

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

**CONSENT ORDER**

**IN THE MATTER OF:**

Child Care Center License # 70369  
Educational Play Care, Ltd.  
Educational Playcare - Cheshire  
Nancy J. Walsh, Legal Representative

**WHEREAS**, Educational Play Care, Ltd. of Windsor, Connecticut (“Operator”), has been issued license # 70369 to operate a Child Care Center named Educational Playcare - Cheshire located at 1430 Highland Avenue, Cheshire, Connecticut (“Facility”) by the Connecticut Office of Early Childhood (“Agency”) pursuant to General Statutes § 19a-80(b);

**WHEREAS**, Nancy J. Walsh 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 September 26, 2022 (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 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agreements, with regard to the subject matter of this Consent Order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof; and,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 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.

**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 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. Any extension of time or grace period granted by the Agency for any condition of this Consent Order shall not be 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.
8. For a period of two years from the effective date of this Consent Order, the designated Director or his/her designee shall conduct in-person observations of each room in the Facility for at least 30 minutes per week, and 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 related to supervision. The Operator shall maintain appropriate documentation to verify such reviews at the Facility for Agency review. Such documentation shall include, but not be limited to, date, time start/end, identification of room by number or name, observations, and follow-up with any noted non-compliance by staff.
9. The Operator shall pay a civil penalty of \$3,00.00 (three thousand dollars) 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: MaryBeth Miller, Staff Attorney.
10. Any violation of the terms of this Consent Order shall constitute grounds for the Agency to take other appropriate action against the license.
11. 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.
12. 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.

13. The terms of this Consent Order shall be binding upon and enforceable against the Legal Operator’s successors and assigns, as provided by law.
14. 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. Nancy J. Walsh 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**  
Educational Play Care, Ltd.

**CONNECTICUT OFFICE OF EARLY CHILDHOOD**  
Beth Bye, Commissioner

By: *Nancy Walsh*  
Nancy J. Walsh, on behalf of  
Educational Play Care, Ltd.

By: \_\_\_\_\_  
Debra L. Johnson, Director  
Division of Licensing

Date Signed: 10/24/2022

Date Signed: 10/31/2022



Ned Lamont  
Governor  
Susan Bysiewicz  
Lt. Governor

# STATE OF CONNECTICUT

## OFFICE OF EARLY CHILDHOOD



Connecticut Office of  
Early Childhood

Beth Bye  
Commissioner

First Class Mail  
Certified mail  
Email @ [nwalsh@educationalplaycare.com](mailto:nwalsh@educationalplaycare.com)

EXHIBIT A

September 26, 2022

### **DRAFT**

### **NOTICE OF PROPOSED LICENSURE ACTION AND STATEMENT OF CHARGES**

#### **IN THE MATTER OF:**

**Educational Playcare, Ltd.**  
**c/o Nancy Walsh, Legal Representative**  
**555 Day Hill Rd.**  
**Windsor, CT 06095**

**RE: Educational Playcare - Cheshire**  
**1430 Highland Ave.**  
**Cheshire, CT 06410**  
**Child Care Center License #70369**

Pursuant to General Statutes § 19a-84 and § the 19a-79-2a (d) of the Regulations of Connecticut State Agencies, 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. Educational Playcare, Ltd. of Windsor, Connecticut, (“Operator”) is, and will be at all times referenced in this Statement of Charges, the holder of Connecticut Child Care Center License # 70369 to operate a child care center named Educational Playcare, located at 1430 Highland Ave., Cheshire, CT 06410 (“program”). The Operator is responsible for compliance with the requirements of §§ 19a-79-1a through 19a-79-13 of the Regulations.
2. Nancy Walsh is the legal representative of the Operator.
3. As a result of an investigation that began on or about June 24, 2022, the Agency found that the Operator failed to meet the requirements for staffing when staff did not assure the supervision of children at all times while the children are at the facility, indoors and outdoors, where a child, who left a classroom bathroom, entered an unoccupied classroom and was unsupervised for approximately 5 minutes in violation of § 19a-79-4a (c) (4) (d) of the Regulations.
4. As a result of an investigation that began on or about July 20, 2022, the Agency found that the Operator failed to meet the requirements for staffing when staff did not assure the supervision of children at all times while the children are at the facility, indoors and outdoors, where a child, who left the classroom through a shared bathroom, entered an unoccupied classroom and was unsupervised for approximately 3 minutes in violation of § 19a-79-4a (c) (4) (d) of the Regulations.

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5. As a result of an investigation that began on or about August 30, 2022, the Agency found that the Operator failed to meet the requirements for the administration of a child care center when the Operator's "Addendum to Supervision Policy and Playground Supervision Plan" was not implemented where staff did not conduct a "name to face child attendance" during transition, resulting in a child unattended in a classroom for approximately 9 minutes in violation of § 19a-79-3a (d) of the Regulations.
6. As a result of an investigation that began on or about August 30, 2022, the Agency found that the Operator failed to meet the requirements for staffing when staff did not assure the supervision of children at all times while the children are at the facility, indoors and outdoors, where a child was left unattended in a classroom for approximately 9 minutes in violation of § 19a-79-4a (c) (4) (d) of the Regulations.