

**STATE OF CONNECTICUT
OFFICE OF EARLY CHILDHOOD
LEGAL DIVISION**

CONSENT ORDER

IN THE MATTER OF:

Child Care Center License # 70341
MY LITTLE RASCALS TOO, LLC
1850 West Street
Southington, CT

CARLA RUSSO, Legal Representative

WHEREAS, MY LITTLE RASCALS TOO LLC, of Southington, Connecticut (“Operator”), has been issued license # 70341 to operate a Child Care Center named MY LITTLE RASCALS TOO, located at 1850 West Street, Southington, Connecticut (“Facility”) by the Connecticut Office of Early Childhood (“Agency”) pursuant to § 19a-80(b), of the General Statutes of Connecticut (“Statutes”);

WHEREAS, CARLA RUSSO is the Legal Representative of the Operator and therefore is duly authorized and empowered to act on behalf of the Operator and to bind the Operator to the terms and conditions contained in this Consent Order;

WHEREAS, in 2020, CARLA RUSSO closed a separately licensed program named MY LITTLE RASCALS, located at 445 N. Main Street, Southington, Connecticut, which program was operating under a Consent Order;

WHEREAS, the Operator admits and acknowledges that the violations contained in the Statement of Charges dated February 28, 2022 (attached hereto as Exhibit A) did occur;

WHEREAS, the foregoing acts referenced in the Statement of Charges constitute grounds for disciplinary action pursuant to § 19a-84 of the Statutes, taken in conjunction with §§ 19a-79-1a et seq. of the Regulations of Connecticut State Agencies;

WHEREAS, the parties desire to fully resolve the matter without further proceeding;

WHEREAS, this Consent Order embodies the entire agreement of the parties with respect to the subject matter involved herein. All previous communications and agreements, with regard to the subject matter of this Consent Order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof;

WHEREAS, a Consent Order was executed by the parties on December 12, 2018, and amended by a Letter of Amendment of September 20, 2019 (attached hereto as Exhibit B);

WHEREAS, a Consent Order was executed by the parties on May 28, 2020 (attached hereto as Exhibit C);

WHEREAS, the 2018 Consent Order and Letter of Amendment, and the 2020 Consent Order are replaced and superseded by this Consent Order; and

WHEREAS, the Operator, in consideration of this Consent Order, has chosen not to contest the Statement of Charges before a hearing officer and further agrees that this Consent Order shall have the same effect as if ordered after a full hearing pursuant to § 19a-84 of the Statutes.

THEREFORE, pursuant to § 4-177 of the Statutes, the Operator hereby stipulates and agrees to the following:

1. This Consent Order fully and completely resolves the admissions referenced contained in the Statement of Charges without any further proceeding.
2. This Consent Order may be considered as evidence of the above admitted violations in any subsequent proceeding or determination before the Agency in which (1) the Operator's compliance with this same Consent Order is at issue, or (2) the Operator's compliance with any state or federal statute and/or regulation is at issue.
3. The Operator waives its right to a hearing on the merits of this matter.
4. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack, or judicial review under any form or in any forum, including any right of review under the Uniform Administrative Procedure Act, Chapter 368a of the Statutes, or Regulations that exist at the time the agreement is executed or may become available in the future, provided that this stipulation shall not deprive the Operator of any other rights that it may have under the laws of the State of Connecticut or of the United States.
5. This Consent Order is a revocable offer of settlement that may be modified by mutual agreement or withdrawn at any time prior to its being signed by the Commissioner of Connecticut Office of Early Childhood or her designee.
6. This Consent Order is a matter of public record and will be reported in accordance with state and federal laws and/or regulations and Agency policy. The Consent Order will be posted on the Agency's website.
7. For a period of two years from the effective date of this Consent Order, the Operator shall continue to implement the written plan for the administrative oversight of the Facility, developed pursuant to the 2018 and 2020 consent orders. The Operator shall designate Chris and/or Carla Russo to conduct weekly on-site administrative audits for a period of two years. Within two weeks after each audit, Chris and/or Carla Russo shall provide the Director with a written report of the audit, which includes findings, recommendations and timelines for improvement. Within two weeks after each audit, Chris and/or Carla Russo shall verbally review such report with the Director and shall ensure that the Director implements all such recommendations and timelines. Chris and/or Carla Russo shall review documentation of implementation to ensure compliance. The Operator shall maintain the written plan, documentation of the audits and the written reports, documentation of implementation, and documentation of review of implementation at the Facility for Agency review.
8. Within one week of the effective date of this Consent Order, the Operator shall contract with an Agency-approved education consultant to conduct on-site observations for two years as follows:

Monthly for the first year and quarterly for the second year. These observations shall include, but not be limited to review of the weekly administrative audits, required by paragraph 7 above, all classrooms and staff in their interactions with the children, activities with children, supervision of the children, group size, ratio, and safe sleep. The first observation shall be conducted by the education consultant within one month of the effective date of this Consent Order. The educational consultant shall submit, within two weeks after each observation, a written evaluation with recommendations and timelines for improvement to the Operator. The Operator shall implement all such recommendations and timelines unless prior approval has been obtained from the Agency excusing compliance. The Operator shall maintain documentation of the required observations and implementations at the Facility for Agency review.

9. For a period of two years from the effective date of this Consent Order, Carla Russo and/or Chris Russo shall be present at the Facility for all education consultant on-site visits as set forth in paragraph 8 above. The Operator shall maintain appropriate documentation verifying such attendance at the Facility for Agency review.
10. The Operator agrees not to seek another child care center or group child care home license within three years of the effective date of this Consent Order. If the Operator violates this paragraph and seeks a child care center or group child care home license, the Operator agrees that the application will be denied, and the Operator agrees that it is waiving all rights to challenge and/or appeal such decision in any forum including, but not limited to, Connecticut Superior Court.
11. If, within five years from the effective date of this Consent Order, the Agency determines, pursuant to its own investigation, without a hearing, that the Operator is in violation of this Consent Order and/or the Regulations pertaining to ratio and/or group size, the Agency may, at its sole and absolute discretion, revoke the license, without a hearing or other recourse or review, including judicial review in any forum or court. The Operator shall thereupon cease operation upon receipt of notice from the Agency.
12. For a period of two years from the effective date of this Consent Order, the Operator shall ensure that all new staff participate in the Agency's online video presentations "Maintaining Compliance" and "Child Care Providers Medication Administration" prior to assuming child care responsibilities. The Operator shall maintain appropriate documentation to verify such participation at the Facility for Agency review.
13. For a period of two years from the effective date of this Consent Order, Chris and/or Carla Russo shall review 30 minutes of video per week from each room in the Facility to ensure that staff are acting in compliance with the Regulations and following the Facility's policies and procedures. The Operator shall maintain appropriate documentation to verify such reviews at the Facility for Agency review.
14. For a period of two years from the effective date of this Consent Order, the Operator shall employ a Director, other than Carla Russo or Chris Russo, who is required to be on-site and conducting administrative duties at the Facility at least 60% of the time the Facility is in operation on a weekly basis in order to ensure compliance with the Facility's policies and procedures, the Regulations, and the terms of this Consent Order. The Operator shall maintain appropriate documentation verifying the days and hours the Director is on-site at the Facility and detailing the weekly administrative tasks completed by the Director at the Facility for Agency review.

15. For a period of two years from the effective date of this Consent Order, Chris Russo shall be on-site at the Facility for at least 60% of the Facility's operating hours on a monthly basis. Chris Russo shall vary his times of arrival and departure to ensure that he has been on-site for all operating hours on a monthly basis. The Operator shall maintain appropriate documentation verifying the days and hours Chris Russo is on-site at the Facility.
16. Within two weeks of the effective date of this Consent Order, the Operator shall contract with an Agency-approved education consultant to assist with the review, development and implementation of written policies and procedures pertaining to physical plant and record keeping, including records related to staffing. Such written policies and procedures shall be developed and implemented within one month of the effective date of this Consent Order. The Operator shall implement such written policies and procedures for a period of no less than two years. The Operator shall maintain documentation of implementation of such policies and procedures at the Facility for Agency review.
17. Within six months of the effective date of this Consent Order, Chris Russo and Carla Russo shall have successfully completed three credits in the administration of early childhood education programs or educational administration as required by § 19a-79-4a(d)(1) of the Regulations. The Operator shall maintain on site for Agency review documentation of the successful completion of the three credits.
18. Within two weeks of the effective date of this Consent Order, the Operator shall contract with an Agency-approved health consultant to conduct on-site observations to ensure compliance with the regulations pertaining to under three health and safety practices, including but not limited to diaper changing and handwashing. Such observations shall be conducted weekly for six months. Chris Russo and/or Carla Russo shall be present at all on-site observations. The first observation shall be conducted by the health consultant within one month of the effective date of this Consent Order.
19. The Operator shall ensure that all consultative logs and written agreements for consultation services shall be on-site in original form and shall include updated comments and/or recommendations.
20. Upon the expiration of any condition in this Consent Order, the Agency may, at its sole discretion, extend such condition for a period of up to one year from the date of expiration.
21. The Operator shall provide the Director with a copy of this fully executed Consent Order, including Exhibits A, B, and C, upon receipt of such, and shall provide all consultants referenced herein with a copy of this fully executed Consent Order, including Exhibits A, B, and C, upon entering into contract with the consultant.
22. The Operator shall pay a civil penalty of three thousand dollars (\$3,000) for failure to comply with the Regulations, one thousand dollars of which shall be due and payable upon the Operator's signing this Consent Order. The second payment of one thousand dollars shall be made on or before May 31, 2022 and the third and final payment shall be made on or before July 29, 2022. The Operator shall submit the payments by check payable to "Treasurer, State of Connecticut" and mail to: Connecticut Office of Early Childhood, Legal Division, 450 Columbus Blvd., Suite 303, Hartford, CT 06103, Attention: MaryBeth Miller, Staff Attorney. Failure to make a payment on time in accordance with this paragraph shall constitute a violation of this Consent Order.

