



**Bright from the Start Georgia Department of Early Care and Learning**  
**2 Martin Luther King Jr. Drive SE, 670 East Tower**  
**Atlanta, GA 30334**

Phone: (404) 657-5562 WWW.DECAL.GA.GOV

**Date:** 1/22/2019    **VisitType:** Complaint Investigation & Licensing Study    **Arrival:** 1:00 PM    **Departure:** 5:00 PM

**CCLC-31995**

**Legacy Pointe Academy, LLC**

549 Washington Avenue Marietta, GA 30060 Cobb County  
 (770) 590-7740 legacynikki@yahoo.com

**Regional Consultant**

Courtney Moody

Phone: (800) 796-7861

Fax: (800) 798-6764

courtney.moody@dec.al.gov

**Mailing Address**

4843 TREVOR CT  
 Marietta, GA 30068

**Quality Rated:**

| <b>Compliance Zone Designation</b> |   |               |
|------------------------------------|---|---------------|
| 01/22/2019                         | Complaint Investigation & Licensing Study | Support       |
| 10/09/2018                         | Monitoring Visit                          | Good Standing |
| 06/13/2018                         | Monitoring Visit                          | Good Standing |

**Compliance Zone Designation** - A summary measure of a program's 12 month monitoring history, as it pertains to child care health and safety rules. The three compliance zones are good standing, support, and deficient.

**Good Standing** - Program is demonstrating an acceptable level of performance in meeting the rules.

**Support** - Program performance is demonstrating a need for improvement in meeting rules.

**Deficient** - Program is not demonstrating an acceptable level of performance in meeting the rules.

**Ratios/License Capacity**

| Building | Room         | Age Group  | Staff | Children | NC/C | Max 35 SF. | 35 SF. Comp. | Max 25 SF. | 25 SF. Comp. | Notes          |
|----------|--------------|--|-------|----------|------|------------|--------------|------------|--------------|----------------|
| Main     | A            | Infants and One Year Olds                                    | 1     | 5        | C    | 13         | C            | NA         | NA           | Nap, Diapering |
| Main     | B- 1R        |  | 0     | 0        | C    | 5          | C            | NA         | NA           |                |
| Main     | C- 2R        | Two Year Olds  | 1     | 8        | C    | 10         | C            | NA         | NA           | Nap            |
| Main     | D- MIDDLE    | Three Year Olds and Four Year Olds                           | 1     | 14       | C    | 24         | C            | NA         | NA           | Nap            |
| Main     | E- REAR LEFT | Four Year Olds and Five Year Olds and Six Year Olds and Over | 1     | 14       | C    | 16         | C            | NA         | NA           | Free Play      |
| Main     | F- FAR RIGHT |  | 0     | 0        | C    | 8          | C            | NA         | NA           | Not In Use     |

Total Capacity @35 sq. ft.: 76

Total Capacity @25 sq. ft.: 0

Total # Children this Date: 41

Total Capacity @35 sq. ft.: 76

Total Capacity @25 sq. ft.: 0

| Building | Playground | Playground Occupancy | Playground Compliance |
|----------|------------|----------------------|-----------------------|
| Main     | PLAYGROUND | 29                   | C                     |

**Comments**

Plan of Improvement: To Be Submitted 02/05/2019

Any rule violation which subjects a child to injury or life-threatening situation or any rule violations previously cited but not corrected, may result in the imposition of an adverse enforcement action. Serious or continued noncompliance may also jeopardize participation in one or more DECAL program(s).



Please refer to the website, <http://www.dec.al.ga.gov/CCS/RulesAndRegulations.aspx>, for information regarding October 1, 2018 rule changes about Criminal Records Checks that may affect your facility. In summary,

- New records checks will be required to be completed if a staff member experiences a six month break in service from the child care industry
- New clearance is required at least once every five years
- Any staff member solely responsible for supervising children will be required to have completed a comprehensive background clearance
- All staff members are required to have completed at least a national fingerprint based clearance check
- Any staff member with only the national fingerprint based clearance, must be under constant and direct supervision of a staff member with a satisfactory comprehensive records check clearance
- Facilities are required to use DECAL KOALA for Criminal Records Checks, including to verify portability of an employee

O.C.G.A. Section 42.1.12(i)(2) requires Bright from the Start: Georgia Department of Early Care and Learning to notify licensed child care programs on accessing and retrieving from the Georgia Bureau of Investigation's (GBI) website a list of the names and addresses of all registered sexual offenders. Please see GBI's website located at <http://gbi.georgia.gov> to access the Georgia Sex Offender Registry.

