

The Commonwealth of Massachusetts
Department of Early Education and Care
100 Myles Standish Blvd. Suite 100, Taunton, MA, 02780

INVESTIGATION REPORT

Intake #: 00123909, 00123917
Investigation #: 027667
Provider #: P-250575
Name of Provider: Starboard Academy
Address: 114 Industrial Park Road, , Plymouth, MA,
02360
Intake date: 05/30/2024
Report date: 09/12/2024
Report Printed date: 10/16/2024

Facility Description:

This is a Large Group and School Age program licensed for 161 infants, toddlers, preschool and school-aged children.

Reason for Investigation:

Statute
Statute
Statute

concerns around the overall health and safety of the children within the program needed to be reviewed by the Department of Early Education and Care (EEC). The case was assigned as an investigation.

Investigation Activities:

The Department of Early Education and Care (EEC) attempted to visit the program on several dates. The program requested their attorney be present which delayed the investigation by several weeks.

Interview Conducted:

Licensee (2)

Regional Principal

Licensees Attorney

Educators (13/two did not respond)

Parents (9)

Materials Reviewed:

EEC Lead Database

Statute

Emails

Pictures

Documentation of Conversations

Personnel Files (7)

Children's Files (16)

Employee Handbook

Parent Handbook

Staff Schedules

The exit meeting was conducted on 8/20/24.

Determinations:

The Department of Early Education and Care (EEC) determined regulatory violations occurred during this investigation, including the availability of information. The program attempted to withhold information related to employees' demographics. Programs are required to make available any information requested by EEC for compliance determinations and this would include records. EEC must know who is working within the licensed programs to ensure the health and safety of the children. When further information was requested, this investigator was led to believe that the

program had no documentation of internal investigations over the past year that EEC [Statute] had not been made aware of. This was false and misleading information. The program tried to conceal several internal investigations from this investigator due to the nature of their contents. One investigation referenced an educator who physically mishandled a child while in a classroom setting. The program determined their actions were not abusive or neglectful, however, the program is not qualified to make such findings. All licensees and educators are mandated reporters according to M.G.L. c. 119, § 51A, requiring them to report educator misconduct [Statute]. [Statute] EEC will determine if the educator's behaviors meet the abuse or neglect thresholds. Another investigation highlighted potential inappropriate physical interactions with Educator Z toward a co-worker in the presence of children. The program immediately dismissed the claims along with subsequent concerns that followed. The program used terminology and actions to silence employees. These individuals described their experience with the Leadership Team as "gaslighting". It's imperative to understand that parents entrust educators to be role models for children and make safe decisions. The sole definition of an educator is a person who provides instruction or education, a teacher. Children mustn't be exposed to inappropriate actions by their teacher(s) in a childcare setting that could have long-lasting negative impacts on their growth and development. The parent handbook documents the program's mission and philosophy. The program's purpose is to provide a safe and healthy learning environment by professional well-trained staff. In addition, the program's internal investigations lacked vital information and did not adhere to the policies mapped out in its Employee Handbook. The combination of these facts highlighted that the program is not soundly administered. Lastly, the parents continued to express concerns about the transition process. Parents reviewed their experiences with this investigator and conveyed frustration around the lack of communication when it came to who was caring for their child(ren). The program has a transition process that should be followed. The program is required to notify parents in writing of transitions and educator changes.

Technical Assistance: the program should work with staff to ensure the parent/educator communication app is updated promptly. Parents have a right to know about their child(ren)'s daily activities especially when it is outlined in the parent handbook. Retrain staff on proper physically guided redirection and document training. Staff should be retrained on the injury documentation process and the program should document the training.