23. Any violation of the terms of this Consent Order shall constitute grounds for the Agency to take any appropriate action against the license.
24. Legal notice of any action shall be deemed sufficient if sent to the Operator's last address of record, as reported by the Licensee to the Connecticut Office of Early Childhood Division of Licensing.
25. This Consent Order is effective upon the signature of the Commissioner's designee if a hearing has not been scheduled or by the Commissioner if a hearing has been scheduled, at which time it shall become final and an Order of the Commissioner of the Connecticut Office of Early Childhood.
26. The terms of this Consent Order shall be binding upon and enforceable against the Legal Operator's successors and assigns, as provided by law.
27. The Operator, Carla Russo and Chris Russo have consulted with their attorney prior to signing this Consent Order.

IN WITNESS WHEREOF, the parties hereto, which have caused this Order to be executed by their respective officers and officials, declare the execution of this Consent Order to be their free act and deed. CARLA RUSSO represents that she is authorized to sign this Consent Order on behalf of the Operator and bind the Operator to the terms and conditions contained in this Consent Order.

OPERATOR

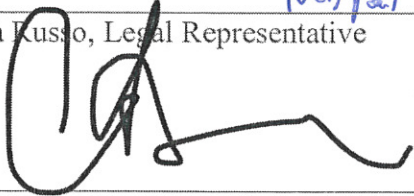
MY LITTLE RASCALS TOO, LLC



New York Attorney

Carla Russo, Legal Representative

March 23rd, 2022



CARLA RUSSO, INDIVIDUALLY

March 23rd, 2022



CHRIS RUSSO, INDIVIDUALLY

March 23rd, 2022

CONNECTICUT OFFICE OF EARLY CHILDHOOD

Beth Bye, Commissioner

By: _____

Debra L. Johnson, Director
Division of Licensing

March 23, 2022

EXHIBIT A



Ned Lamont
Governor
Susan Bysiewicz
Lt. Governor

STATE OF CONNECTICUT

OFFICE OF EARLY CHILDHOOD



Connecticut Office of
Early Childhood

Beth Bye
Commissioner

Certified Mail
First Class

February 28, 2022

Attorney Neil Paul
Law Office of Cohen, Burns, Hard & Paul
81 South Main Street
West Hartford, CT 06107
npaul@cbhplaw.com

NOTICE OF LICENSURE ACTION AND STATEMENT OF CHARGES

IN THE MATTER OF:

My Little Rascals Too, LLC
Carla Russo, Legal Representative
1850 West Street
Southington, CT 06489

Re: My Little Rascals Too
1850 West Street
Southington, CT 06489
Child Care Center License # 70341

Pursuant to Section 19a-84 of the Connecticut General Statutes (“Statutes”) and 19a-79-2a (d) of the Regulations of Connecticut State Agencies (“Regulations”), the Connecticut Office of Early Childhood (“Agency”) hereby provides notice of its intent to seek revocation, or other disciplinary action as the Agency deems appropriate and consistent with the law, against the above named child care center license based on the following charges:

1. My Little Rascals Too, LLC, of Southington, Connecticut, (“Operator”) is, and has been, at all times referenced in this Statement of Charges, the holder of Connecticut Child Care Center License # 70341. Said license authorizes the Operator to operate a child care center named My Little Rascals Too located in Southington, Connecticut and, as such, the Operator is responsible for compliance with the requirements of §§ 19a-79-1a through 19a-79-13 of the Regulations.
2. Carla Russo is the legal representative of the Operator.
3. The Operator and the Agency entered into a Consent Order on or about December 12, 2018 (Exhibit A). The Operator and the Agency entered into a Second Consent Order on or about May 28, 2020 (Exhibit B).

Phone: (860) 500-4466 · Fax: (860) 326-0555
450 Columbus Boulevard, Suite 303
Hartford, Connecticut 06103
www.ct.gov/oec
Affirmative Action/Equal Opportunity Employer

4. As a result of an investigation that commenced on or about March 16, 2021, the Agency found that the Operator failed to maintain the requirements for administration of a child care center where staff did not ensure the health and safety of children when it was observed that staff and/or children three years of age or older were not wearing masks and/or masks were pulled below the nose in violation of § 19a-79-3a (a) of the Regulations.
5. As a result of an investigation that commenced on or about March 16, 2021, the Agency found that the Operator failed to maintain the requirements for staffing when staff failed to supervise children at all times where a child was kicked in the face and chest while staff were otherwise occupied on cell phones in violation of § 19a-79-4a (c) (4) (D) of the Regulations.
6. As a result of an investigation that commenced on or about April 20, 2021, the Agency found that the Operator failed to maintain the requirements for administration of a child care center when a review of the Operator's records revealed that at least two staff had not completed the requisite orientation for a new employee in violation of § 19a-79-3a (b) (7) of the Regulations.
7. As a result of an investigation that commenced on or about April 20, 2021, the Agency found that the Operator failed to maintain the requirements for the under three endorsement when, based on witness statements, there was not at least one staff for every four children under the age of three years, or fraction thereof, in violation of § 19a-79-10 (c) (2) of the Regulations.
8. As a result of an investigation that commenced on or about April 20, 2021, the Agency found that the Operator failed to maintain the requirements for administration of a child care center when:
 - a. staff did not manage child behaviors using techniques based on developmentally appropriate practice where staff used inappropriate language towards a child in order to redirect the child in violation of § 19a-79-3a (b) (8) (A) of the Regulations; and/or
 - b. staff did not report actual or suspected child abuse or neglect, or the imminent risk of serious harm to a child, to the Department of Children and Families, as mandated by law, in violation of § 19a-79-3a (b) (8) (E) of the Regulations.
9. As a result of an investigation that commenced on or about April 20, 2021, the Agency found that the Operator failed to maintain the requirements for staffing when a review of the Operator's records revealed that five staff files were either incomplete or not on the licensed premises in violation of § 19a-79-4a (a) of the Regulations.
10. As a result of an investigation that commenced on or about June 17, 2021, the Agency found that the Operator failed to maintain the requirements for the under three endorsement when the requisite staff to child ratio of one staff for every four children under the age of three years, or fraction thereof, was exceeded where one staff was observed with seven children under the age of three years in violation of § 19a-79-10 (c) (2) of the Regulations.
11. As a result of an investigation that commenced on or about June 17, 2021, the Agency found that the Operator failed to maintain the requirements for administration of a child care center when a review of the Operator's records revealed that two staff had not completed the requisite

orientation for a new employee and/or their files lacked documentation that the requisite orientation had been completed in violation of § 19a-79-3a (b) (7) of the Regulations.

12. As a result of an investigation that commenced on or about June 17, 2021, the Agency found that the Operator failed to maintain the requirements for staffing when a review of the Operator's records revealed that one staff file was not on the licensed premises and two staff files were incomplete in that one file lacked a medical statement and one file lacked a written report of a negative tuberculin test in violation of § 19a-79-4a (a) of the Regulations.
13. As a result of an investigation that commenced on or about June 17, 2021, the Agency found that the Operator failed to maintain the requirements for physical plant when:
 - a. equipment was not maintained in such a state to be free of health and safety hazards where a heat lamp in a lizard's cage was hot and accessible to children, and/or equipment was not clean where a table, upon which a snack or art project had been conducted, was not cleaned prior to children eating on it in violation of § 19a-79-7a (c) (2) of the Regulations; and/or
 - b. no area was available for the individual storage of each child's clothing and bedding where bedding was observed piled together on cots in violation of § 19a-79-7a (d) (8) of the Regulations.
14. As a result of an investigation that commenced on or about June 17, 2021, the Agency found that the Operator failed to maintain the requirements for group size and the under three endorsement when the maximum group size of eight was exceeded where fourteen children were observed in one group that included at least one child under the age of three years in violation of §§ 19a-79-4a (c) (5) (B) and 19a-79-10 (c) (3) of the Regulations.
15. As a result of a June 23, 2021 follow-up visit, stemming from an investigation that commenced on or about June 17, 2021, the Agency found that the Operator failed to maintain the requirements for staffing when a review of the Operator's records revealed that multiple staff files were incomplete where:
 - a. seven staff files lacked documentation of a completed state and a completed federal fingerprint card for a State Police Bureau of Identification and a Federal Bureau of Investigation Criminal Records check in violation of § 19a-79-4a (b) (1) of the Regulations; and/or
 - b. three staff files lacked documentation of a completed check of the state's abuse and neglect registry in violation of § 19a-79-4a (b) (2) of the Regulations.
16. As a result of an investigation that commenced on or about August 25, 2021, the Agency found that the Operator failed to maintain the requirements for administration of a child care center by not ensuring the safety of children where staff video recorded an incident between two children and the staff and subsequently posted the video recording on social media in violation of § 19a-79-3a (a) of the Regulations.

