted the Child up, tightly holding him on both his upper arms, and moved him to an adjacent bathroom. The Child continued crying, and the Member yelled at him words to the effect of “stop crying, you need to listen”. A few minutes later the Child and the Member returned to the room. The Child continued crying for some time, and was very upset and overwhelmed for the rest of the day.
5. As a result of the Member’s conduct, the Child suffered deep bruising on both upper arms, including one bruise in the shape of a hand print, in the location he was held by the Member.
6. By engaging in the conduct set out in paragraphs 2 – 5 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) she verbally abused a child who was under her professional supervision, contrary Ontario Regulation 223/08, subsection 2(3);

- b) she physically abused a child who was under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3.1);
- c) she psychologically or emotionally abused a child who was under her professional supervision, contrary to Ontario Regulation 223/08, subsection 2(3.2);
- d) she failed to maintain the standards of the profession, contrary to Ontario Regulation 223/08, subsection 2(8), in that:
 - i. she failed to provide a nurturing learning environment where children thrive, contrary to Standard I.D of the Standards of Practice;
 - ii. she failed to establish professional and caring relationships with children and/or to respond appropriately to the needs of children, contrary to Standard I.E of the Standards of Practice;
 - iii. she failed to maintain a safe and healthy learning environment, contrary to Standard III.A.1 of the Standards of Practice;
 - iv. she failed to support children in developmentally sensitive ways and to provide caring, stimulating, and respectful opportunities for learning and care that are welcoming to children and their families, contrary to Standard III.C.1;
 - v. she failed to know, understand and abide by the legislation, policies and procedures that are relevant to their professional practice and to the care and learning of children under her professional supervision, contrary to Standard IV.A.2 of the Standards of Practice;
 - vi. she failed to make decisions, resolve challenges and/or provide behaviour guidance in the best interests of the children under her professional supervision, contrary to Standard IV.B.4 of the Standards of Practice; and
 - vii. she failed to work collaboratively with colleagues in her workplace in order to provide safe, secure, healthy and inviting environments for children and families, contrary to Standard IV.C.1 of the Standards of Practice; and

- viii. she conducted herself in a manner that could reasonably be perceived as reflecting negatively on the profession of early childhood education, contrary to Standard IV.E.2 of the Standards of Practice.

- e) she 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

- f) she conducted herself in a manner that is unbecoming of a member, contrary to Ontario Regulation 223/08, subsection 2(22).