

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

CONSENT ORDER

IN THE MATTER OF:

Child Care Center License # 16323
Tiny Treasures Developmental Learning Center
Cheryl Iannucci
Cheryl Iannucci, Legal Representative

WHEREAS, Cheryl Iannucci of Monroe, Connecticut (“Operator”), has been issued license # 16323 to operate a Child Care Center named Tiny Treasures Developmental Learning Center located at 51 Shelton Road, Monroe, Connecticut (“Facility”) by the Connecticut Office of Early Childhood (“Agency”) pursuant to General Statutes § 19a-80(b);

WHEREAS, Cheryl Iannucci 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 neither admits nor denies the violations contained in the draft Statement of Charges dated February 9, 2022 (attached hereto as Exhibit A);

WHEREAS, the foregoing acts referenced in the draft Statement of Charges constitute grounds for disciplinary action pursuant to General Statutes § 19a-84, 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agreements, with regard to the subject matter of this Consent Order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof; and,

WHEREAS, the Operator, in consideration of this Consent Order, has chosen not to contest the violations set forth in the draft 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.

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

1. This Consent Order fully and completely resolves the violations set forth in the draft Statement of Charges without any further proceeding.
2. The Operator waives its right to a hearing on the merits of this matter.

3. 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 Consent Order 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.
4. 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.
5. 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.
6. Any extension of time or grace period granted by the Agency for any condition of this Consent Order shall not constitute a waiver or preclude the Agency's right to take action at a later time. The Agency shall not be required to grant future extensions of time or grace periods.
7. No later than December 31, 2022, Cheryl Iannucci 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.
8. Within one month of the effective date of this Consent Order, the Operator shall contract with an Agency-approved health consultant to:
 - a. Develop, review, and revise the Facility's written policies to ensure the Facility's compliance with the Regulations pertaining to the administration of medication and individual plans of care. Within two months of the effective date of this Consent Order, the Operator shall have implemented such revised written policies, 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.
 - b. Conduct training for all current staff on the foregoing policies. Such training shall occur within two months of the effective date of this Consent Order. The Operator shall ensure that all new staff receive this training prior to their assuming caregiving responsibilities. The Operator shall maintain documentation of the training of current and all new staff at the Facility for Agency review.
 - c. Conduct two on-site observations to ensure compliance with the foregoing policies. The first observation shall be conducted three months after the effective date of this Consent Order and the second visit shall be conducted six months after the first observation.
 - d. The Agency acknowledges that the Operator has, in the past, utilized the services of Bron Mastrococco, an Agency approved health consultant (the "Operator's Health Consultant"). In the event that the Operator contracts with the Operator's Health Consultant for purposes of compliance with this paragraph 8, the Agency expressly approves the Operator's Health Consultant for purposes of compliance with this paragraph 8.
9. Within one month of the effective date of this Consent Order, the Operator shall contract with an Agency-approved education consultant to conduct on-site observations to ensure compliance

with the regulations, policies and procedures pertaining to safe sleep, ratio, group size and supervision. Such observations shall be conducted for two years as follows: every other month for the first year and quarterly for the second year. Cheryl Iannucci shall be present at all on-site observations. The first observation shall be conducted by the education consultant within three months of the effective date of this Consent Order. Within two weeks after each observation, the education consultant shall submit to the Operator a written evaluation with recommendations and timelines for improvement. For a period of no less than two years, 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. The Agency acknowledges that the Operator has, in the past, utilized the services of Patty O'Hanlon, an Agency approved education consultant (the "Operator's Education Consultant"). In the event that the Operator contracts with the Operator's Education Consultant for purposes of compliance with this paragraph 9, the Agency expressly approves the Operator's Education Consultant for purposes of compliance with this this paragraph 9.