Investigation Findings:

This investigator conversed with several parents regarding additional concerns after the complaint filing and following the completion of an EEC investigation. Parents expressed curiosity about a second educator who was "let go" before their two-week notice for being "rough" in the toddler room. According to a parent, Licensee A

reported that someone in the program disclosed that the educator picked up a child by their bicep versus under their arms. Licensee A spoke with the educator to remind them of the protocol. The educator stated this was too much and left the program immediately. The parents perceived that Licensee A and the Regional Principal (RP) were dishonest during the EEC investigation in May 2024 and "claimed" they had no information about the investigation and would not review the allegations. The parents were concerned that their children were exposed to possible abuse and/or neglect by a specific teacher, the teacher who was fired because of the last EEC investigation. The understanding was that the previous assistant principal left because Licensees A, B, and the RP blamed the last EEC investigation on the former principal (P) and assistant principal (AP). An email was sent to parents indicating leadership changes and that Licensee A, B, and RP "will not tolerate what prior Administration allowed this school to become over these past several months". In addition, the parents expressed concern about the infant room ratios, level of care for their specific child, and overall supervision. The parents documented events and provided information to this investigator. The educators communicated with parents via the Kangaroo Time app; however, this did not happen consistently because there was "so much (staff) turnover." There were concerns about transitioning children into different classrooms and the lack of notification to the parents. One parent asked program staff, for two months, who their child's teacher was until they received an answer. Program staff did not know who cared for their child during the day and written notifications were not provided to the parent. These concerns were added to the investigation.

The information mentioned above about the inappropriate handling of a child by a second educator was not reported to the Department of Early Education and Care (EEC) [Statute]. [Statute] completed an investigation in May 2024 around the mishandling of a child(ren) in the toddler room, which led to an educator being terminated. This new information about a second educator should have been reported to both agencies in May 2024 when the Leadership Team was notified of the interaction on 5/8/2024. Due to the allegations and internal write-up, the educator left on 5/10/2024 before their two-week notice, and no EEC [Statute] investigation was conducted. EEC conducted an exit meeting with the program on 5/17/2024, but there was no mention of the incident. [Statute]

[Statute]

[Statute]

[Statute]

[Personnel]

[Personnel] The program notified EEC [Statute] via the portal on 5/30/2024 but the program omitted that they addressed the mishandling of a child in their notification with the second educator. On 6/28/2024, this investigator asked Licensee A if the program had conducted any internal investigations or had any concerns that EEC [Statute] were not made aware of, such as abuse or neglect, sexual abuse, harassment, or sexual harassment. Licensee A indicated that they (the program) were being harassed by a parent but that was the only information that had not been shared with EEC. Licensee A reported that the educator left due to the "anxiety" from the last EEC investigation; however, interviews depict more of the situation. On

7/22/2024, this investigator had a follow-up virtual meeting with Licensee A, B, RP, and the attorney. They were again asked to clarify the situation and ask if they had conducted an internal investigation about abuse and/or neglect. Licensee A and the RP reported that an individual observed the educator to be flustered and picked up a child inappropriately. The variations of the story had the child picked up by one arm and then one bicep. RP added that the child was "flailing" at the time. The program did not view this as abuse or neglect but had a conversation about proper pick-up procedures with the educator. Licensee A referred to this as a "teachable moment". After the educator spoke with Licensee A, they decided not to honor their two-week notice and left immediately. Licensee A verbalized that the staff "quit that day as everyone assumed [staff] was in the wrong". The EEC Investigator reminded the program that they cannot determine abuse or neglect. They felt the incident warranted a conversation and write-up (5/8/2024) with the educator; therefore, their EEC Licensors should have been notified. The Licensors would have determined if a complaint needed to be filed. The EEC Investigator suggested that the program train staff about proper physical interactions with children and have each staff sign off on the training. This training should include safe physical transitions on how to hold a child. During this follow-up meeting, Licensee A stated that the program notified the Licensors of the interaction, and a complaint was made with [Statute] EEC. On 7/29/2024, Licensee A emailed this investigator internal documentation of the incident. The EEC investigator followed up with the witness, who indicated that the educator picked up the child by their biceps and "tossed" the child in the direction of other children standing in a line. The witness denied stating the actions were not "abusive or neglectful". The witness felt the educator's actions were neglectful and possibly abusive, which was why the information was reported to the RP. The EEC Investigator found no evidence of this incident being reported by the program to EEC [Statute] by the Licensees.