17. As a result of an investigation that commenced on or about October 28, 2021, the Agency found that the Operator failed to maintain the requirements for administration of a child care center where staff did not ensure the health and safety of children when it was observed that staff and/or children three years of age or older were not wearing masks and/or masks were pulled below the nose in violation of § 19a-79-3a (a) of the Regulations.
18. As a result of an unannounced full inspection conducted on December 21, 2021, the Agency found that the Operator failed to maintain the requirements for licensure procedures when the Operator failed to ensure that the local health director conducted an inspection at least every two years and/or the Operator's records lacked documentation of said inspection in violation of § 19a-79-2a (c) (7) of the Regulations.
19. As a result of an unannounced full inspection conducted on December 21, 2021, the Agency found that the Operator failed to maintain the requirements for administration of a child care center when:
 - a. a review of the Operator's records revealed three staff files lacked documentation of COVID-19 weekly testing and/or seven staff files lacked documentation of a signed declaration of authenticity of vaccination record in violation of § 19a-79-3a (a) of the Regulations;
 - b. staff did not ensure the health and safety of children where it was observed that four children, three years of age or older, were not wearing masks in violation of § 19a-79-3a (a) of the Regulations;
 - c. diaper changing procedures required by regulation were not followed when one staff was observed to not wash her hands after changing a child's diaper in violation of § 19a-79-3a (d) of the Regulations; and/or
 - d. no developmental milestones were posted in the Facility in violation of Public Act 19-106.
20. As a result of an unannounced full inspection conducted on December 21, 2021, the Agency found that the Operator failed to maintain the requirements for staffing when a review of the Operator's records revealed that:
 - a. two staff did not obtain a medical statement, and/or their files lacked documentation thereof, in violation of § 19a-79-4a (a) (1) of the Regulations;
 - b. two staff did not obtain a written report of a negative tuberculin test completed twelve (12) months prior to the date of employment, and/or their files lacked documentation thereof, in violation of § 19a-79-4a (a) (2) of the Regulations;
 - c. a comprehensive background check was not completed for twenty staff, and/or their files lacked documentation thereof, in violation of § 19a-79-4a (b) of the Regulations;
 - d. at least one staff member with a current certification in cardiopulmonary resuscitation (CPR) was not present at all times that the child care center was in operation where, on December 13, 2021, no staff member with a current CPR certification was present at the Facility after 4:45 p.m. in violation of § 19a-79-4a (e) (1) of the Regulations;
 - e. at least one staff member with a current certification in first aid was not present at all times that the child care center was in operation where, on December 13, 2021, no staff member with a current first aid certification was present at the Facility after 4:45 p.m. in violation of § 19a-79-4a (e) (2) of the Regulations;

- f. unexpired written plans for consultation services for the education, health, social service, and/or dental consultants were not readily available, and/or provided upon request, in violation of § 19a-79-4a (h) of the Regulations; and/or
 - g. documentation of annual review of written policies, plans, and procedures, and/or education programs, were not readily available, and/or not provided upon request, in violation of § 19a-79-4a (h) (2) of the Regulations.
21. As a result of an unannounced full inspection conducted on December 21, 2021, the Agency found that the Operator failed to maintain the requirements for health and safety when the first aid kit located downstairs lacked a current (defined as less than five years in print) first aid manual where the first aid manual was dated 2002 in violation of § 19a-79-6a (c) (11) of the Regulations.
22. As a result of an unannounced full inspection conducted on December 21, 2021, the Agency found that the Operator failed to maintain the requirements for physical plant when:
- a. the building and equipment were not maintained in such a condition to be free of health and safety hazards in violation of § 19a-79-7a (c) (2) of the Regulations where:
 - 1) a white cupboard was unsecured in the Owls room;
 - 2) two white drawers were broken in the Joeys room;
 - 3) a shelf was not secured in the downstairs bathroom;
 - 4) fans were dirty in the Foxes room; and/or
 - 5) a utility closet containing an electrical panel, cords, and paint lacked a latching mechanism and was thereby accessible to children;
 - b. the facility lacked a sufficient number of toilets for its licensed capacity of 113 children where only seven toilets were available per sixteen children in violation of § 19a-79-7a (d) (11) (C) of the Regulations;
 - c. ceilings were not maintained in a good state of repair where six ceiling tiles were stained in the downstairs bathroom in violation of § 19a-79-7a (e) (5) of the Regulations;
 - d. potentially hazardous substances were not stored in a separate locked area where Windex was observed unsecured and accessible to children in the downstairs bathroom and in the Turtles room, and bleach was observed in a cupboard with a broken latch in the Dragons room in violation of § 19a-79-7a (e) (10) of the Regulations;
 - e. the facility lacked a minimum of thirty-five (35) square feet of total indoor usable program space per child where eighteen children were observed in the Owl room which has a maximum capacity of sixteen (16) children, and/or eight children were observed in the gross motor room which has a maximum capacity of seven (7) children in violation of § 19a-79-7a (f) (1) (A) of the Regulations;
 - f. equipment was not safe for children where chairs were ripped, exposing porous surfaces that could not be wiped or readily cleaned, in the Joeys and Ducklings rooms in violation of § 19a-79-7a (g) of the Regulations;
 - g. equipment was not free from rust where microwaves in the Foxes, Dragons, and Dinos rooms contained rust in violation of § 19a-79-7a (g) (1) and/or (3) of the Regulations; and/or
 - h. the playground was not free of hazards where a broken sandbox was readily accessible to children in violation of § 19a-79-7a (h) (3) of the Regulations.

23. As a result of an unannounced full inspection conducted on December 21, 2021, the Agency found that the Operator failed to maintain the requirements for administration of medication when:
- a. a staff trained in the administration of medication was not present whenever a child with an order to receive medication is enrolled and present at the facility where a review of the Operator's records revealed that, on December 13, 2021, there was no such staff at the facility after 4:45 p.m. despite one child being in attendance who required medication in violation of § 19a-79-9a (b) (1) (A) of the Regulations;
 - b. a nonprescription medication, cortisone, lacked the written order of an authorized prescriber in violation of § 19a-79-9a (b) (3) (A) of the Regulations; and/or
 - c. expired medication was not returned to parents, or disposed of, where expired Benadryl was observed in violation of § 19a-79-9a (b) (5) (D) of the Regulations.
24. As a result of an unannounced full inspection conducted on December 21, 2021, the Agency found that the Operator failed to maintain the requirements for the under three endorsement when:
- a. the requisite staff to child ratio, requiring one program staff for every four children, or fraction thereof, in attendance and the requisite group size of eight were exceeded where two staff were observed with nine children in the Whales room in violation of §§ 19a-79-10 (c) (2) and/or (3) of the Regulations;
 - b. separate sinks were not available for purposes other than hand washing after diaper changing where cups and bibs were observed in the handwashing sink in Room 4 in violation of § 19a-79-10 (d) (1) (B) of the Regulations;
 - c. chairs for feeding children did not have appropriate safety straps where bucket seats were observed without buckles in Rooms 3 and 4 in violation of § 19a-79-10 (d) (2) (C) of the Regulations;
 - d. diapering areas were not used solely and exclusively for diapering where blankets and pad computers were observed on the changing table in Room 4, and/or an art project was observed on the changing table in the Joeys room, in violation of § 19a-79-10 (e) (2) of the Regulations; and/or
 - e. diapering areas were not washed and disinfected between diaper changes in Room 4 in violation of § 19a-79-10 (e) (4) of the Regulations.

RIGHT TO CONTEST THE DECISION

If you wish to contest the proposed licensure action, you may request a formal hearing, pursuant to §§ 19a-84 of the Statutes and 19a-79-2a(d) of the Regulations. Your written request for a hearing must be delivered to the Office of Early Childhood's Legal Division within thirty (30) days from the date you receive this letter and it must state why you feel aggrieved by the Agency's decision. Address the request to:

**Office of Early Childhood
Legal Division
450 Columbus Blvd., Suite 303
Hartford, CT 06103**

If you request a formal hearing, the Agency will notify you of the date, time, and location of the hearing by mail. You have the right to bring witnesses and any documentary evidence to the hearing to support the claim. You may be represented at the hearing by legal counsel.

If you do not request a hearing within the thirty (30) day period, your license will be revoked effective thirty (30) days from your receipt of this letter, you will be required to cease your day care operation at that time, and you must notify each parent of the closing.

If you request a hearing, you must notify each parent of the alleged violations and the date of the hearing at least ten (10) days before it is held, pursuant to § 19a-79-3a(i) of the Regulations for Child Care Centers/Group Child Care Homes. The notification shall be in writing and sent by certified or registered mail, postage prepaid, return receipt requested, not later than ten (10) days before the scheduled hearing date. You must demonstrate compliance with this requirement at the commencement of the hearing. Inability to do so will be construed as a substantial failure to comply with the regulations and may constitute an additional basis for revocation of your license without a new statement of charges.