10. For a period of two years from the effective date of this Consent Order, Cheryl Iannucci and an Assistant Director shall be on site at the Facility for a combined 60% of and during the Facility's operating hours on a weekly basis, with Cheryl Iannucci on site for a minimum of 25% of and during operating hours. The Operator shall maintain documentation of Cheryl Iannucci's attendance at the Facility for Agency review.
11. The Operator shall provide all consultants referenced herein with a copy of this fully executed Consent Order, including the draft Statement of Charges (Exhibit A), upon entering into a contract with the consultant.
12. The Operator shall pay a civil penalty of \$500.00 for failure to comply with the Regulations, due and payable upon the Operator's signing of 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: MaryBeth Miller, Staff Attorney.
13. Any violation of the terms of this Consent Order shall constitute grounds for the Agency to take any other available legal action against the Licensee.
14. Legal notice of any action shall be deemed sufficient if sent via certified mail, return receipt requested, to the Operator's last address of record, as reported by the Licensee to the Connecticut Office of Early Childhood Division of Licensing.
15. 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.
16. The terms of this Consent Order shall be binding upon and enforceable against the Legal Operator's successors and assigns, as provided by law.
17. 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. Cheryl Iannucci 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
Cheryl Iannucci

By: Cheryl Iannucci⁶

Date Signed: 4/11/2022

CONNECTICUT OFFICE OF EARLY CHILDHOOD
Beth Bye, Commissioner

By: Debra L. Johnson
Digitally signed by Debra L. Johnson
DN: cn=Debra L. Johnson, o=Debra L. Johnson c=US, United States, postalCode=06103, email=Debra.L.Johnson@ct.gov
Reason: I am the author of this document
Location
Date: 2022.04.13 08:54:04.00

Debra L. Johnson, Director
Division of Licensing

Date Signed: 4/13/2022



Ned Lamont
Governor
Susan Bysiewicz
Lt. Governor

STATE OF CONNECTICUT
OFFICE OF EARLY CHILDHOOD



Connecticut Office of
Early Childhood

Beth Bye
Commissioner

EXHIBIT A

Certified Mail
First Class

February 9, 2022

DRAFT
NOTICE OF PROPOSED LICENSURE ACTION AND
STATEMENT OF CHARGES

IN THE MATTER OF:

Cheryl Iannucci, Owner
51 Shelton Road
Monroe, CT 06468

Re: Tiny Treasures Developmental Learning Center
51 Shelton Road
Monroe, CT 06468
Child Care Center License # 16323

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. Cheryl Iannucci of Monroe, Connecticut, (“Operator”) is, and has been at all times referenced in this Statement of Charges, the holder of Connecticut Child Care Center License # 16831 to operate a child care center named Tiny Treasures Developmental Learning Center and, as such, is responsible for compliance with the requirements of §§ 19a-79-1a through 19a-79-13 of the Regulations.
2. Cheryl Iannucci is the legal representative of the Operator.
3. As a result of an investigation that began on or about June 4, 2021, based on a report that, on or about June 4, 2021, [REDACTED] the Agency conducted an investigatory visit on June 9, 2021, and a follow-up visit on June 11, 2021, and cited the following violations:
 - a. the Operator failed to comply with license procedures when the current child care center license was not posted in violation of § 19a-79-2a (c) (5) of the Regulations;
 - b. the Operator failed to maintain the requirements for the administration of a child care center when:
 - (1) staff did not ensure the health and safety of children by failing to comply with the mask wearing requirements in accordance with Governor’s Executive Order(s) where one staff and four children were observed without face masks in violation of § 19a-79-3a (a) of the Regulations;

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- (2) [REDACTED] in violation of § 19a-79-3a (a) of the Regulations;
 - (3) [REDACTED] in violation of § 19a-79-3a (b) (8) (C) of the Regulations;
 - (4) [REDACTED] in violation of § 19a-79-3a (b) (8) (E) of the Regulations; and/or
 - (5) the Operator's emergency policy was not implemented when staff failed to contact emergency personnel to assist the injured child in violation of § 19a-79-3a (d) (4) (A) of the Regulations;
 - c. the Operator failed to meet the requirements for staffing when:
 - (1) a review of the program's attendance records revealed that proper staff child ratios of one program staff for every ten children or fraction thereof were not met in violation of § 19a-79-4a (c) (4) (A) of the Regulations;
 - (2) children in Classroom 3 were observed via camera to be on the circle rug unsupervised by staff in violation of § 19a-79-4a (c) (4) (D) of the Regulations; and/or
 - (3) the Operator's child who is less than sixteen years of age was supervising children alone in a classroom in violation of § 19a-79-4a (d) (4) of the Regulations;
 - d. the Operator failed to maintain the requirements for record keeping when an injury or accident report was not on file for the injured child in violation of § 19a-79-5a (a) (3) (A) of the Regulations; and/or
 - e. the Operator failed to meet the requirements for the under three endorsement of proper staff child ratios of one program staff for every four children or fraction thereof in attendance when:
 - (1) one staff member in the infant/toddler room left the children unattended when she left to answer the door in violation of § 19a-79-10 (c) (2) of the Regulations; and/or
 - (2) children of mixed ages were left unattended while a staff member left them to open the door in violation of § 19a-79-10 (c) (2) and/or 19a-79-4a (c) (4) (B) of the Regulations.
4. As a result of an annual unannounced inspection that took place on October 18, 2021, the Agency found that the Operator failed to meet the requirements for the administration of a child care center when a review of the Operator's records revealed that annual training for all staff on the policies, plans and procedures was not completed and/or their files lacked documentation thereof in violation of § 19a-79-3a (b) (7) of the Regulations.

