



3.23.2021

Dear Parents,

First, and above all, the safety and well-being of your children has always been, and will continue to be, our first priority and what guides the mission of Rosewood Academy Childcare and Preschool. The safety of the children in our care is what drives our decision-making and every component of the care we provide to your children. We started Rosewood Academy because we care deeply about children and, as working parents ourselves, we understand how critically important it is for parents to have a safe, secure day care setting for their children.

I wanted to personally let you know that we are currently working with the Department of Health and Human Services (DHHS) in relation to a matter which, when the details are made public, we are confident you will understand has been sorely mischaracterized. **While we are limited in what we are able to share, I want to make clear that no one at Rosewood Academy is under investigation for abuse of any kind.**

Child day care centers are highly regulated, as they should be. When even the possibility of an issue arises about a child care facility, anyone can reach out to DHHS, including disgruntled parties. The Department must respond, and we fully support and appreciate that. By regulation, the Department also makes certain information about child day care centers available on the Department's website.

The ambiguity around a situation involving a Rosewood Academy leader and a DHHS licensing agreement has gained attention on social media, but without the context of the events prompting the Department's involvement. Part of the purpose of this letter is to give you better context of that procedure.

Please understand that Rosewood Academy does not disclose information related to your children, any behavior management programs they may be on, or other issues related to a child to any other parents or the media. We follow the processes in place and work with DHHS to make sure things are handled in the proper manner and complete information is disclosed at the appropriate time. Doing so sometimes puts Rosewood Academy in the position of needing to hold our tongue while the process is followed.

Without being able to share specific details, I can share that it is nuanced event which did not involve any injury to a child, raised voices, or abuse of any kind. Rosewood Academy is cooperating with DHHS, as part of normal processes, to make sure that a clear picture and full context are provided. It's what we expect of ourselves and what we would expect of any other child care facility.

I would ask each of you, as parents, to draw upon the context of your own child's (children's) development and well-being while in our care. We have come to know you and your children, and our hope and goal has been (and continues to be) that you will come to know us too. Before you form conclusions based on what you might read on social media, in posts from people you do not know or who may not even have a child that attends Rosewood Academy, please reflect on what you already know of your own experiences with Rosewood Academy and let that guide your intuition.

Thank you for the opportunity to serve your family.

Sincerely,

Kelli Hansen, Owner Rosewood Academy Childcare and Preschool



March 27, 2021

Dear Rosewood Academy Families:

Please know that we understand and share your frustration and concern regarding the statements recently posted on social media about Rosewood Academy and its staff. We hope that this letter will provide you with more context and information in order that you can evaluate the credibility (or lack of credibility) of comments being posted on social media and better understand the regulatory oversight and review process applied to child daycare facilities.

Any person, well-meaning or otherwise, can make a report or allegation of suspected prohibited conduct at a daycare facility by calling the state's hotline. Depending on the circumstances of the report, the matter might be referred to law enforcement or child protective services (or both) to follow up and determine if prohibited conduct has occurred and what steps need to be taken. When the allegations relate to a child daycare facility, the Nebraska Department of Health and Human Services (the "Department" or "DHHS") also gets involved, because DHHS is in charge of child care facility licensure.

When the Department responds to a complaint or report of non-compliance related to a daycare staff member's interaction with or handling of a child, the Department may require the facility to have an Interim Licensing Agreement during the period that the Department's review is ongoing – that is, while the Department is interviewing people and getting information in order to determine whether an instance of non-compliance occurred. If a report of non-compliance is substantiated, the Department may also issue a Nondisciplinary Corrective Action, which means that the facility needs to devise and implement a plan to correct the non-compliant activity and prevent it from recurring in the future.

