



**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:** 10/30/2019 **VisitType:** Complaint Investigation & Licensing Study **Arrival:** 11:25 AM **Departure:** 4:30 PM

**CCLC-33581**

**Smarties Childcare, LLC**

465 Clairemont Avenue Decatur, GA 30030 DeKalb County  
 (770) 630-1921 anna.kelly@smartiesacademy.com

**Regional Consultant**

Laurel Benta

Phone: (770) 357-3279

Fax: (770) 357-3281

carrie.spangler@decal.ga.gov

**Mailing Address**

Same

**Quality Rated:** No

<b>Compliance Zone Designation</b>		
10/30/2019	Complaint Investigation & Licensing Study	Good Standing
10/30/2019	Complaint Closure	Good Standing
06/21/2019	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	Dn D - 3rd Rt	Three Year Olds	3	17	C	21	C	NA	NA	Transitioning
Main	Dn E - 2nd Rt	Four Year Olds	1	10	C	10	C	NA	NA	Nap
Main	Dn F - 2nd Lt	Two Year Olds and Three Year Olds	2	10	C	12	C	NA	NA	Lunch
Main	Dn G - 1st Lt	Four Year Olds and Five Year Olds	2	14	C	15	C	NA	NA	Transitioning
Main	Dn H - 1st Rt	Three Year Olds	1	6	C	7	C	NA	NA	Nap
Main	Dn I - 4th Rt	Two Year Olds	2	10	C	11	C	NA	NA	Transitioning, Lunch
Main	Up A - 1st Lt	Infants	3	7	C	8	C	NA	NA	Floor Play
Main	Up B - 2nd Lt	One Year Olds	3	14	C	15	C	NA	NA	Lunch
Main	Up C - 1st Rt After-School		0	0	C	50	C	NA	NA	

Total Capacity @35 sq. ft.: 149

Total Capacity @25 sq. ft.: 0

Total # Children this Date: 88

Total Capacity @35 sq. ft.: 149

Total Capacity @25 sq. ft.: 0

Building	Playground	Playground Occupancy	Playground Compliance
Main	PLAYGROUND	96	C

**Comments**

A one-day letter was left.

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.state.ga.us/CCS/Regulations.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.

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**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.state.ga.us](mailto:CCSRefutations@dec.state.ga.us).

- 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.state.ga.us/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.

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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.state.ga.us/>  
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.state.ga.us](mailto:qualityrated@dec.state.ga.us)

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Anna Kelly, Program Official

Date

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Laurel Benta, Consultant

Date



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### Findings Report

**Date:** 10/30/2019 **VisitType:** Complaint Investigation & Licensing Study **Arrival:** 11:25 AM **Departure:** 4:30 PM

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The following information is associated with a Licensing Study Visit:

### Activities and Equipment

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

N/A

**Comment**

Equipment and furniture observed to be properly secured, as applicable.

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

N/A

**Comment**

Center does not provide swimming activities.

### Facility

**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

**Comment**

Please be mindful to keep items that pose a hazard inaccessible to children.

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

Defer

**Defer**

591-1-1-.26(4)- Playground not observed.

**POI (Plan of Improvement)**

The Center will routinely check the fence to determine if it is in good repair and remains at least 4 feet high, and will repair any hazards. The Center will train Staff to identify and report any fence hazards and to keep the fence gates closed when not in use.

**Correction Deadline: 7/19/2019**

### Health and Hygiene

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

**Comment**

Staff stated proper knowledge of diapering procedures.

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

**Comment**

Proper hand washing observed throughout the center.

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

**Comment**

Documentation for medication dispensing observed complete.

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**Safety**

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**591-1-1-.11 Discipline(CR)** **Met**

**Comment**

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

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**591-1-1-.36 Transportation(CR)** **Not Met**

**Comment**

Paperwork, checklist, permission forms, annual inspection form and proper check of the vehicle after transportation were discussed with the director.

**Finding**

591-1-1-.36(6) requires written Parental authorization for routine transportation provided by or on behalf of the Center. Written authorization must include the routine pick-up location, routine pick-up time, routine delivery location, routine delivery times and the name of any person authorized to receive the child. It was determined based on review of records that one child that was transported did not have written Parental authorization for routine transportation.

**POI (Plan of Improvement)**

The Center will obtain the required written parental authorization.