If you have questions concerning this action, please call the Legal Division at (860) 500-4466.

Respectfully,

Debra L. Johnson, Director
Licensing Division

MBM:ID

Copied: Susan Castonguay, Assistant Attorney General
Amy Schwarzkopf, Child Care Licensing Supervisor
Lynda Avery, Child Care Licensing Supervisor

EXHIBIT B

**STATE OF CONNECTICUT
OFFICE OF EARLY CHILDHOOD
LEGAL DIVISION**

CONSENT ORDER

IN THE MATTER OF:

Child Care Center License # 70341
MY LITTLE RASCALS TOO, LLC
CARLA RUSSO, Legal Representative

WHEREAS, MY LITTLE RASCALS TOO LLC, of Southington, Connecticut (“Operator”), has been issued license # 70341 to operate a Child Care Center named MY LITTLE RASCALS TOO, located at 1850 West Street, Southington, Connecticut (“Facility”) by the Connecticut Office of Early Childhood (“Agency”) pursuant to § 19a-80(b), of the General Statutes of Connecticut (“Statutes”);

WHEREAS, CARLA RUSSO is the Legal Representative of the Operator and therefore is duly authorized and empowered to act on behalf of the Operator and to bind the Operator to the terms and conditions contained in this Consent Order;

WHEREAS, the Operator admits and acknowledges that the violations contained in the draft Statement of Charges dated July 5, 2018 (attached hereto as Exhibit A) did occur;

WHEREAS, the foregoing acts referenced in the draft Statement of Charges constitute grounds for disciplinary action pursuant to § 19a-84 of the Statutes, taken in conjunction with §§ 19a-79-1a et seq. of the Regulations;

WHEREAS, the parties desire to fully resolve the matter without further proceeding;

WHEREAS, this Consent Order embodies the entire agreement of the parties with respect to the subject matter involved herein. All previous communications and agreements, with regard to the subject matter of this Consent Order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof; and,

WHEREAS, the Operator, in consideration of this Consent Order, has chosen not to contest the above admissions before a hearing officer and further agrees that this Consent Order shall have the same effect as if ordered after a full hearing pursuant to § 19a-84 of the Statutes.

THEREFORE, pursuant to § 4-177 of the Statutes, the Operator hereby stipulates and agrees to the following:

1. This Consent Order fully and completely resolves the admissions referenced above without any further proceeding.
2. This Consent Order may be considered as evidence of the above admitted violations in any subsequent proceeding or determination before the Agency in which (1) the Operator’s compliance with this same Consent Order is at issue, or (2) the Operator’s compliance with any state or federal statute and/or regulation is at issue.

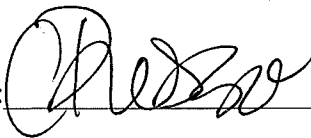
3. The Operator waives its right to a hearing on the merits of this matter.
4. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack, or judicial review under any form or in any forum, including any right of review under the Uniform Administrative Procedure Act, Chapter 368a of the Statutes, or Regulations that exist at the time the agreement is executed or may become available in the future, provided that this stipulation shall not deprive the Operator of any other rights that it may have under the laws of the State of Connecticut or of the United States.
5. This Consent Order is a revocable offer of settlement that may be modified by mutual agreement or withdrawn at any time prior to its being signed by the Commissioner of Connecticut Office of Early Childhood or his/her designee.
6. This Consent Order is a matter of public record and will be reported in accordance with state and federal laws and/or regulations and Agency policy. The Consent Order may be posted on the Agency's website.
7. The Operator shall, within one month of the effective date of this Consent Order, develop and implement a written plan for the administrative oversight of the Facility. This plan shall include procedures for conducting weekly administrative audits, for a period of at least two years, that ensure that all policies and procedures of the Facility are implemented and that staff are adequately trained and ensure compliance with the Regulations and conditions of this Consent Order. The plan shall require that the Operator address verbally and in writing with the Director the findings and recommendations after each audit. The Operator shall maintain the written plan and documentation of the audits at the Facility for Agency review.
8. The Operator shall, within one month of the effective date of this Consent order, contract with an Agency-approved educational consultant to conduct on-site observations quarterly for two years. These observations shall include, but not be limited to, the review of the weekly administrative audits of the Operator, required by Condition #7 above, all classrooms and staff in their interactions with the children, supervision of the children, staff to child ratio, and compliance with the Regulations. The first observation shall be conducted by the education consultant within two months of the effective date of this Consent Order. The educational consultant shall submit, within two weeks after each observation, a written evaluation with recommendations and timelines for improvement to the Operator. The Operator shall maintain documentation of the required observations at the Facility for Agency review.
9. The Operator shall comply with all of the educational consultant's recommendations and timelines for the Facility as outlined in Condition #8 above unless prior approval from the Agency has been obtained excusing compliance. The Operator shall maintain written verification of implementation at the Facility for Agency review. The Operator shall, within one week of the effective date of this Consent Order, ensure that the consultant specified in Condition #8 receives a copy of the executed Consent Order. The Operator shall maintain documentation on file at the facility that the executed Consent Order has been shared and discussed with the education consultant.

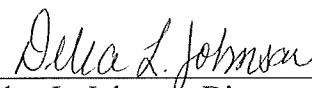
- 10. The Operator shall pay a civil penalty of \$250 for failure to comply with the Regulations, due and payable upon the Operator’s signing this Consent Order. The Operator shall submit the payment by check payable to “Treasurer, State of Connecticut” and mail to: Connecticut Office of Early Childhood, Legal Division, 450 Columbus Blvd., Suite 303, Hartford, CT 06103, Attention: Michael Curley, Staff Attorney.
- 11. Any violation of the terms of this Consent Order shall constitute grounds for the Agency to take other appropriate action against the license.
- 12. Legal notice of any action shall be deemed sufficient if sent to the Operator’s last address of record, as reported by the Licensee to the Connecticut Office of Early Childhood Division of Licensing.
- 13. This Consent Order is effective upon the signature of the Commissioner’s designee if a hearing has not been scheduled or by the Commissioner if a hearing has been scheduled, at which time it shall become final and an Order of the Commissioner of the Connecticut Office of Early Childhood.
- 14. The terms of this Consent Order shall be binding upon and enforceable against the Legal Operator’s successors and assigns, as provided by law.
- 15. The Operator has had the opportunity to consult with an attorney prior to signing this Consent Order.

IN WITNESS WHEREOF, the parties hereto, which have caused this Order to be executed by their respective officers and officials, declare the execution of this Consent Order to be their free act and deed. CARLA RUSSO represents that she is authorized to sign this Consent Order on behalf of the Operator and bind the Operator to the terms and conditions contained in this Consent Order.

OPERATOR
MY LITTLE RASCALS, LLC

CONNECTICUT OFFICE OF EARLY CHILDHOOD
David Wilkinson, Commissioner

By:  _____

By:  _____
Debra L. Johnson, Director
Division of Licensing

Carla Russo, Legal Representative

Date Signed: 12-6-18

Date Signed: 12/12/18



Dannel P. Malloy
Governor
Nancy Wyman
Lt. Governor

STATE OF CONNECTICUT
OFFICE OF EARLY CHILDHOOD



Connecticut Office of
Early Childhood

David Wilkinson
Commissioner

July 5, 2018

EXHIBIT A

DRAFT
NOTICE OF PROPOSED LICENSURE ACTION AND
STATEMENT OF CHARGES

IN THE MATTER OF:

MY LITTLE RASCALS TOO, LLC
c/o Carla Russo, Legal Representative
1850 West Street
Southington, CT 06489-2179

d/b/a: MY LITTLE RASCALS
1850 West Street
Southington, CT 06489-2521
Child Care Center Lic. # 70341

Pursuant to Section 19a-84 of the Connecticut General Statutes ("Statutes") and 19a-79-2a(d) of the Regulations of Connecticut State Agencies ("Regulations"), the Connecticut Office of Early Childhood ("Agency") hereby provides notice of its intent to seek revocation or other disciplinary action as the Agency deems appropriate and consistent with the law against the above named Child Care Center license based on the following charges:

1. My Little Rascals TOO, LLC, of Southington, Connecticut, ("Operator") is, and has been at all times referenced in this Statement of Charges, the holder of Connecticut Child Care Center License # 70341 and, as such, is responsible for compliance with the requirements of §§ 19a-79-1a through 19a-79-13 of the Regulations.
2. Carla Russo is the legal representative of the Operator.
3. The Operator failed to meet the requirements for the administration of the child care center when on or about April 24, 2018, the daily attendance logs for children and staff were incomplete in violation of § 19a-79-3a(d)(1) of the Regulations.
4. The Operator failed to maintain the requirements for staff when on or about April 24, 2018:
 - a. there was a classroom with 16 children and one teacher and another classroom with 14 children and one teacher in violation of § 19a-79-4a(c)(4)(A) of the Regulations; and/or
 - b. staff members left infants unsupervised in a classroom in violation of § 19a-79-4a(c)(4)(D) of the Regulations;