On 6/28/2024, this EEC Investigator conducted a site visit to follow up on the complaints. The Principal (P) and the Assistant Principal (AP) had recently left the program. Licensee A said they were forced to resign because they knew of the April/May 2024 EEC [Statute] allegations against an educator and did not report the concerns to leadership (Licensee A, B, and RP). Upon further questioning, Licensee A became defensive and declined to answer any further questions regarding their departures because it had "nothing to do with this investigation." Licensee A added that they were "not comfortable talking about this." (refer to EEC Investigation #027378) The investigator requested the program employee list for over four hours, which was prolonged by the program. The list was requested due to the concerns and varying information about audio and video recording in the program; the investigator chose to interview educators outside of the program for confidentiality purposes. The investigator was met with resistance from Licensee A, B, RP, and their attorney, who all met with this investigator in a video-monitored room. On 6/11/2024, the investigator made it clear that this investigator did not consent to being recorded via email. However, the program responded with, "When entering the building, the cameras and television video stream are clearly visible. By entering, you effectively consent to being on the live stream. This is no different from other premises that have cameras on site. Further, I question why someone would object to being on the

livestream if they have nothing to hide. We are happy to help you arrange scheduled interviews with our education staff, but ask for a list prior to your visit so that we can ensure their availability. We will also ensure that interviews are in locations that have no live stream". It was unknown if the room they were referring to had an audio recording based on the previous investigation, but the program was adamant that it did not. This specific interaction presented that the team was trying to control the narrative of educators because the attorney wanted to be present for staff interviews. The investigator reminded the attorney that they represented the program but did not represent the employees within the program because the staff had not personally retained the attorney. The investigator prepared to request all employee files for demographic information when the employee list was produced. Licensees A, B, RP, and the attorney entered the room where the investigator was. They closed the door and inquired about what the investigator would be asking while questioning the educators. The investigator verbalized a list of standard interview questions followed by an email (7/2/2024) the following week recapping the questions. The email read, "Typically, investigators ask questions about demographics, position/title, and length of employment. We ask questions about the complaint, policy, and practice if needed. Sometimes, we also ask questions regarding the process of mandated reporting and/or incident reports. We ask about the health and safety of the employees and the children attending the program. I want to reiterate that there is no way to anticipate how a conversation plays itself out, and so I am unable to add additional questions I may ask for that reason". Licensee B wanted to know if this investigator would be following up with the program. The investigator replied, "Yes if needed". Licensee B requested that older staff be interviewed along with the newer staff. Licensee B felt that only newer staff were interviewed during the last EEC investigation. Parent(s) had copies of the last EEC investigation, and it was being shared. There was an indication that two parents, not associated directly with the last investigation, were seeking legal action against the program. Licensees A, B, and the attorney expressed concern that the last EEC Statute investigation was not completed properly and lacked transparency, creating distrust with EEC. The Leadership Team and their attorney did not feel factual information was highlighted in the report. The team required redirection and was provided with information on who to contact to dispute the report and the determinations/findings. At the follow-up meeting on 7/22/2024, the attorney stated that up to three lawsuits were filed against the program. The family's names were provided to the investigator so they would not be contacted during this investigation. They believed these lawsuits were a direct result of the EEC investigations. The attorney encouraged this investigator to use caution when writing the report. After the meeting, the attorney sent an email citing, "While we understand that EEC must investigate complaints alleged, we believe that it is also important that the context of these investigations be considered by EEC and the investigators when writing reports and performing investigations otherwise EEC could be seen as not meeting its legal mandate." The attorney also noted additional EEC complaints would be filed in the future according to the pending lawsuits.

