

STATE OF COLORADO

OFFICE OF THE GOVERNOR

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John W. Hickenlooper
Governor

A 2017 204

EXECUTIVE ORDER

REMOVAL

ADVISORY COMMITTEE ON LICENSING OF CHILD CARE FACILITIES

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, and in particular Colorado Revised Statute §10-22-105(1)(a), I, John W. Hickenlooper, Governor of the State of Colorado, hereby issue this Executive Order removing a member from the Advisory Committee on Licensing of Child Care Facilities.

ORDERED:

That Denise Maria Fletcher of Arvada, Colorado, be and she is hereby removed for cause from the:

ADVISORY COMMITTEE ON LICENSING OF CHILD CARE FACILITIES

effective immediately, this Executive Order supersedes that portion of Executive Order A 2016 205 reappointing Denise Maria Fletcher to the Advisory Committee on Licensing of Child Care Facilities.



GIVEN under my hand and the
Executive Seal of the State of
Colorado, this thirty-first day
of July, 2017.

A handwritten signature in blue ink, reading "John W. Hickenlooper".

John W. Hickenlooper
Governor



COLORADO

Office of Early Childhood

Division of Early Care & Learning

Child Care Licensing Administration

MEMORANDUM

To: Romaine Pacheco
Director
Governor's Office of Boards and Commissions

From: Erin Mewhinney
Director
Division of Early Care and Learning

Date: July 19, 2017

Re: Advisory Committee on the Licensing of Child Care Facilities (Licensing Advisory Committee)
Potential conflict of interest

Appointed committee member, Ms. Denise Fletcher, is a District Manager at La Petite Academy. Currently the Division of Early Care and Learning (Division), through the Attorney General's office has a formal hearing scheduled on xx xx xx for a denied stringency appeal submitted by Ms. Fletcher on behalf of La Petite Academy. The Division has also initiated an adverse licensing case for the La Petite Academy in Louisville, License no. 7569, after Boulder County, founded a finding of severe institutional neglect, environment injurious, on one staff member and Ms. Fletcher is representing La Petite Academy for this adverse licensing case. A memo summarizing these events has been attached for your reference.

In past Licensing Advisory Committee meetings, Ms. Fletcher has used her experiences in her role as La Petite District Manager to inform discussions with other committee members around recommendations to the Division. It is our concern that her current representation on behalf of La Petite Academy in the adverse licensing case and appeal hearing could create a possible conflict with her role as an advisor to the Division as part of the Licensing Advisory Committee.

We wanted to inform you of this possible conflict. If you would like additional information please feel contact our Division representative for the Licensing Advisory Committee, Carin Rosa, Licensing Administrator, (303)866-6246.





COLORADO

Office of Early Childhood

Division of Early Care & Learning

Child Care Licensing Administration

MEMORANDUM

To: Erin Mewhinney
Division Director

From: Jessica Crookshank
Paralegal Licensing Compliance Specialist
Division of Early Care and Learning

Date: July 14, 2017

Re: Licensing Action Summary, License no. 7569

La Petite Academy
380 S. McCaslin Blvd.
Louisville, CO 80027

On or about 9/2/16, Boulder County Child Protection initiated a Stage I child abuse investigation #2665399 at La Petite Academy. The outcome of this investigation was a founded finding of severe institutional neglect, environment injurious, on one staff member, Jessica R., when Child one in Jessica R.'s classroom (a two-year-old) sustained a mid-femur spiral fracture to the right leg. During the county investigation, no one at La Petite provided information about what had happened to the child.

Upon conclusion of the Boulder County investigation, child care licensing representatives conducted a Stage II follow-up investigation on 10/13/16. During the Stage II investigation, licensing representatives found the facility to be in violation of licensing rules on staff qualifications and supervision requirements. Licensing representatives also cited the facility for impeding an investigation by being slow to provide Boulder County and law enforcement representatives requested documentation during the Stage I child abuse investigation. In total, nine (9) licensing violations were cited on the Stage II report of inspection.



On or about 11/29/16, La Petite Academy submitted to the Division of Early Care and Learning (“The Division”) a written stringency appeal of six (6) of the nine (9) cited violations on the Stage II report of inspection. This appeal was authored by Denise Fletcher, District Manager of La Petite Academy.

On or about 12/22/16, the Division initiated a negative licensing action process against La Petite Academy, due to the substantial evidence of a finding of severe institutional neglect at the center. Licensing mailed La Petite Academy a certified data, views and arguments letter outlining the licensing concerns (including those concerns identified on the 10/13/16 Stage II investigation) and steps in the legal process. The certified letter was received by the facility on 12/27/16.

The facility provided data, views and arguments in response to the Division’s letter. This response was also authored by Denise Fletcher and was received by the Division on or about 1/18/17. In the response, Ms. Fletcher referred back to the stringency appeal submitted on 11/29/16.

The Appeal Panel met on 1/23/17 and the six (6) appeal requests were denied. The facility has requested a formal hearing on this denial and a telephone conference is scheduled for 7/14/17 with the Attorney General’s Office to set the formal hearing date.

In the meantime, the Division reviewed the data, views and arguments submitted by Ms. Fletcher with regards to the adverse action against the facility license. The Division determined that offering the facility probation for a period of six (6) months was an appropriate action in this case. Ms. Fletcher rejected the offer of probation and requested a pre-action meeting with the Division, which was held on 6/28/17. At that meeting, it was determined that the Division would hold on any prospective adverse action until such time as the disputed citations at issue under the stringency appeal have been resolved.