5. As a result of an annual unannounced inspection that took place on October 18, 2021, the Agency found that the Operator failed to meet the requirements for staffing when:
 - a. proper staff child ratios of one program staff for every ten children or fraction thereof were not met where twelve children were observed with one staff member in the first preschool room in violation of § 19a-79-4a (c) (4) (A) of the Regulations; and/or
 - b. supervision of the children was not assured at all times where preschool children were observed to be unsupervised in the bathrooms and staff were observed leaving classrooms to go into other classrooms leaving children unsupervised in violation of § 19a-79-4a (c) (4) (D) of the Regulations.

6. As a result of an annual unannounced inspection that took place on October 18, 2021, the Agency found that the Operator failed to meet the requirements for record keeping when a review of the program's records revealed that an individual care plan for one child with asthma was not on file and/or an individual care plan for one child with special health care needs was not signed by all staff responsible for the care of the child in violation of § 19a-79-5a (a) (2) (E) of the Regulations.

7. As a result of an annual unannounced inspection that took place on October 18, 2021, the Agency found that the Operator failed to meet the requirements for the physical plant when:
 - a. the building and equipment were not maintained in a good state of repair and free from hazards where a mechanical room was observed to be unlocked and/or a shelf with four bins was observed to be unsecured in the preschool room in violation of § 19a-79-7a (c) of the Regulations;
 - b. potentially hazardous substances were not stored in a separate locked area where Lysol spray, bleach, expo spray and Febreze were not stored in a locked area in the preschool room and hallway, and the staff bathroom was unlocked with toxins inside in violation of § 19a-79-7a (e) (10) of the Regulations;
 - c. two trashcans were not moved to an exterior waste storage area at least daily where two garbage cans on the playground were full in violation of § 19a-79-7a (e) (11) of the Regulations;
 - d. the stairs were not properly protected when the door at the top of the stairs was open in violation of § 19s-79-7s (e) (12) of the Regulations;
 - e. the outdoor play area was not free from hazards in violation of § 19a-79-7a (h) (3) of the Regulations where:
 - (1) the green turf surfacing was in disrepair, causing a tripping hazard;
 - (2) folding tables were observed propped on their sides;
 - (3) a wooden playhouse was rickety,
 - (4) a disassembled play house was piled up,
 - (5) a cord was unsecured on the infant playground,
 - (6) a bench on the lower playground was in disrepair, and/or
 - (7) one basketball hoop on the infant playground was unsecured; and/or
 - f. outdoor play areas were not protected from hazards by barriers in a manner safe for children where the fence/gate barring access to the storage shed was observed to be in disrepair (i.e., broken slats, pulling away from the posts, gap at the bottom); the gate on

the lower playground was inoperable; and/or a piece of the lower playground exterior fence was in disrepair leaving a gap at the bottom in violation of § 19a-79-7a (h) (7) of the Regulations.