This investigator spoke with educators about the program. Due to the universal concern of "retaliation" and being fearful, educators' interviews were summarized in

this section of the report. The belief was that Licensees A and B were provided information that led to the last EEC investigation (May 2024) [Statute] but denied knowledge. Licensees A and B placed the blame on P and AP, who were no longer employed in the program. An educator confirmed reporting the incident that led to the May 2024 investigation to the Licensee before the investigation. This educator was told by the Licensee that the cameras would be reviewed to verify information. The educator felt that the "owner did not want to be accountable" and tried to fault the educator for not reporting information immediately. [Statute] the P was targeted and demoted because of their expressed concern about the situation. Since then, the educators felt they were discouraged from filing 51A reports with the Department of Children and Families (DCF) before speaking with the Leadership Team (Licensor A, B, and RP). [Statute]

[Statute] The Leadership Team "went on a witch hunt" to find out who [Statute]. This raised fear among staff. The educators also felt they could not reach out to the Department of Early Education and Care (EEC) because there would be retaliatory action. For example, there was a recent staff meeting, and educators were told they could no longer babysit for families associated with the program, which was contrary to the employee handbook. The educators felt blamed for something because of the [Statute] EEC investigation. The program's environment was described as strict and unhappy. Several educators reported being "forced" to come to work when they were sick, even if they had a doctor's note. They were unable to call out of work without consequences such as a write-up. The educators described Licensee B as intimidating because they would talk at staff. An individual witnessed an incident between a child and a parent at the program. The parent and child had a negative verbal interaction regarding using the bathroom. The parent was labeled as aggressive and yelling at the child. They left the program and were in the parking lot. The child was stripped naked while the parent was yelling. They left the parking lot in their vehicle. [Statute] According to educators, leadership confirmed they saw and heard the incident (via video) and had no concerns. Leadership searched the program [Statute], and there were speculations of retaliatory action. Three educators were called into the office and written up for being late; however, tardiness was not a problem before [Statute].

[Statute] Page 30 of the Employee Handbook (mandated reporter) highlighted that the reporter was responsible for notifying the principal and DCF if they suspected a child was being abused or neglected by their parent or any other caregiver; the reporter should immediately call the local DCF Area Office; all employees at STAR preschools were required to take the 51A Mandated Reporting Training and the Protecting Children from Abuse and Neglect in EEC Essentials. The program had an audio and video system. The Leadership Team indicated it was a "live stream" only. Several educators reported reviewing the video and audio recordings. Page 28 of the Employee Handbook (camera surveillance) documented that surveillance will be reviewed for teachable moments and incidents in question; all viewing must take place on the premises. This policy's wording would lead one to believe that the Leadership Team had access to video and audio that could be reviewed for the health, safety, and quality assurance of educators and children in the program. Educators also expressed being overwhelmed because of the lack of support from the Leadership Team around

educators using the restrooms and/or taking lunch breaks. There was a lack of communication and inconsistencies within the Leadership Team. The program was understaffed, which impacted ratios. Children were constantly being moved around. The leadership team's presence in the building had improved since the last EEC investigation in May 2024, but it did not alleviate the stress on the educators. There were not enough educators to support one another, which left concerns around ratios; however, a review of staff schedules showed ratio compliance on paper. The high employee turnover rate was believed to impact the quality of care the children received within the program. A handful of educators felt they were discouraged from filing behavioral incident reports on children because the program wanted to minimize parent repercussions. For example, there was a need for corrective action plans for children who bite. The educators were encouraged to write a report half of the time, leading to children's behaviors not improving. The Leadership Team expressed fear about upsetting the parents. The educators felt they could file an injury-related incident report; however, there was confusion about the process. Note: two educators did not return calls to this investigator.