These measures (which the Department refers to as "negative actions") are not the same thing as *disciplinary* actions, which are more serious. According to the Department's regulations, Interim Licensing Agreements and Nondisciplinary Corrective Actions are used when an instance of potential (or substantiated) non-compliance "does not rise to the level of a disciplinary action." It is important for parents to understand that if the Department believed that any situation at a child care facility presented an immediate and unreasonable risk to the health, safety or well-being of children, it would not institute these types of measures.

For example, if a staff member has been reported as applying a non-permitted form of restraint or discipline of a child, the Department may use an Interim Licensing Agreement to require that the staff member not be left alone with children while the Department's review is pending. Rosewood Academy fully supports this practice as a proactive measure aimed at protecting children. We have never objected to an Interim Licensing Agreement and have always posted these documents in our facilities (as required), and we will continue to do so.

When the Department's review is complete, if the Department finds that the allegations of a non-compliant activity are "substantiated," the Department may put the facility on Nondisciplinary Corrective Action status. As noted above, the facility then needs to implement a plan to correct and prevent recurrence of the non-compliance. In our example above, if the staff member was found to have used a non-permitted form of discipline, an acceptable corrective action plan might be to have that staff member (or all staff members) undergo additional training. In other circumstances, the facility may determine that the appropriate corrective action is to terminate the staff member's employment.

In reviewing an allegation of non-compliance, the Department is not required to make a finding "beyond all reasonable doubt" or even by "clear and convincing evidence." The standard used by the Department to "substantiate" reports of non-compliance is considerably lower. Rosewood Academy supports this because it prioritizes the safety of children and staff members above the interests of finding "ironclad" proof or evidence that might otherwise prevent the Department from carrying out its part in ensuring children's safety.

That said, it is important for everyone to be mindful of the fact that a "substantiated" finding of non-compliance, such as an instance of a non-permitted form of discipline by a staff member, does not make that staff member a criminal or a "child abuser." It is also important to understand that a substantiated report of non-compliance does not necessarily mean that the problem was systemic, ongoing, repeated, or tolerated at the facility; it may have been a one-time occurrence.

Rosewood Academy has, in some instances, terminated a staff member's employment as the result of the Department's substantiated findings of a non-compliant activity. We have also terminated employees because we did not feel they were a good fit for our culture or because we observed behaviors that we were not willing to tolerate in a child daycare facility.

Although we are limited in how much detail we can provide, Rosewood Academy did recently terminate a staff member after learning that she made comments and gestures to other employees that we believe were inappropriate and that children may have overheard or seen.

While we believe that it was right decision, it has not been without consequence. We are aware that this individual has now taken to social media and is posting false and defamatory statements about Rosewood Academy and members of its staff on those platforms. We have already reviewed those statements and accusations with our staff members and confirmed that they are baseless. Those statements can only be fairly characterized as an unfounded attack on Rosewood Academy.

We hope you understand that, as an employer subject to strict labor and employment laws, Rosewood Academy cannot simply inform parents of the reasons and details for why any particular individual is no longer a member of our staff. We would also reiterate that the individuals whom we have let go or accepted resignations from in the past are not bad people or criminals.

With respect to our example, above, it is also important for parents to have an understanding of the non-permitted forms of discipline set out in the Department's regulations and subject to review by the Department. Nebraska regulations list seventeen specific forms of prohibited discipline, such as spanking, slapping, pinching, punching, shaking, striking with any object, abusive/profane

language, use of mechanical restraints and “handling roughly.” Handling roughly is essentially anything that is not something else on the list; it is not hitting or striking or yelling, etc.

Any form of discipline or restraint that the Department does not consider to be an approved method and that is not covered elsewhere on the list of prohibited discipline is likely “handling roughly.” Handling roughly does not mean that the child was injured in any way. In some cases, it simply means that there is not a more accurate way of describing a non-approved technique in the Department’s regulations.

We want parents to be aware that the particular details of any incidents, as finally recorded by the Department in its reports, are available to anyone through the Department’s public website. If the Department does a review or otherwise responds to a report of non-compliance at any child care facility, the Department’s report will eventually be uploaded to the website, regardless of whether (or not) the basis for the review was substantiated.

