

February 6, 2025

Hetal Patel Agrawal, Authorized Agent
FASA Corporation
7201 Washington Ave. S
Edina, MN 55439

License Number 1101037-Child Care Center
Report Number 202406866

FAILURE TO REPORT MALTREATMENT BACKGROUND STUDY VIOLATION AND ORDER TO PAY A FINE

Dear Hetal Patel Agrawal:

The Department of Human Services (DHS) determined that The Goddard School, located at 7201 Washington Ave. S, Edina, MN, provided false or misleading information to the commissioner during an investigation, failed to report maltreatment, and failed to comply with background study requirements. Based on this determination, DHS is ordering you to pay a fine of \$600. Details of our findings are provided below and in the enclosed Investigation Memorandum for report 202406866. Our next steps and your options are also detailed.

I. Providing False or Misleading information

Based on the maltreatment investigation, DHS determined that an administrative staff person (P) provided false or misleading information.

The P told the DHS investigator that s/he was not aware of an incident of suspected maltreatment that occurred in summer 2023 (see Allegation Two of the Investigation Memorandum). However, information from other staff persons and screen shots of a text message and an email showed that the P was aware of the incident, that the P knowingly provided false information to the DHS investigator about his/her awareness of the incident, and that the P coached at least one staff person to provide inaccurate information about what occurred during the incident.

Legal Authority: Minnesota Statutes, sections 245A.07, subdivision 3, paragraph (a), clause (3)

Fine: \$200

II. Failure to Report Maltreatment

Based on the maltreatment investigation, DHS determined that staff persons including a supervisory/administrative staff person had knowledge of an incident of possible maltreatment, but did not make a report as required.

Legal Authority: Minnesota Statutes, section 260E.06, subdivision 1.

Fine: \$200

Corrective Action Ordered: Correct immediately and submit your response through the Provider Hub within 30 days from the date of this letter showing that all staff have been retrained on the reporting requirements for alleged maltreatment. The documentation must identify: names of staff persons completing the training; the date of the training; and who provided the training. Documentation must be maintained in each staff person's record.

III. Background Study Violation

As a result of an investigation, DHS determined that you failed to repeat a background study for a child care program staff within five years of the most recent study completed for the P.

The P was an administrative staff person whose background study expired on October 22, 2024. On October 25, 2024, the DHS investigator notified the facility that the P's background study was expired and the P could not have contact with children until a repeat study was submitted and cleared. On October 28, 2024, the facility received notification that the P was cleared to work.

Statute Violated: Minnesota Statutes, section 245C.04 subdivision 1, paragraph (b).

Fine: \$200

Corrective Action Ordered: Submit your response through the Provider Hub within 30 days from the date of this letter detailing how compliance has been achieved. You must comply with all background study requirements in Minnesota Statutes, chapter 245C going forward.

IV. Order to Pay a Fine

Because DHS determined that The Goddard School is responsible for providing false and misleading information, failure to report maltreatment, and failure to comply with background study requirements you must pay a \$600 fine.

Legal Authority: Minnesota Statutes, section 245A.07, subdivision 3, paragraph (c), clause (4).

Billing and Payment of the Fine

After 10 calendar days from the date of this letter, DHS will issue you an invoice for the \$600 fine through the Provider Hub. Payment must be made as directed via the Provider Hub.

If you request a contested case hearing, as described below, do not pay the fine at this time. Following the contested case hearing, the Commissioner of DHS will issue a final order on this matter.

Please note, you may not avoid payment of this fine by closing, selling, or otherwise transferring the license to a third party. If this occurs, each controlling individual is personally responsible for payment.

If you do not pay the fine on or before the date specified on the invoice and you did not request a contested case hearing, as described below, the Commissioner may issue a second fine, may not issue or reissue a license, or may suspend the license until the license holder pays the fine.

YOUR RIGHT TO APPEAL

You have the right to appeal this order. If you choose to appeal this order, you must use the Provider Hub (<https://providerhub.dhs.mn.gov/>) to submit your request. Your request must be made before the deadlines provided below. If you do not meet this deadline, you lose your right to an administrative appeal. The timeline to appeal began when this order was issued in the Provider Hub.

Your request for an appeal must be submitted in the Provider Hub within 10 calendar days from the date it was issued in the Provider Hub.

Upon DHS' receipt of your timely appeal, your case would be scheduled for a contested case hearing in front of an Administrative Law Judge. Following this hearing, the Commissioner of DHS will issue a final order.

Legal representation at the contested case hearing

You do not need a lawyer to appeal. However, a lawyer can help you with your appeal. The state or county will not get you a lawyer and will not pay for a lawyer. If you cannot afford a lawyer, you may be able to get free legal advice or help with your appeal. To find out if free help is available, contact: Volunteer Lawyers Network at 612-752-6677; Central Minnesota Legal Services at 612-332-8151; Southern Minnesota Legal Services at 651-222-4731; or go to www.justice4mn.org to find a local legal services program that may be able to help you.

You can also find information on contested cases from the Office of Administrative Hearings website at <https://mn.gov/oah/self-help>. Click on Administrative Law Overview, then click on Administrative Law Contested Case Hearing Guide for a list of frequently asked questions.

Posting of this licensing action

You are required to place this Determination of Failure to Report Maltreatment, Background Study Violation, and Order to Pay a Fine in a place that is clearly noticeable to the people receiving services and all visitors to the facility for two years, even if you appeal.

Legal authority for this licensing action

- This action is taken under Minnesota Statutes, section 245A.07, subdivision 1, paragraph (a), which describes under which conditions DHS may impose a fine against a license.
- DHS may impose a \$200 fine for each health, safety, or supervision licensing violation under Minnesota Statutes, section 245A.07, subdivision 3, paragraph (c), clause (4), item (iv).
- Minnesota Statutes, section 245A.07, subdivision 3, paragraph (c), clause (5) states that license holders may not avoid payment of a fine by closing, selling, or transferring a license.
- License holders have a right to appeal licensing actions and request a contested case hearing, under Minnesota Statutes, chapter 14 and Minnesota Rules, parts 1400.8505 to 1400.8612.
- The requirement to post this order in a clearly visible location is required under Minnesota Statutes, section 245A.07, subdivision 5.
- Minnesota Statutes, section 245A.04, subdivision 7, paragraph (d), clause (4), states that DHS shall not issue or reissue a license if the applicant, license holder, or controlling individual has an outstanding debt related to a license fee, licensing fine, or settlement agreement for which payment is delinquent.
- Minnesota Statutes, section 245A.07, subdivision 3, paragraph (c), clause(2), states that that the license holder shall pay the fine assessed on or before the payment date specified, and if

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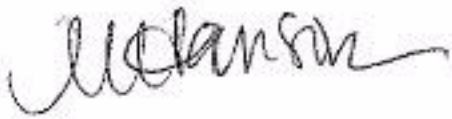
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the license holder does not do so the commissioner may issue a second fine or suspend the license until the license holder complies.

Questions

If you have any further questions regarding this matter, you may contact Marie Tierney, Supervisor, at 651-431-6573.

Sincerely,

A handwritten signature in black ink that reads "Maggie Hanson". The signature is written in a cursive, flowing style.

Maggie Hanson, Intake & Investigations Unit Manager
Office of Inspector General
Licensing Division

Enclosure