There was mention of parents not being notified of classroom transitions. The program provided this investigator with a form they dispensed to parents about transitional changes. It was unclear how often this paperwork was circulated to parents. According to the parents, they were not always notified when their child's educator was leaving the program or when classroom changes were made. Sometimes, the information was uploaded to the Kanargroo Time App and other times; the parents would ask the teachers about the transition process or specific teacher information due to lapses in communication from the Leadership Team. Some parents did not know the educators watching their child(ren) at pick-up time and assumed this was due to the "constant turnover of employees." There was a reference to classrooms being out of ratio because there was a lack of educators; however, Licensee A denied this. During the investigation visit, Licensee A reported that the Leadership Team was responsible for filling out the transition form and providing the information to parents. The parents shared like-mindedness when it came to the topic of communication. They wanted improvements. The parents confirmed a lack of communication, specifically during EEC investigations with the Leadership Team. They did not feel that the Leadership Team was "owning up" to the concerns and just telling parents "what they wanted to hear"; however, the Leadership Team was making themselves more available to the parents. The parents interviewed were unaware of the current EEC investigation even after one of them directly asked the Leadership Team. Overall, the children liked their classroom teachers and presented as happy while attending the program. No concerns were highlighted regarding child injury reports. Parents felt like they were receiving reports more consistently.

Several educators left the program within the last couple of months. Those interviewed cited concerns about the overall work environment, lack of support, misleading information provided by the leadership team, and feeling that they had been lied to.

Educators reiterated that the program was an unhealthy workplace and lacked mutual respect. They felt underpaid and thought that leadership mishandled the last EEC investigation. There was little to no communication or transparency between leadership and educators during EEC investigations. These employees also discussed the inability to take a sick day if needed. They denied an environment that supported development and achievement for educators. The concurrence articulated a system based on fear and oppression, which impacted their decision to part ways with the company. Page 11 of the Employee Handbook (employee relations philosophy) discussed providing the best possible climate for maximum development and achievement goals for all employees. The program's practice was to treat each employee as an individual. To maintain an atmosphere where these goals can be attained, they provided a workplace that was comfortable and progressive. More importantly, they had a workplace where communication was open, and problems were discussed in a mutually respectful atmosphere.

There were mixed responses regarding the Kangaroo Time communication application that was used to provide parents with updates on their children in real time. It seemed that some educators were better than others when it came to updating the application regularly.

A repetitious theme emerged from the interviews regarding one specific educator working at the program. For this investigation, this individual will be referred to as Educator Z. The overall concern was related to Educator Z's interactions with co-workers and how the program handled possible sexual harassment disclosures. According to educators, Educator Z subjected a co-worker to multiple daily buttock grabbing while they were changing children's diapers. This happened over several months. This educator also received several unsolicited genital pictures via Snapchat from Educator Z. This information was brought to the attention of the Leadership Team. The RP immediately responded and indicated an investigation would take place. The educator was asked to write a statement detailing the alleged sexual harassment. The potential victim and Educator Z were interviewed in January 2024. Educator Z immediately knew who made the complaint. Educator Z admitted to some of the information within the complaint. In less than 24 hours, the RP responded to the educator by indicating there was no proof of the allegations, and the internal investigation was completed. The educator quit their position the same day after almost being put in a room with Educator Z to discuss the allegations. Licensee B provided this directive to the RP and another individual. The educator asked not to attend work until the situation was resolved, but that request was also denied. This information was corroborated by several individuals who were afraid to report the information to EEC. "The owners of the program have a lot of money, and they felt they would have been "destroyed." On page 13 of the Employee Handbook (sexual harassment policy), it explained that the goal of the Star Preschool was to promote a workplace that was free of sexual harassment. Sexual harassment of employees occurring in the workplace or in other settings in which employees may find themselves in connection with their