Phone: (860) 500-4466 · Fax: (860) 326-0555
450 Columbus Boulevard, Suite 303
Hartford, Connecticut 06103
www.ct.gov/oec

Affirmative Action/Equal Opportunity Employer

5. The Operator failed to maintain the required records for staff and/or children when on or about February 1, 2018, an individual care plan for a child who suffered seizures was missing the parent signature and/or was incomplete in violation of § 19a-79-5a(a)(2)(E) of the Regulations.
6. The Operator failed to meet the requirements for the physical plant when on or about February 1, 2018, there was a gallon of bleach, Windex and/or Clorox wipes unlocked in two toddler classrooms in violation of § 19a-79-7a(e)(10) of the Regulations.
7. The Operator failed to maintain the requirements for the administration of medications when on or about February 1, 2018:
 - a. there were two diaper cream forms that had expired and/or five forms were missing in violation of § 19a-79-9a(a)(2) of the Regulations; and/or
 - b. there was unlocked medication (Motrin) in the waddler room in violation of § 19a-79-9a(b)(5)(B) of the Regulations.
8. The Operator failed to ensure that specific requirements were maintained for children under the age of three when:
 - a. on or about February 1, 2018, there were soft and loose crib mattresses in the infant room in violation of § 19a-79-10(g)(4) of the Regulations; and/or
 - b. on or about February 27, 2018, staff and child ratios, and group size for children under age three were not maintained when there was a child under the age of three in the preschool classroom with sixteen children and two teachers, and/or there was no physical barrier separating each group in violation of §§ 19a-79-10(c)(2), 19a-79-10(c)(3) and/or 19a-79-10(c)(4) of the Regulations.

RIGHT TO CONTEST THE DECISION

If you wish to contest the proposed licensure action, you may request a formal hearing, pursuant to §§ 19a-84 of the Statutes and 19a-79-2a(d) of the Regulations. Your written request for a hearing must be delivered to the Office of Early Childhood's Legal Division within thirty (30) days from the date you receive this letter and it must state why you feel aggrieved by the Agency's decision. Address the request to:

**Legal Division
Office of Early Childhood
450 Columbus Boulevard, Suite 302
Hartford, CT 061038**

If you request a formal hearing, the Agency will notify you of the date, time, and location of the hearing by mail. You have the right to bring witnesses and any documentary evidence to the hearing to support the claim. You may be represented at the hearing by legal counsel.

If you do not request a hearing within the thirty (30) day period, your license will be revoked effective thirty (30) days from your receipt of this letter, you will be required to cease your day care operation at that time, and you must notify each parent of the closing.

If you request a hearing, you must notify each parent of the alleged violations and the date of the hearing at least ten (10) days before it is held, pursuant to § 19a-79-3a(i) of the Regulations for Child Care Centers/Group Child Care Homes. The notification shall be in writing and sent by certified or registered mail, postage prepaid, return receipt requested, not later than ten (10) days before the scheduled hearing date. You must demonstrate compliance with this requirement at the commencement of the hearing. Inability to do so will be construed as a substantial failure to comply with the regulations and may constitute an additional basis for revocation of your license without a new statement of charges.

If you have questions concerning this action and wish to speak to a licensing representative, call (800) 282-6063 or (860) 500-4450.

Respectfully,

Debra L. Johnson, Director
Division of Licensing
Office of Early Childhood

DLJ:XX:

Enc.: Parent Notice

Copied: NAME, Attorney at Law,
 NAME, Assistant Attorney General
 NAME, Child Care Licensing Supervisor
 NAME, Child Care Licensing Supervisor



STATE OF CONNECTICUT

OFFICE OF EARLY CHILDHOOD

Connecticut Office of
Early Childhood

Ned Lamont
Governor
Susan Bysiewicz
Lt. Governor

Beth Bye
Commissioner

AMENDMENT TO CONSENT ORDER

IN THE MATTER OF MY LITTLE RASCALS TOO
Child Care Center License # 70341
CARLA RUSSO, Legal Representative

My Little Rascals Too, LLC, (the "Operator") and the Office of Early Childhood ("Agency") entered into a Consent Order on December 12, 2018, regarding the Operator's Child Care Center in which the Operator agreed to comply with the conditions set forth in the Consent Order (attached).


By mutual agreement of the parties, Condition #8 of the December 12, 2018 Consent Order is amended as follows:

The Operator shall have educational consultant Christopher Badenhop conduct on-site observations every other month for one year, and thereafter, quarterly for one year. These observations shall include, but not limited to, the review of weekly administrative audits of the Operator, required by Condition #7 of the attached Consent Order, all classrooms and staff in their interactions with the children, supervision of the children, staff to child ratio, and compliance with the Regulations. The educational consultant shall submit, within two weeks after each observation, a written evaluation with recommendations and timelines for improvement to the Operator. The Operator shall maintain documentation of the required observations at the facility for Agency review.

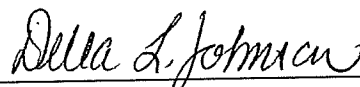
This document shall be made part of the attached December 12, 2018 Consent Order.

OPERATOR
MY LITTLE RASCALS, LLC

CONNECTICUT OFFICE OF EARLY CHILDHOOD
Beth Bye, Commissioner



Carla Russo, Legal Operator



Debra L. Johnson, Director, Division of Licensing

Date signed: 9/16/19

Date signed: 9/20/19

Phone: (860) 500-4466 · Fax: (860) 326-0555
450 Columbus Boulevard, Suite 303
Hartford, Connecticut 06103
www.ct.gov/oec

Affirmative Action/Equal Opportunity Employer

EXHIBIT C

**STATE OF CONNECTICUT
OFFICE OF EARLY CHILDHOOD
LEGAL DIVISION**

CONSENT ORDER

IN THE MATTER OF:

Child Care Center License # 70341
MY LITTLE RASCALS TOO, LLC
CARLA RUSSO, Legal Representative

WHEREAS, MY LITTLE RASCALS TOO LLC, of Southington, Connecticut (“Operator”), has been issued license # 70341 to operate a Child Care Center named MY LITTLE RASCALS TOO, located at 1850 West Street, Southington, Connecticut (“Facility”) by the Connecticut Office of Early Childhood (“Agency”) pursuant to § 19a-80(b), of the General Statutes of Connecticut (“Statutes”);

WHEREAS, CARLA RUSSO is the Legal Representative of the Operator and therefore is duly authorized and empowered to act on behalf of the Operator and to bind the Operator to the terms and conditions contained in this Consent Order;

WHEREAS, CARLA RUSSO closed, in the year 2020, a separately licensed program named MY LITTLE RASCALS, located at 445 N. Main Street, Southington, Connecticut, which program was operating under a Consent Order;

WHEREAS, the Operator admits and acknowledges that the violations contained in the draft Statement of Charges dated February 3, 2020 (attached hereto as Exhibit A) did occur;

WHEREAS, the foregoing acts referenced in the draft Statement of Charges constitute grounds for disciplinary action pursuant to § 19a-84 of the Statutes, taken in conjunction with §§ 19a-79-1a et seq. of the Regulations;

WHEREAS, the parties desire to fully resolve the matter without further proceeding;

WHEREAS, this Consent Order embodies the entire agreement of the parties with respect to the subject matter involved herein. All previous communications and agreements, with regard to the subject matter of this Consent Order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof;

WHEREAS, a Consent Order was executed by the parties on December 12, 2018, and amended by a Letter of Amendment of September 20, 2019 (attached hereto as Exhibit B);

WHEREAS, the 2018 Consent Order and Letter of Amendment are hereby incorporated into this Consent Order; and

WHEREAS, the Operator, in consideration of this Consent Order, has chosen not to contest the above admissions before a hearing officer and further agrees that this Consent Order shall have the same effect as if ordered after a full hearing pursuant to § 19a-84 of the Statutes.