---

#### Refutation Process:

You have the right to refute any of the citations noted in this report with which you disagree. To refute a citation(s), e-mail the following information to [CCSRefutations@dec.al.ga.gov](mailto:CCSRefutations@dec.al.ga.gov).

- 1) Facility name, license number and visit date
- 2) Your name, title/relationship to the facility, e-mail address & up to two phone number(s) where you can be reached
- 3) Specific rule number(s) that you are refuting, along with your concerns or questions regarding the rule citation

Refutations must be submitted to Child Care Services (CCS) within 10 business days of the completion date.

A sample form for submitting a refutation can be found at: <http://dec.al.ga.gov/ChildCareServices/RefutationInformation.aspx>

Your refutation will be forwarded to the appropriate CCS manager, who will follow up with you about your concerns. If you have any questions about this process, contact our office at 404-657-5562.

---

Bright from the Start recommends that all licensed child care providers carry liability insurance coverage sufficient to protect its clients. If you do not have this liability insurance, you are required to post a notice with ½ inch letters in a conspicuous location in the program, notify the parent or guardian of each child in care in writing, obtain their signature to acknowledge receipt and maintain this written acknowledgment on file at the program at all times while the child attends the program and for 12 months after the child's last date of attendance. (O.C.G.A. Section 20-1A-4)



#### Important New Deadlines:

Your program must be Quality Rated by December 31, 2020 in order to continue to receive Childcare and Parent Services (CAPS).

Get started today! Sign up by completing a short online application: <https://qualityrated.dec.al.ga.gov/>  
Request free technical assistance to help you earn your star rating by contacting the Quality Rated help desk at 855-800-7747 or [qualityrated@dec.al.ga.gov](mailto:qualityrated@dec.al.ga.gov)

---

Woneak Ledbetter, Program Official

Date

---

Courtney Moody, Consultant

Date



**Bright from the Start Georgia Department of Early Care and Learning**  
**2 Martin Luther King Jr. Drive SE, 670 East Tower**  
**Atlanta, GA 30334**  
 Phone: (404) 657-5562 WWW.DECAL.GA.GOV

**Findings Report**

**Date:** 1/22/2019    **VisitType:** Complaint Investigation & Licensing Study    **Arrival:** 1:00 PM    **Departure:** 5:00 PM

**CCLC-31995**

**Legacy Pointe Academy, LLC**

549 Washington Avenue Marietta, GA 30060 Cobb County  
 (770) 590-7740 legacynikki@yahoo.com

**Mailing Address**  
 4843 TREVOR CT  
 Marietta, GA 30068

**Regional Consultant**

Courtney Moody

Phone: (800) 796-7861  
 Fax: (800) 798-6764  
 courtney.moody@dec.al.ga.gov

The following information is associated with a Licensing Study Visit:

|                                 |
|---------------------------------|
| <b>Activities and Equipment</b> |
|---------------------------------|

**591-1-1-.03 Activities**

**Not Met**

**Finding**

591-1-1-.03(2) requires the Center to keep current lesson plans on site that reflect appropriate instruction practices and activities to support children's development The Center shall have sufficient and varied play and learning equipment and materials to support the above program of activities in all developmental areas. It was determined based on observation that the infant classroom did not have an up to date lesson plan for the current week.

.....

.....

.....

.....

.....

.....

**Correction Deadline: 1/22/2019**

**591-1-1-.12 Equipment & Toys(CR)**

**Met**

**Comment**

A variety of equipment and toys were observed throughout the center.

**591-1-1-.35 Swimming Pools & Water-related Activities(CR)**

**Met**

**Comment**

Center does not provide swimming activities.

|                 |
|-----------------|
| <b>Facility</b> |
|-----------------|

**591-1-1-.19 License Capacity(CR)** **Met**

**Comment**

Licensed capacity observed to be routinely met by center.