employment was unlawful and would not be tolerated. Further, any retaliation against an individual was unlawful and would not be tolerated. According to other individuals interviewed, Educator Z also made inappropriate comments to a teenage educator about their body, which made them feel uncomfortable, and sent unsolicited genital pictures to several other adult educators in the program via Snapchat. These photos disappeared after viewing and were unable to be produced. The information was verified by the individuals. Page 27 of the Employee Handbook (standards of conduct) depicted that each employee had an obligation to follow the policies and to maintain proper standards of conduct, which included not violating the handbook, being dishonest, harassment, or the appearance of inappropriate behavior or disrespect of a fellow employee. In addition, page 24 of the Employee Handbook (staff use of social networking sites) emphasizes the importance of employees' personal use of sites that do not damage the program's reputation. "Employees should exercise care in setting appropriate boundaries between their personal and public online behavior, understanding that what is private in the digital world often can become public, even without their knowledge or consent." The consensus among the educators interviewed was the level of discomfort that they felt around Educator Z, which led to trouble finding a second educator for their classroom. The Leadership Team was aware of some of the alleged inappropriate actions of Educator Z and disclosed a potential victim's experience to others in the program during meetings to discredit the alleged behaviors. On page 14 of the Employee Handbook (sexual harassment investigation), it documented that all investigations would be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. The overall understanding was that Educator Z's behaviors were common knowledge to the leadership team, and the educator was "heavily" supported by leadership. There was even talk of providing the educator with an attorney. During the week of 6/13/2024, Licensee A and the RP pulled together a meeting with several educators (including Educator Z). The educators were told to stop spreading "rumors" about Educator Z, who was crying and asking how they would explain this to their child. Some of the educators explained the experience as "gaslighting" and felt they were threatened with attorney action if the rumors regarding Educator Z did not cease. Some educators were made to sit in a room with Educator Z and discuss the "said rumors." The Leadership Team portrayed a picture that defended Educator Z's alleged actions. They named a former educator who they presumed was "lying and cheated on their boyfriend" while using Educator Z as a "scapegoat." They also claimed Educator Z had a consensual relationship with several educators. On 6/28/2024, the EEC Investigator asked the program to make any information available after requesting if an internal investigation was conducted in the past year for abuse, neglect, sexual abuse, harassment, and/or sexual harassment about staff or children at the program. Licensee A denied any such claims. The investigator obtained information regarding an alleged sexual harassment incident regardless of the program's refutation. On 1/5/2024, the internal documentation of the conversation form notes that at 8:01 am, a dialogue between Educator Z and the RP took place about the situation. On 1/5/2024, the internal documentation of the conversation notes that at 4:15 pm the completion "of the investigation because of no evidence to the issue". The investigation information should have been stored in the employee's files; however, there was no documentation within the employee's files to indicate any of the above-alleged indiscretions during the investigation visit. On page 13 of the Employee Handbook (sexual harassment),

"Sexual harassment of employees occurring in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated by this organization. STAR Preschools takes allegations of sexual harassment seriously, we will respond promptly to eliminate the contact and impose such corrective action as in necessary, including disciplinary action where appropriate". The alleged information was never reported to EEC. At the follow-up meeting on 7/22/2024, the EEC Investigator again asked if there were any internal investigations conducted in the past year for abuse, neglect, sexual abuse, harassment, and/or sexual harassment implicating Educator Z. Licensee A responded with "not that I know of with children." The investigator stated anyone in the program, including children and co-workers. After several redirections, Licensee A conceded and verified an incident with Educator Z and a co-worker. "It was all a rumor that was not true." It was a relationship that happened outside of the program and turned into something it wasn't. The attorney wanted to connect the dots and how this would apply to EEC mandates. The EEC investigator communicated that there were allegations that negative interactions took place during work hours in the presence of children. Licensee B articulated that Educator Z was in a program with specifically gendered adults and would be on their best behavior. Licensee B inquired who was disclosing information against Educator Z. The EEC Investigator refused to provide names of potential victims.