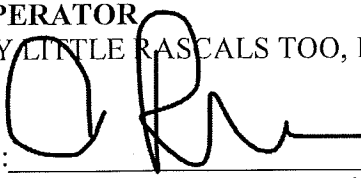
THEREFORE, pursuant to § 4-177 of the Statutes, the Operator hereby stipulates and agrees to the following:

1. This Consent Order fully and completely resolves the admissions referenced above without any further proceeding.
2. This Consent Order may be considered as evidence of the above admitted violations in any subsequent proceeding or determination before the Agency in which (1) the Operator's compliance with this same Consent Order is at issue, or (2) the Operator's compliance with any state or federal statute and/or regulation is at issue.
3. The Operator waives its right to a hearing on the merits of this matter.
4. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack, or judicial review under any form or in any forum, including any right of review under the Uniform Administrative Procedure Act, Chapter 368a of the Statutes, or Regulations that exist at the time the agreement is executed or may become available in the future, provided that this stipulation shall not deprive the Operator of any other rights that it may have under the laws of the State of Connecticut or of the United States.
5. This Consent Order is a revocable offer of settlement that may be modified by mutual agreement or withdrawn at any time prior to its being signed by the Commissioner of Connecticut Office of Early Childhood or his/her designee.
6. This Consent Order is a matter of public record and will be reported in accordance with state and federal laws and/or regulations and Agency policy. The Consent Order may be posted on the Agency's website.
7. The conditions set forth in paragraphs 7, 8, and 9 of the 2018 Consent Order, as amended, are hereby extended to a period of two years beginning from the effective date of this Consent Order.
8. For a period of two years beginning from the effective date of this Consent Order, Carla Russo and/or Chris Russo shall be present at the Facility for all education consultant on-site visits as set forth in paragraph 8 of the 2018 Consent Order, as amended, and extended pursuant to paragraph 7 above. The Operator shall maintain, at the Facility for Agency review, appropriate documentation verifying such attendance.
9. The Operator agrees not to seek another child care center license within three years of the effective date of this Consent Order.
10. The Operator shall, within three months of the effective date of this Consent Order, ensure that all staff participate in the Agency's online video presentations "Maintaining Compliance" and "Child Care Providers Medication Administration." The Operator shall ensure that all new staff participate in these presentations prior to assuming child care responsibilities. The Operator shall maintain, at the Facility for Agency review, appropriate documentation to verify such participation.
11. The Operator shall review 30 minutes of video per week from each room in the Facility to ensure that staff are acting in compliance with the Regulations and following the Facility's policies and procedures. The Operator shall maintain, at the Facility for Agency review, appropriate documentation to verify such reviews.

- 12. The Operator shall, within six months from the date the civil preparedness and public health emergencies due to the COVID-19 pandemic are lifted by Governor Lamont, employ a Director, other than Carla Russo or Chris Russo, who is required to be on-site and conducting administrative duties at the Facility at least 60% of the time the Facility is in operation on a weekly basis in order to ensure compliance with the Facility’s policies and procedures, the Regulations, and the terms of this Consent Order. The Operator shall maintain, at the Facility for Agency review, appropriate documentation verifying the days and hours the Director is on-site at the Facility and detailing the weekly administrative tasks completed by the Director.
- 13. The Operator shall pay a civil penalty of two thousand dollars (\$2,000) for failure to comply with the Regulations, due and payable in an initial payment of \$500.00 upon the Operator’s signing this Consent Order and \$500.00 due and payment on August 1, 2020, November 1, 2020, and February 1, 2020. The Operator shall submit the payment by check payable to “Treasurer, State of Connecticut” and mail to: Connecticut Office of Early Childhood, Legal Division, 450 Columbus Blvd., Suite 303, Hartford, CT 06103, Attention: MaryBeth Miller, Staff Attorney.
- 14. If such payment is not received by the Agency when due, the Operator shall pay the entire outstanding balance of the civil penalty imposed by Agency in paragraph 13 above, within ten days of receiving notice from the Agency that a payment is overdue.
- 15. Any violation of the terms of this Consent Order shall constitute grounds for the Agency to take other appropriate action against the license.
- 16. Legal notice of any action shall be deemed sufficient if sent to the Operator’s last address of record, as reported by the Licensee to the Connecticut Office of Early Childhood Division of Licensing.
- 17. This Consent Order is effective upon the signature of the Commissioner’s designee if a hearing has not been scheduled or by the Commissioner if a hearing has been scheduled, at which time it shall become final and an Order of the Commissioner of the Connecticut Office of Early Childhood.
- 18. The terms of this Consent Order shall be binding upon and enforceable against the Legal Operator’s successors and assigns, as provided by law.
- 19. The Operator has had the opportunity to consult with an attorney prior to signing this Consent Order.

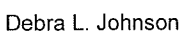
IN WITNESS WHEREOF, the parties hereto, which have caused this Order to be executed by their respective officers and officials, declare the execution of this Consent Order to be their free act and deed. CARLA RUSSO represents that she is authorized to sign this Consent Order on behalf of the Operator and bind the Operator to the terms and conditions contained in this Consent Order.

OPERATOR
MY LITTLE RASCALS TOO, LLC

By: 
Carla Russo, Legal Representative

CONNECTICUT OFFICE OF EARLY CHILDHOOD

Beth Bye, Commissioner

By: 
Debra L. Johnson, Director
Division of Licensing

DEBRA L. JOHNSON
DIRECTOR
CONNECTICUT OFFICE OF EARLY CHILDHOOD
DIVISION OF LICENSING
100 WATER STREET
HARTFORD, CT 06103
TEL: 860-319-3145

Date Signed: _____

5/28/20

Date Signed: 5/28/2020



Ned Lamont
 Governor
 Susan Bysiewicz
 Lt. Governor

STATE OF CONNECTICUT
OFFICE OF EARLY CHILDHOOD



Connecticut Office of
 Early Childhood

Beth Bye
 Commissioner

EXHIBIT A

February 3, 2020

DRAFT
NOTICE OF PROPOSED LICENSURE ACTION AND
STATEMENT OF CHARGES

IN THE MATTER OF:

My Little Rascals Too LLC
c/o Carla Russo, Legal Representative
1850 West Street
Southington, CT 06489

Re: My Little Rascals Too
1850 West Street
Southington, CT 06489
License # 70341

Pursuant to General Statutes § 19a-84 and § 19a-79-2a (d) of the Regulations of Connecticut State Agencies (“Regulations”), the Connecticut Office of Early Childhood (“Agency”) hereby provides notice of its intent to seek revocation or other disciplinary action as the Agency deems appropriate and consistent with the law against the above named child care center license based on the following charges:

1. My Little Rascals Too of West Street in Southington, Connecticut, (“Operator”) is, and has been at all times referenced in this Statement of Charges, the holder of Connecticut Child Care Center License # 70341 and, as such, is responsible for compliance with the requirements of §§ 19a-79-1a through 19a-79-13 of the Regulations.
2. Carla Russo is the legal representative of the Operator.
3. The Operator and the Agency entered into a Consent Order on December 12, 2018, (“Consent Order”) regarding the Operator’s Child Care Center license in which the Operator admitted and acknowledged that the Agency substantiated numerous violations of the Regulations pertaining to the operation of the Operator’s Child Care Center.
4. As a result of a January 2, 2020 inspection to monitor compliance with the Consent Order, as amended, the Agency determined that the Operator failed, refused or neglected to comply with Condition #7, when a review of the Operator’s records revealed that the weekly administrative audits were not conducted after November 21, 2019, and/or that the weekly administrative audits were not documented after November 21, 2019.
5. As a result of a January 2, 2020 inspection to monitor compliance with the Consent Order, as amended, the Agency determined that the Operator failed, refused, or neglected to comply with Condition # 8 of the Consent Order when a review of the Operator’s

records revealed that the Education Consultant's October 31, 2019 visit did not include a timeline for completion of recommendations and/or was incomplete.

6. As a result of the January 2, 2020 inspection to monitor compliance with the Consent Order, as amended, the Agency determined that the Operator failed, refused, or neglected to comply with Condition #9 of the Consent Order when a review of the Operator's records revealed that the Operator failed to implement the educational consultant recommendation to update the Consent Order binder and/or there was no written documentation that the Operator implemented the educational consultant's recommendation to update the Consent Order.
7. As a result of a joint inspection and investigation on January 10, 2020, the Agency found that the Operator failed to maintain the requirements for administration of a child care center when:
 - a. the Agency was not granted immediate access to the facility where staff observed Agency personnel with state identification at the door but rather than come to the door the staff were observed holding children and moving towards the back of the building in violation of § 19a-79-3a (h) of the Regulations;
 - b. a review of the Operator's records revealed that behavior management techniques had not been discussed with the parents of two children prior to enrollment and/or two children's files lacked documentation that behavior management techniques had been discussed with parents prior to enrollment in violation of § 19a-79-3a (b) (8) (B) of the Regulations;
 - c. a review of the Operator's records revealed that written policies, plans and/or procedures were incomplete in violation of § 19a-79-3a (d) of the Regulations;
 - d. written policy regarding use of telephone and mail system was not followed where staff were observed using personal cell phones in the classroom in violation of § 19a-79-3a (d) (7);
 - e. menus were not posted in a conspicuous place, accessible to the public in violation of § 19a-79-3a (e) (5) of the Regulations; and/or
 - f. radon test results were not posted in a conspicuous place, accessible to the public in violation of § 19a-79-3a (e) (9) of the Regulations.
8. As a result of a joint inspection and investigation on January 10, 2020, the Agency found that the Operator failed to maintain the requirements for staffing when a review of the Operator's records revealed that the education and dietician consultants did not conduct an annual review of written policies, plans and procedures, and educational requirements and/or such reviews were not documented in violation of § 19a-79-4a (h) (2) of the Regulations.
9. As a result of a joint inspection and investigation on January 10, 2020, the Agency found that the Operator failed to maintain the requirements for record keeping when a review of the Operator's records revealed that:
 - a. the record of one child was missing the enrollment information in violation of § 19a-79-5a (a) (1) of the Regulations;