Parents can find the information by going to www.nebraska.gov/LISSearch/search.cgi, clicking on “Business/Service Search,” and then searching the name (or partial name with an asterisk (*)) of the facility they want information about. Any reports will be linked under the Inspection and Investigation Information section and/or the Disciplinary/Non-Disciplinary Information section.

Even a cursory search of well-known, reputable child care facilities in the Omaha area will reveal that many (if not most) have, at some time or another, been the subject of a DHHS review and negative action. Parents need to understand that these reports do not automatically mean that the facility, or an individual at the facility, engaged in child abuse.

In the few instances where Rosewood Academy and its staff members have been the subject of a compliance review by the Department, we have fully cooperated with the Department and have taken prompt, appropriate action as needed. Although Rosewood Academy, like many other child care facilities in Omaha, has been issued negative actions, we have never been the subject of any disciplinary action.

Rightly or wrongly, it has been Rosewood Academy’s belief that, while the Department is doing a compliance review, we should not attempt to wedge ourselves between the Department and the parents that the Department might contact as part of the review. We have never wanted there to be even the appearance of impropriety that we feared might result if a member of our management team contacted parents during a review. In retrospect, we now realize that there is a middle ground and we are committed to keeping parents apprised, to a reasonable extent, should any issues arise in the future. In any case, we hope you understand that we will always be limited in what we can say in regards to any staff member’s termination or resignation from Rosewood Academy.

Aside from one matter currently under review by the Department, all prior negative actions at our Rosewood Academy locations have been resolved. The present matter relates to my husband and co-founder of Rosewood Academy, Carl Hansen. Carl’s intervention to protect the safety of some children from what he believed to be a potentially dangerous situation created by another child has been misrepresented and grossly mischaracterized as something completely different and terrible. We understand that our silence throughout the firestorm on social media has allowed things to get

worse. Out of respect to the child and his parents, we have refrained from racing to respond to all of the negative and baseless comments on social media.

We are cooperating with DHHS as we would in any situation. As soon as a determination has been made by the Department and its report posted online, we will notify you. In the mean time, our hope is that the information provided in this letter will give you a better context for reviewing and understanding the Department's reports and process. We also hope that this letter, along with your own intuition and personal experience with Rosewood Academy, will also assist you to evaluate the credibility of the unchecked attacks being posted on social media.

Kelli Hansen



Rosewood Academy

Childcare and Preschool

March 28, 2021

Dear Rosewood Academy Families:

We cannot thank you enough for your continued support as we navigate this devastating social media assault on Rosewood Academy. The notes we have received from many of you regarding the positive experiences your children are having at Rosewood Academy and the continued trust you have in Rosewood Academy have given us renewed strength to weather this storm. We truly appreciate your support.

Unfortunately, it has become clear to us that we need to devote 100% of our immediate time and energy to defending our business and our reputations through the pendency of this investigation. We are not heavy social media users, and we have absolutely underestimated how people will use the internet to spread rumors and misinformation that can lead to devastating outcomes. This smear campaign, which has been orchestrated by a handful of individuals and carried out from behind their iPhones, has pushed us to this. The day will come when those individuals will be compelled to actually speak their claims aloud, after being sworn and under penalty of perjury.

In the meantime, because of this, we are making the heart-wrenching decision to temporarily and voluntarily close all of our locations for the next two weeks. We know the hardship this places on many of you and for this we are so truly sorry. Please understand that we want Rosewood Academy to be here for you in the long term and, therefore, we must make this difficult short-term decision.

We know how busy our families are, and that is why we have not asked you to reach out to the Department of Health and Human Services (DHHS) to share your support for Rosewood Academy. But, if you are at all inclined to do so, we would be very, very appreciative. You can reach DHHS at (402) 471-6564 or at DHHS.ChildCareLicensing@nebraska.gov.

Kelli Hansen