Statute

Statute

Plus, "EEC with their lovely little report" identified Educator Z in the previous report using pronouns. On 7/29/2024, this investigator received documents via email from Licensee A where they admitted knowledge of two employment-related matters that they did not disclose to this investigator when the program was asked in June 2024 to produce investigations within various categories. Within these documents, Educator Z indicated a relationship with a co-worker during "school and after school" hours. The potential victim statement/interview was missing from these documents but requested to be produced on 7/30/2024. The investigator was told one did not exist; however, the educator wrote one at the time of the complaint. The EEC investigator reinterviewed several individuals who reconfirmed that the potential victims never engaged in a relationship with Educator Z. All contact was unsolicited, and inappropriate interactions took place during program hours. In addition, On 6/12/2024 and 6/14/2024, Licensee A and RP transcribed meetings with Educator Z and several educators about a "rumor that was brought" to Educator Z's attention that involved a minor. Licensee A and RP met with four educators plus Educator Z. Licensee A and RP transcribed themselves disclosing (to other staff) that "the previous teacher had left because" their "current" partner "at the time was telling" them that they "could not return because of the relationship" they were having with Educator Z and then providing the name of an additional educator whom Educator Z allegedly had a relationship with. Some educators were "made" to apologize to Educator Z and explain how they became in possession of "rumored" information. The RP stated that "there was never witnessed or evidence their relationship existing within the classroom only outside work," however, the program's internal investigation dated 1/5/2024 found no evidence to verify any interactions took place between Educator Z. The evidence produced by the program completely contradicts the current narrative and individual interviews regarding Educator Z's interactions with co-workers. The email from Licensee A added that Educator Z was being treated unfairly due to their gender but never mentioned the concern for the

multiple individuals who have disclosed the impact of Educator Z's choices. This lack of empathy and evidence gathering by the Leadership Team led educators to warn one another about Educator Z's alleged unwarranted actions toward multiple individuals who were or are still associated with the program. Instead of directly dealing with the issue, the Leadership Team conducted themselves in a manner that was described as "gaslighting" and "intimidating". They directed educators to reveal sources of information while Licensee A placed their hand on Educator Z's shoulder to demonstrate support. According to the educators, they were made to feel shame about being honest, which has impacted trust and morale within the program.

Educator Z was interviewed regarding the information described above. Educator Z denied all allegations and even refused some of the information reported in the program's internal investigations as falsely documented. Educator Z adamantly denied ever having a non-platonic relationship with two co-workers, which contradicted the program's internal investigation. Educator Z declared it untrue that they sent unsolicited genital pictures to co-workers via Snapchat. Lastly, Educator Z never made comments to a minor about their body while working at the program.

This investigation was extremely challenging for several reasons. Licensee A, B, RP, and the attorney were "disappointed" that individuals were allowed to access EEC's investigations through a public records request. Over the last couple of months, the program (several locations) was subject to multiple EEC investigations, and non-compliances were cited. The program felt that all the EEC investigations were inaccurate and failed to meet "regulatory standards." They requested (in writing) that information be changed/updated to their liking. They also filed appeals and contested the findings of the investigations, which was well within their right; however, that process does not prevent EEC **Statute** from exploring future complaints and allegations of abuse, neglect, or regulatory concerns. The Department of Early Education and Care's mission "is to support the healthy growth and development of all children in the Commonwealth by providing high-quality programs and resources for families and communities." The investigator's objectives were constructed to align with the mission statement while investigating allegations of regulatory violations that could relate to safety, prevention, compliance, and responsiveness. The overarching goal was for this investigator and program to work alongside one another; however, this task was unsuccessful. This investigator was reminded to "use words cautiously," so the program would not be further impacted by litigation. Again, EEC Investigators cannot create narratives to appease programs. Investigators were an unbiased vessel used to hold programs accountable through citations or technical assistance to ensure the health and safety of the children enrolled in the program.