8. As a result of an annual unannounced inspection that took place on October 18, 2021, the Agency found that the Operator failed to maintain the requirements for the administration of medication when a review of the program's records revealed that the written order from an authorized prescriber for one child was expired; and/or the written order from an authorized prescriber for four children were missing required information in violation of § 19a-79-9a (b) (3) of the Regulations.
9. As a result of an annual unannounced inspection that took place on October 18, 2021, the Agency found that the Operator failed to meet the requirements for the under three endorsement when:
 - a. proper staff child ratios of one program staff for every four children or fraction thereof in attendance was not maintained where there was no staff observed with four children under the age of three years because the staff member walked into the front toddler room in violation of § 19a-79-10 (c) (2) of the Regulations;
 - b. group size not to exceed eight was exceeded throughout the inspection when the door between the infant and toddler rooms was open in violation of § 19a-79-10 (c) (3) of the Regulations;
 - c. there was not a physical barrier separating each group of eight children where door between the infant and toddler classrooms was observed to be open in violation of § 19a-79-10 (c) (4) of the Regulations;
 - d. four loose crib sheets observed in violation of § 19a-79-10 (g) (1) of the Regulations; and/or
 - e. an infant was observed sleeping in a bouncy seat in a crib in violation of § 19a-79-10 (g) (4) of the Regulations.
10. As a result of November 9, 2021 follow-up to the October 18, 2021 annual unannounced inspection, the Agency found that the Operator failed to ensure the safety, health and development of the children when there was no emergency medication on site for one child who required emergency medication in violation of § 19a-79-3a (a) of the Regulations.
11. As a result of November 9, 2021 follow-up to the October 18, 2021 annual unannounced inspection, the Agency found that the Operator failed to meet the requirements for the administration of a child care center when the most recent inspection report was not posted in violation of § 19a-79-3a (c) (8) of the Regulations.
12. As a result of November 9, 2021 follow-up to the October 18, 2021 annual unannounced inspection, the Agency found that the Operator failed to meet the requirements for record keeping when a review of the program's records revealed that an individual care plan for one child with special health care needs was not signed by the parent in violation of § 19a-79-5a (a) (2) (E) of the Regulations.

13. As a result of November 9, 2021 follow-up to the October 18, 2021 annual unannounced inspection, the Agency found that the Operator failed to meet the requirements for the physical plant when:
 - a. there was not a minimum of seventy-five (75) square feet per child of outdoor space when there were thirteen children on a porch playground in violation of § 19a-79-7a (h) (1) of the Regulations;
 - b. there was not eight inches of impact absorbing under the roller coasters in violation of § 19a-79-7a (h) (2) of the Regulations; and/or
 - c. the outdoor play area was not free from hazards where the green turf surfacing was in disrepair, causing a tripping hazard; an unsecured cord was observed on the infant playground; and/or a bench on the lower playground was in disrepair in violation of § 19a-79-7a (h) (3) of the Regulations.

14. As a result of November 9, 2021 follow-up to the October 18, 2021 annual unannounced inspection, the Agency found that the Operator failed to meet the requirements for the administration of medication when the written order from an authorized prescriber for two children were missing required information in violation of § 19a-79-9a (b) (3) of the Regulations.

15. As a result of November 9, 2021 follow-up to the October 18, 2021 annual unannounced inspection, the Agency found that the Operator failed to meet the requirements for the under three endorsement when:
 - a. proper staff child ratios of one program staff for every four children or fraction thereof in attendance was not maintained where three staff were observed with thirteen children under the age of three years and/or two staff were observed with nine children under the age of three in violation of § 19a-79-10 (c) (2) of the Regulations; and/or
 - b. group size not to exceed eight was exceeded where a group of thirteen was observed on the infant playground and a group of nine was observed throughout the inspection in violation of § 19a-79-10 (c) (3) of the Regulations; and/or
 - c. no physical barrier separated each group of eight children where door between the infant and toddler classrooms was observed to be open in violation of § 19a-79-10 (c) (4) of the Regulations.

16. As a result of November 30, 2021 follow-up to the November 9, 2021 follow-up inspection, the Agency found that the Operator failed to meet the requirements for the under three endorsement when:
 - a. group size not to exceed eight was exceeded where a group of ten children was observed in the toddler classroom in violation of § 19a-79-10 (c) (3) of the Regulations; and/or
 - b. no physical barrier separated each group of eight children where door between two classrooms was observed to be open in violation of § 19a-79-10 (c) (4) of the Regulations.

17. As a result of December 14, 2021 follow-up to the November , 2021 annual unannounced inspection, the Agency found that the Operator failed to meet the requirements for staffing when proper staff child ratios of one program staff for every ten children or fraction thereof where no staff was observed with four children in one classroom and/or no staff was observed with nine children in a separate classroom in violation of § 19a-79-4a (c) (4) (A) of the Regulations.