- b. the record of one child was missing the emergency medical permission form in violation of § 19a-79-5a (a) (1) (D) (i) of the Regulations;
 - c. the record of one child was missing the authorized release permission form in violation of § 19a-79-5a (a) (1) (D) (ii) of the Regulations; and/or
 - d. an individual plan of care lacked the signature of the staff responsible for the care of the child in violation of § 19a-79-5a (a) (2) (E) of the Regulations.
10. As a result of a joint inspection and investigation on January 10, 2020, the Agency found that the Operator failed to maintain the requirements for physical plant when it was observed that:
 - a. the individual needs of the children were not being met where there were only five cribs for the eight children in attendance in violation of §§ 19a-79-7a (g) (5) and 19a-79-10 (d) of the Regulations;
 - b. there is not one toilet for every sixteen children, or fraction thereof, where there are three staff bathrooms and six toilets for children in violation of § 19a-79-7a (d) (11) (C) of the Regulations;
 - c. four vents in the upstairs bathroom were dirty, six ceiling tiles were stained, three shelves were broken in the gross motor room, a chair cushion was dirty and ripped exposing porous surface in the gross motor room, and a rug was curled up in the waddlers room posing a tripping hazard in violation of §§ 19a-79-7a (c) (2), 19a-79-7a (e) (5), and/or 19a-79-7a (g) (1) of the Regulations;
 - d. a radon test was not conducted and/or the results were not posted with the license in violation of § 19a-79-7a (e) (17) of the Regulations;
 - e. potentially hazardous substances were not stored in a separate locked area when a gallon of bleach, laundry detergent and air freshener were accessible to children in violation of § 19a-79-7a (e) (10) of the Regulations;
 - f. a minimum of thirty-five square feet of total indoor usable program space per child was not provided where ten children were observed in the jumping joeys room, the capacity of which is eight children in violation of § 19a-79-7a (f) (1); and/or
 - g. the fence used to protect children was less than four (4) feet in height in violation of § 19a-79-7a (7) (A) of the Regulations.
11. As a result of a joint inspection and investigation on January 10, 2020, the Agency found that the Operator failed to maintain the requirements for the administration of medications where a review of the Operator's records revealed that:
 - a. administration of medication training outlines were outdated and did not correspond to the current certifications in violation of § 19a-79-9a (b) (2) of the Regulations;
 - b. non-topical medication (diaper cream) was not being administered in accordance with the written permission of the parent and/or administration in accordance with the written permission of the parent was not document in violation of § 19a-79-9a (a) (2) of the Regulations; and/or
 - c. diaper creams were accessible to children in violation of § 19a-79-9a (b) (4) of the Regulations.

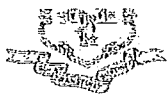
12. As a result of a joint inspection and investigation on January 10, 2020, the Agency found that the Operator failed to maintain the requirements for under three endorsement when:
- a. it was observed that there was not at least one staff for every four children or fraction thereof where there were two staff with twelve children, one of which was under three, in the thunderbirds room, and two staff with ten children, nine of which were under three, in the jumping joeys room in violation of § 19a-79-10 (c) (2) of the Regulations;
 - b. staff reported having more than four children per one staff on January 6, 2020, and on more than one occasion during the morning drop-offs in violation of § 19a-79-10 (c) (2) of the Regulations;
 - c. it was observed that group size was exceeded in the thunderbirds and jumping joeys rooms where there were twelve children and ten children, respectively, in violation of § 19a-79-10 (c) (3) of the Regulations;
 - d. staff reported exceeding group size by having between ten and thirteen children in one classroom due to staff shortage during morning drop off in violation of § 19a-79-10 (c) (3) of the Regulations;
 - e. it was observed that no physical barriers separated each group of eight children in violation of § 19a-79-10 (c) (4) of the Regulations;
 - f. it was observed that staff did not wash their hands and/or the children's hands before and after each diaper change in violation of § 19a-79-10 (e) (7) of the Regulations;
 - g. it was observed that the diaper changing table was not washed and disinfected after each use in violation of § 19a-79-10 (e) (4) of the Regulations;
 - h. it was observed that plastic bags were accessible to children in violation of § 19a-79-10 (h) (2) of the Regulations;
 - i. it was observed that two bottles were not individually identified with the child's name in violation of § 19a-79-10 (k) (5) of the Regulations; and/or
 - j. staff reported seeing and/or allowing infants to sleep in swings, chairs and on the floor for extended periods of time in violation of § 19a-79-10 (g) (4).

Questions concerning this action can be directed to the Agency's Legal Division at (860) 500-4466.

Respectfully,

Division of Licensing
Office of Early Childhood

DLJ:id



Ned Lamont
 Governor
 Susan Bysiewicz
 Lt. Governor

STATE OF CONNECTICUT
 OFFICE OF EARLY CHILDHOOD



Beth Bye
 Commissioner

AMENDMENT TO CONSENT ORDER

IN THE MATTER OF MY LITTLE RASCALS TOO
 Child Care Center License # 70341
 CARLA RUSSO, Legal Representative

My Little Rascals Too, LLC, (the "Operator") and the Office of Early Childhood ("Agency") entered into a Consent Order on December 12, 2018, regarding the Operator's Child Care Center in which the Operator agreed to comply with the conditions set forth in the Consent Order (attached).


By mutual agreement of the parties, Condition #8 of the December 12, 2018 Consent Order is amended as follows:

The Operator shall have educational consultant Christopher Badenhop conduct on-site observations every other month for one year, and thereafter, quarterly for one year. These observations shall include, but not limited to, the review of weekly administrative audits of the Operator, required by Condition #7 of the attached Consent Order, all classrooms and staff in their interactions with the children, supervision of the children, staff to child ratio, and compliance with the Regulations. The educational consultant shall submit, within two weeks after each observation, a written evaluation with recommendations and timelines for improvement to the Operator. The Operator shall maintain documentation of the required observations at the facility for Agency review.

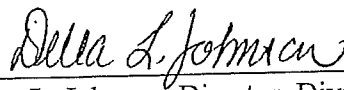
This document shall be made part of the attached December 12, 2018 Consent Order.

OPERATOR
 MY LITTLE RASCALS, LLC

CONNECTICUT OFFICE OF EARLY CHILDHOOD
 Beth Bye, Commissioner



 Carla Russo, Legal Operator



 Debra L. Johnson, Director, Division of Licensing

Date signed: 9/16/19

Date signed: 9/20/19

**STATE OF CONNECTICUT
OFFICE OF EARLY CHILDHOOD
LEGAL DIVISION**

CONSENT ORDER

IN THE MATTER OF:

Child Care Center License # 70341
MY LITTLE RASCALS TOO, LLC
CARLA RUSSO, Legal Representative

WHEREAS, MY LITTLE RASCALS TOO LLC, of Southington, Connecticut (“Operator”), has been issued license # 70341 to operate a Child Care Center named MY LITTLE RASCALS TOO, located at 1850 West Street, Southington, Connecticut (“Facility”) by the Connecticut Office of Early Childhood (“Agency”) pursuant to § 19a-80(b), of the General Statutes of Connecticut (“Statutes”);

WHEREAS, CARLA RUSSO is the Legal Representative of the Operator and therefore is duly authorized and empowered to act on behalf of the Operator and to bind the Operator to the terms and conditions contained in this Consent Order;

WHEREAS, the Operator admits and acknowledges that the violations contained in the draft Statement of Charges dated July 5, 2018 (attached hereto as Exhibit A) did occur;

WHEREAS, the foregoing acts referenced in the draft Statement of Charges constitute grounds for disciplinary action pursuant to § 19a-84 of the Statutes, taken in conjunction with §§ 19a-79-1a et seq. of the Regulations;

WHEREAS, the parties desire to fully resolve the matter without further proceeding;

WHEREAS, this Consent Order embodies the entire agreement of the parties with respect to the subject matter involved herein. All previous communications and agreements, with regard to the subject matter of this Consent Order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof; and,

WHEREAS, the Operator, in consideration of this Consent Order, has chosen not to contest the above admissions before a hearing officer and further agrees that this Consent Order shall have the same effect as if ordered after a full hearing pursuant to § 19a-84 of the Statutes.

THEREFORE, pursuant to § 4-177 of the Statutes, the Operator hereby stipulates and agrees to the following:

1. This Consent Order fully and completely resolves the admissions referenced above without any further proceeding.
2. This Consent Order may be considered as evidence of the above admitted violations in any subsequent proceeding or determination before the Agency in which (1) the Operator’s compliance with this same Consent Order is at issue, or (2) the Operator’s compliance with any state or federal statute and/or regulation is at issue.