In conclusion, the program did not demonstrate transparency during the investigation. They tried to deflect accountability for programmatic non-compliances, which created

additional delays in the investigation process. The hope was that the program would work with EEC to correct the non-compliance and seek out the support of their EEC Licensor when writing their corrective action plans. This collaboration should result in better program quality for employees and the children enrolled in the program. The overall goal was for the program to continue to support the overall health and safety of the children they serve.

Note: Towards the end of this investigation, the investigator was told of an incident at the program. A child with a dairy allergy was given dairy. [REDACTED] Privacy

[REDACTED] Privacy The program did not report the incident to EEC. This concern was referred to licensing.

Technical Assistance Items

Category	Technical Assistance
Other	The program should work with staff to ensure the parent/educator communication app is updated promptly. Parents have a right to know about their child(ren)'s daily activities especially when it is outlined in the parent handbook. Retrain staff on proper physically guided redirection and document training. Staff should be retrained on the injury documentation process and the program should document the training.

Non-compliances:

Please see attached non-compliances.

Investigation Leader

Mel Lathrop

Associate Commissioner of Investigations

Margie Gilberti

Redaction Log

Total Number of Redactions in Document: 28

Redaction Reasons by Page

Page	Reason	Description	Occurrences
1	Statute	Information exempted from disclosure by statute. See G.L. c. 4, §7, cl. 26(a); G.L. c. 119, § 51E; G. L. c. 6, § 167.	1
2	Statute	Information exempted from disclosure by statute. See G.L. c. 4, §7, cl. 26(a); G.L. c. 119, § 51E; G. L. c. 6, § 167.	1
3	Statute	Information exempted from disclosure by statute. See G.L. c. 4, §7, cl. 26(a); G.L. c. 119, § 51E; G. L. c. 6, § 167.	3
4	Statute	Information exempted from disclosure by statute. See G.L. c. 4, §7, cl. 26(a); G.L. c. 119, § 51E; G. L. c. 6, § 167.	6
4	Personnel	Certain personnel information have been redacted as is required by law. See G.L. c. 4, §7. Cl. 26(c).	1
5	Statute	Information exempted from disclosure by statute. See G.L. c. 4, §7, cl. 26(a); G.L. c. 119, § 51E; G. L. c. 6, § 167.	3
6	Statute	Information exempted from disclosure by statute. See G.L. c. 4, §7, cl. 26(a); G.L. c. 119, § 51E; G. L. c. 6, § 167.	1
7	Statute	Information exempted from disclosure by statute. See G.L. c. 4, §7, cl. 26(a); G.L. c. 119, § 51E; G. L. c. 6, § 167.	9
11	Statute	Information exempted from disclosure by statute. See G.L. c. 4, §7, cl. 26(a); G.L. c. 119, § 51E; G. L. c. 6, § 167.	1
12	Statute	Information exempted from disclosure by statute. See G.L. c. 4, §7, cl. 26(a); G.L. c. 119, § 51E; G. L. c. 6, § 167.	1
13	Privacy	Information has been redacted since it is not public information. That is information that relates to a third party that may involve unwarranted invasion of personal privacy, such as identities and ages of children enrolled in the programs, the children's parents, and complainants, See G.L. c 4, §7, cl. 26(c), the privacy exemption.	1

Redaction Log

Redaction Reasons by Exemption

Reason	Description	Pages (Count)
Personnel	Certain personnel information have been redacted as is required by law. See G.L. c. 4, §7. Cl. 26(c).	4(1)
Privacy	Information has been redacted since it is not public information. That is information that relates to a third party that may involve an unwarranted invasion of personal privacy, such as identities and ages of children enrolled in programs, the children's parents, and complainants, See G.L. c 4, §7, cl. 26(c), the privacy exemption.	13(1)
Statute	Information exempted from disclosure by statute. See G.L. c. 4, §7, cl. 26(a); G.L. c. 119, § 51E; G. L. c. 6, § 167.	1(1) 2(1) 3(3) 4(6) 5(3) 6(1) 7(9) 11(1) 12(1)