**Correction Deadline: 11/5/2019**

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**Sleeping & Resting Equipment**

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

**Comment**

Discussed SIDS and infant sleeping position.

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**Staff Records**

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**Records Reviewed: 25**

**Records with Missing/Incomplete Components: 1**

Staff # 1 Met

Date of Hire: 04/30/2019

Staff # 2 Met

Date of Hire: 08/01/2017

Staff # 3 Met

Date of Hire: 09/12/2018

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Staff # 4 Date of Hire: 09/13/2019	Met
Staff # 5 Date of Hire: 01/01/2009	Met
Staff # 6 Date of Hire: 08/15/2019	Met
Staff # 7 Date of Hire: 09/30/2019	Met
Staff # 8 Date of Hire: 04/17/2019 <u>"Missing/Incomplete Components"</u> .09-Criminal Records Check Missing	Not Met
Staff # 9	Met
Staff # 10 Date of Hire: 05/01/2018	Met
Staff # 11 Date of Hire: 01/03/2019	Met
Staff # 12	Met
Staff # 13 Date of Hire: 03/01/2015	Met
Staff # 14	Met
Staff # 15 Date of Hire: 01/01/2013	Met
Staff # 16 Date of Hire: 01/02/2018	Met
Staff # 17 Date of Hire: 08/01/2012	Met
Staff # 18 Date of Hire: 10/05/2016	Met
Staff # 19	Met

**Records Reviewed: 25****Records with Missing/Incomplete Components: 1**

Date of Hire: 06/01/2018

Staff # 20 Met

Date of Hire: 06/14/2013

Staff # 21 Met

Date of Hire: 09/18/2012

Staff # 22 Met

Date of Hire: 04/23/2018

Staff # 23 Met

Date of Hire: 09/03/2019

Staff # 24 Met

Staff # 25 Met

Date of Hire: 10/05/2015

**Staff Credentials Reviewed: 21****591-1-1-.09 Criminal Records and Comprehensive Background Checks(CR)****Not Met****Finding**

591-1-1-.09(1)(a) requires that a Center ensure that every actual and potential Director, Employee and Provisional Employee of a Child Care Learning Center submit both a Records Check Application to the Department and Fingerprints to an authorized fingerprinting site. It was determined based on review of records that bus drivers from a third party transportation service used for transporting children to the center did not submit both a Records Check Application to the Department and Fingerprints to an authorized fingerprinting site. A one-day letter was left.

**POI (Plan of Improvement)**

IMMEDIATE CORRECTION - The Center will ensure that every actual and potential Director, Employee and Provisional Employee of a Child Care Learning Center submit both a Records Check Application to the Department and Fingerprints to an authorized fingerprinting site as required. The program's owner or an officer/member of the corporation must view the A to Z Background Check video units pertaining to this records check rule and return the signed affidavit within one week from this visit date. The Center will ensure the CRC rules are maintained.

**Correction Deadline: 10/30/2019****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 bus drivers from a third party transportation service used for transporting children to the center did not have a valid and current satisfactory Fingerprint Records Check Determination on file.

**POI (Plan of Improvement)**

IMMEDIATE CORRECTION - The Center will 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. The program's owner or an officer/member of the corporation must view the A to Z Background Check video units pertaining to this records check rule and return the signed affidavit within one week from this visit date. The Center will ensure CRC rules are maintained.

**Correction Deadline: 10/30/2019**

**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 staff #13, hired on April 17, 2019, did not have the most recently issued determination letter ported electronically.

**POI (Plan of Improvement)**

IMMEDIATE CORRECTION - The Center will ensure that only the most recently issued determination letter is electronically ported for Directors, Employees and Provisional Employees, excluding Students-in-Training. 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. The program's owner or an officer/member of the corporation must view the A to Z Background Check video units pertaining to this records check rule and return the signed affidavit within one week from this visit date. The Center will ensure CRC rules are maintained.

**Correction Deadline: 10/30/2019**

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

**Met**

**Comment**

Staff observed to be compliant with applicable laws and regulations.

**Staffing and Supervision**

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

**Met**

**Comment**

Center observed to maintain appropriate staff:child ratios.

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**591-1-1-.32 Supervision(CR)**

**Met**

**Comment**

Adequate supervision observed on this date.