**591-1-1-.25 Physical Plant - Safe Environment(CR)** **Met**

**Correction Deadline: 10/9/2018**

**Corrected on 1/22/2019**

**.25(3) - The classroom is no longer in use.**

**591-1-1-.26 Playgrounds(CR)** **Met**

**Correction Deadline: 10/19/2018**

**Corrected on 1/22/2019**

**.26(6) - The center installed new swing chains.**

**Food Service**

**591-1-1-.15 Food Service & Nutrition** **Not Met**

**Finding**

591-1-1-.15(2) requires that a signed written feeding plan for children less than one (1) year of age shall be obtained from Parent(s) and that instructions from the Parent(s) shall be updated regularly as new foods are added or other dietary changes are made. The feeding plan shall be posted in the child's assigned room and must include the child's feeding schedule, the amount of formula or breast milk to be given, instructions for the introduction of solid foods, the amount of food to be given and notation of any type(s) of commercially premixed formula which may not be used in an emergency because of food allergies. It was determined based on review of records that two of three feeding plans were not updated regularly as the infant's feeding habits changed.

.....  
.....  
.....  
.....  
.....  
.....  
.....

**Correction Deadline: 1/22/2019**

**Health and Hygiene**

**591-1-1-.10 Diapering Areas & Practices(CR)** **Met**

**Comment**

Proper diapering procedures observed.

**591-1-1-.17 Hygiene(CR)** **Met**

**Comment**

Staff were observed to remind children to wash hands.

**591-1-1-.20 Medications(CR)** **Met**

**Comment**

The Provider currently does not dispense/administer medication.

**Safety**

**Comment**

Staff were observed to maintain a positive learning environment on this date.

591-1-1-.36 Transportation(CR)

**Finding**

591-1-1-.36(4)(a) requires an annual safety check for each vehicle. The annual safety check, completed by a trained individual, should include a check of the: tires, headlights, horn, taillights, turn signals, brake lights, brakes, suspension, exhaust system, steering, windows, windshields and windshield wipers. A copy of the annual safety check will be kept in the Center or on the vehicle and should include evidence of any repairs and/or replacements that were identified as needed on the inspection report. It was determined based on review of records that the annual safety check form expired on May 11, 2018.

.....  
.....  
.....  
.....  
.....  
.....

**Correction Deadline: 1/27/2019**

**Finding**

591-1-1-.36(7)(c)2. requires that the driver or other designated person shall immediately document in writing, with a check or other mark/symbol to account for each child listed on the passenger transportation checklist each time a child enters and exits the vehicle. The driver or other designated staff person shall document in writing with a different mark/symbol to account for each child listed on the passenger transportation checklist who was not present on the vehicle for any reason. An explanation shall be documented in writing whenever a child is transported to a field trip site but is not present on the return trip to the Center. It was determined based on review of transportation logs that there was no check or other mark/symbol to account for each child listed on the passenger transportation checklist each time a child entered and exited the vehicle for January 11, 2019 PM route from Childcare Network to the center and January 11, 2019 AM route from Allgood Elementary to the center.

.....  
.....  
.....  
.....  
.....  
.....

**Correction Deadline: 1/22/2019**

**Recited on 1/22/2019**

.....  
.....  
.....  
.....  
.....  
.....

**Correction Deadline: 6/21/2018**

**Corrected on 1/22/2019**

**.36(7)(c)5. - Previous citation corrected. Passenger transportation checklists were available.**

**Finding**

591-1-1-.36(7)(d)1. requires that the first check be conducted immediately upon unloading the last child at any location including, but not limited to, a field trip destination, arrival at the Center, and the last stop during transportation to home or school. The responsible person on the vehicle shall physically walk through the entire vehicle; visually inspect all seat surfaces, under all seats and in all compartments or recesses in the vehicle's interior; sign the passenger transportation checklist (s), indicating all of the children have exited the vehicle; and give the passenger transportation checklist(s) to the second designated Staff person. It was determined based on review of transportation logs that a first check signature was not documented for January 8, 2019, AM and PM routes and January 9, 2019 PM route to and from the center to Feed My Lambs.

.....  
.....  
.....  
.....  
.....  
.....