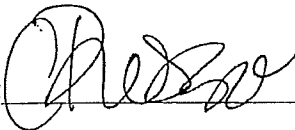
3. The Operator waives its right to a hearing on the merits of this matter.
4. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack, or judicial review under any form or in any forum, including any right of review under the Uniform Administrative Procedure Act, Chapter 368a of the Statutes, or Regulations that exist at the time the agreement is executed or may become available in the future, provided that this stipulation shall not deprive the Operator of any other rights that it may have under the laws of the State of Connecticut or of the United States.
5. This Consent Order is a revocable offer of settlement that may be modified by mutual agreement or withdrawn at any time prior to its being signed by the Commissioner of Connecticut Office of Early Childhood or his/her designee.
6. This Consent Order is a matter of public record and will be reported in accordance with state and federal laws and/or regulations and Agency policy. The Consent Order may be posted on the Agency's website.
7. The Operator shall, within one month of the effective date of this Consent Order, develop and implement a written plan for the administrative oversight of the Facility. This plan shall include procedures for conducting weekly administrative audits, for a period of at least two years, that ensure that all policies and procedures of the Facility are implemented and that staff are adequately trained and ensure compliance with the Regulations and conditions of this Consent Order. The plan shall require that the Operator address verbally and in writing with the Director the findings and recommendations after each audit. The Operator shall maintain the written plan and documentation of the audits at the Facility for Agency review.
8. The Operator shall, within one month of the effective date of this Consent order, contract with an Agency-approved educational consultant to conduct on-site observations quarterly for two years. These observations shall include, but not be limited to, the review of the weekly administrative audits of the Operator, required by Condition #7 above, all classrooms and staff in their interactions with the children, supervision of the children, staff to child ratio, and compliance with the Regulations. The first observation shall be conducted by the education consultant within two months of the effective date of this Consent Order. The educational consultant shall submit, within two weeks after each observation, a written evaluation with recommendations and timelines for improvement to the Operator. The Operator shall maintain documentation of the required observations at the Facility for Agency review.
9. The Operator shall comply with all of the educational consultant's recommendations and timelines for the Facility as outlined in Condition #8 above unless prior approval from the Agency has been obtained excusing compliance. The Operator shall maintain written verification of implementation at the Facility for Agency review. The Operator shall, within one week of the effective date of this Consent Order, ensure that the consultant specified in Condition #8 receives a copy of the executed Consent Order. The Operator shall maintain documentation on file at the facility that the executed Consent Order has been shared and discussed with the education consultant.

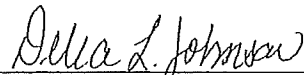
- 10. The Operator shall pay a civil penalty of \$250 for failure to comply with the Regulations, due and payable upon the Operator’s signing this Consent Order. The Operator shall submit the payment by check payable to “Treasurer, State of Connecticut” and mail to: Connecticut Office of Early Childhood, Legal Division, 450 Columbus Blvd., Suite 303, Hartford, CT 06103, Attention: Michael Curley, Staff Attorney.
- 11. Any violation of the terms of this Consent Order shall constitute grounds for the Agency to take other appropriate action against the license.
- 12. Legal notice of any action shall be deemed sufficient if sent to the Operator’s last address of record, as reported by the Licensee to the Connecticut Office of Early Childhood Division of Licensing.
- 13. This Consent Order is effective upon the signature of the Commissioner’s designee if a hearing has not been scheduled or by the Commissioner if a hearing has been scheduled, at which time it shall become final and an Order of the Commissioner of the Connecticut Office of Early Childhood.
- 14. The terms of this Consent Order shall be binding upon and enforceable against the Legal Operator’s successors and assigns, as provided by law.
- 15. The Operator has had the opportunity to consult with an attorney prior to signing this Consent Order.

IN WITNESS WHEREOF, the parties hereto, which have caused this Order to be executed by their respective officers and officials, declare the execution of this Consent Order to be their free act and deed. CARLA RUSSO represents that she is authorized to sign this Consent Order on behalf of the Operator and bind the Operator to the terms and conditions contained in this Consent Order.

OPERATOR
MY LITTLE RASCALS, LLC

CONNECTICUT OFFICE OF EARLY CHILDHOOD
David Wilkinson, Commissioner

By: 

By: 
Debra L. Johnson, Director
Division of Licensing

Carla Russo, Legal Representative

Date Signed: 12-6-18

Date Signed: 12/12/18



Dannel P. Malloy
Governor
 Nancy Wyman
Lt. Governor

STATE OF CONNECTICUT
OFFICE OF EARLY CHILDHOOD



Connecticut Office of
 Early Childhood

David Wilkinson
Commissioner

July 5, 2018

EXHIBIT A

DRAFT
NOTICE OF PROPOSED LICENSURE ACTION AND
STATEMENT OF CHARGES

IN THE MATTER OF:

MY LITTLE RASCALS TOO, LLC
 c/o Carla Russo, Legal Representative
 1850 West Street
 Southington, CT 06489-2179

d/b/a: **MY LITTLE RASCALS**
 1850 West Street
 Southington, CT 06489-2521
 Child Care Center Lic. # 70341

Pursuant to Section 19a-84 of the Connecticut General Statutes ("Statutes") and 19a-79-2a(d) of the Regulations of Connecticut State Agencies ("Regulations"), the Connecticut Office of Early Childhood ("Agency") hereby provides notice of its intent to seek revocation or other disciplinary action as the Agency deems appropriate and consistent with the law against the above named Child Care Center license based on the following charges:

1. My Little Rascals TOO, LLC, of Southington, Connecticut, ("Operator") is, and has been at all times referenced in this Statement of Charges, the holder of Connecticut Child Care Center License # 70341 and, as such, is responsible for compliance with the requirements of §§ 19a-79-1a through 19a-79-13 of the Regulations.
2. Carla Russo is the legal representative of the Operator.
3. The Operator failed to meet the requirements for the administration of the child care center when on or about April 24, 2018, the daily attendance logs for children and staff were incomplete in violation of § 19a-79-3a(d)(1) of the Regulations.
4. The Operator failed to maintain the requirements for staff when on or about April 24, 2018:
 - a. there was a classroom with 16 children and one teacher and another classroom with 14 children and one teacher in violation of § 19a-79-4a(c)(4)(A) of the Regulations; and/or
 - b. staff members left infants unsupervised in a classroom in violation of § 19a-79-4a(c)(4)(D) of the Regulations;

Phone: (860) 500-4466 • Fax: (860) 326-0555
 450 Columbus Boulevard, Suite 303
 Hartford, Connecticut 06103
 www.ct.gov/oec
Affirmative Action/Equal Opportunity Employer

5. The Operator failed to maintain the required records for staff and/or children when on or about February 1, 2018, an individual care plan for a child who suffered seizures was missing the parent signature and/or was incomplete in violation of § 19a-79-5a(a)(2)(E) of the Regulations.
6. The Operator failed to meet the requirements for the physical plant when on or about February 1, 2018, there was a gallon of bleach, Windex and/or Clorox wipes unlocked in two toddler classrooms in violation of § 19a-79-7a(e)(10) of the Regulations.
7. The Operator failed to maintain the requirements for the administration of medications when on or about February 1, 2018:
 - a. there were two diaper cream forms that had expired and/or five forms were missing in violation of § 19a-79-9a(a)(2) of the Regulations; and/or
 - b. there was unlocked medication (Motrin) in the waddler room in violation of § 19a-79-9a(b)(5)(B) of the Regulations.
8. The Operator failed to ensure that specific requirements were maintained for children under the age of three when:
 - a. on or about February 1, 2018, there were soft and loose crib mattresses in the infant room in violation of § 19a-79-10(g)(4) of the Regulations; and/or
 - b. on or about February 27, 2018, staff and child ratios, and group size for children under age three were not maintained when there was a child under the age of three in the preschool classroom with sixteen children and two teachers, and/or there was no physical barrier separating each group in violation of §§ 19a-79-10(c)(2), 19a-79-10(c)(3) and/or 19a-79-10(c)(4) of the Regulations.

RIGHT TO CONTEST THE DECISION

If you wish to contest the proposed licensure action, you may request a formal hearing, pursuant to §§ 19a-84 of the Statutes and 19a-79-2a(d) of the Regulations. Your written request for a hearing must be delivered to the Office of Early Childhood's Legal Division within thirty (30) days from the date you receive this letter and it must state why you feel aggrieved by the Agency's decision. Address the request to:

Legal Division
Office of Early Childhood
450 Columbus Boulevard, Suite 302
Hartford, CT 061038

If you request a formal hearing, the Agency will notify you of the date, time, and location of the hearing by mail. You have the right to bring witnesses and any documentary evidence to the hearing to support the claim. You may be represented at the hearing by legal counsel.

If you do not request a hearing within the thirty (30) day period, your license will be revoked effective thirty (30) days from your receipt of this letter, you will be required to cease your day care operation at that time, and you must notify each parent of the closing.

If you request a hearing, you must notify each parent of the alleged violations and the date of the hearing at least ten (10) days before it is held, pursuant to § 19a-79-3a(i) of the Regulations for Child Care Centers/Group Child Care Homes. The notification shall be in writing and sent by certified or registered mail, postage prepaid, return receipt requested, not later than ten (10) days before the scheduled hearing date. You must demonstrate compliance with this requirement at the commencement of the hearing. Inability to do so will be construed as a substantial failure to comply with the regulations and may constitute an additional basis for revocation of your license without a new statement of charges.

If you have questions concerning this action and wish to speak to a licensing representative, call (800) 282-6063 or (860) 500-4450.

Respectfully,

Debra L. Johnson, Director
Division of Licensing
Office of Early Childhood

DLJ:XX:

Enc.: Parent Notice

Copied: NAME, Attorney at Law,
 NAME, Assistant Attorney General
 NAME, Child Care Licensing Supervisor
 NAME, Child Care Licensing Supervisor