**Correction Deadline: 1/22/2019**

**Recited on 1/22/2019**

**Finding**

591-1-1-.36(7)(d)2. requires that the second designated Staff person conduct a check of the vehicle immediately upon the completion of the first check of the vehicle. The responsible person shall physically walk through the entire vehicle; visually inspect all seat surfaces, under all seats and in all compartments or recesses in the vehicle's interior; and sign the passenger transportation checklist(s), indicating all of the children have exited the vehicle. There shall be continuous watchful oversight of the vehicle between the first check and second check. It was determined based on review of transportation logs that a second check signature was not documented for January 8, 2019, AM and PM routes and January 9, 2019 PM route to and from the center to Feed My Lambs.

.....  
.....  
.....  
.....  
.....  
.....

**Correction Deadline: 1/22/2019**

**Recited on 1/22/2019**

**Sleeping & Resting Equipment**

**591-1-1-.30 Safe Sleeping and Resting Requirements(CR)**

**Met**

**Correction Deadline: 6/13/2018**

**Corrected on 1/22/2019**

**.30(1)(a)3 - Cribs were observed to have tight-fitting sheets.**

**Correction Deadline: 6/13/2018**

Corrected on 1/22/2019

.30(2)(c) - Previous citation observed corrected.

|                      |
|----------------------|
| <b>Staff Records</b> |
|----------------------|

**Records Reviewed: 9**

**Records with Missing/Incomplete Components: 2**

|   |         |
|---|---------|
| Staff # 1<br>Date of Hire: 06/12/2017   | Met     |
| Staff # 2   | Met     |
| Staff # 3<br>Date of Hire: 01/03/2017   | Met     |
| Staff # 4<br>Date of Hire: 09/17/2018   | Met     |
| Staff # 5<br>Date of Hire: 08/06/2014   | Met     |
| Staff # 6<br>Date of Hire: 06/29/2018<br><u>"Missing/Incomplete Components"</u><br>.09-Criminal Records Check Missing | Not Met |
| Staff # 7<br>Date of Hire: 06/02/2014   | Met     |
| Staff # 8<br>Date of Hire: 08/23/2018<br><u>"Missing/Incomplete Components"</u><br>.09-Criminal Records Check Missing | Not Met |
| Staff # 9<br>Date of Hire: 02/02/2015   | Met     |

**Staff Credentials Reviewed: 9**



**Finding**

591-1-1-.09(1)(d) requires the Center to ensure that every Provisional Employee has a valid and current satisfactory Fingerprint Records Check Determination on file prior to being present at the Center while any child is present for care or before an individual age 17 or older resides in the Center and must be supervised at all times by a Director or Employee with a valid and current satisfactory Comprehensive Records Check Determination. The Fingerprint Records Check Determination must have a Records Check Clearance Date that is no older than the preceding 12 months of the hire date; provided, however, if the Provisional Employee has had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer, a new satisfactory Fingerprint Records Check Determination is required. It was determined based on review of records that one employee was present at the center without having a valid and current satisfactory Fingerprint Records Check Determination on file.

.....  
.....  
.....  
.....  
.....  
.....

**Correction Deadline: 1/22/2019**

**Finding**

591-1-1-.09(1)(j) requires that for portability for Directors, Employees and Provisional Employees, excluding Students-in-Training, only the most recently issued determination letter is eligible for portability and must be ported electronically. A Center may accept a satisfactory Fingerprint Records Check Determination letter or a satisfactory Comprehensive Records Check Determination letter issued by the Department if the Records Check Clearance Date is within the preceding 12 months from the hire date, the individual has not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer, and the Center does not know or reasonably should not know that the individual's satisfactory status has changed. It was determined based on review of records that one staff member were observed to have fingerprint letters eligible for portability, however they were not ported electronically.

.....  
.....  
.....  
.....  
.....  
.....

**Correction Deadline: 1/22/2019**

**591-1-1-.31 Staff(CR)**

**Met**

**Comment**

Staff observed to be compliant with applicable laws and regulations.

**Staffing and Supervision**

**591-1-1-.32 Staff:Child Ratios and Group Size(CR)**

**Met**

**Comment**

Center observed to maintain appropriate staff:child ratios.

**Comment**

Staff observed to provide direct supervision and be attentive to children's needs.