



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: 8/21/2023 **VisitType:** Incident Investigation
Closure

CCLC-504

Lollipop Kids, Inc

5218 Highway 121 North Blackshear, GA 31516 Pierce County
(912) 449-6765 lollipopkids@accessatc.net

Regional Consultant

Connie Boatright

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connie.boatright@dec.al.ga.gov

Joint with: Kimberly Stoy

Mailing Address

Same

Quality Rated: ★

Compliance Zone Designation			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.
08/21/2023	Incident Investigation Closure	Deficient	
08/04/2023	Incident Investigation/Licensing Study	Good Standing	
06/13/2023	Monitoring Visit	Good Standing	

Comments

A Complaint Intake was completed in conjunction with a Licensing Study. The consultant was unable to complete the report on the day of the site visit due to pending documents. The consultant will email the provider of the complaint closure and findings upon completion.

Advisement of Potential for Repeated Rule Violations during Pending Investigations

This report shall serve as official notice of potential rule violations. These potential rule violations have been detailed in this report and discussed with you by the consultant. The department shall conduct a thorough investigation to determine if in fact the alleged rule violation(s) should or should not be substantiated. Please be aware that the investigation may take some time to be finalized to ensure fairness and accuracy. During this investigation period, any violations of an identical rule or rules will require the department to treat any and all substantiated rule violations identified in the investigation as repeated rule violation(s).

Further, from time to time the department discovers additional rule violations during the course of an investigation. If there are new rule violation(s), your consultant shall inform you of the violation(s) as soon as possible. However, as stated above, any violations of identical rule(s) will require the department to treat any and all additional rule violations identified in the investigation as repeated rule violations.

All rule violations found in relation to a complaint or incident investigation will be associated with the date the investigation was closed.



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

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), do the following:

- 1) Log into DECAL KOALA www.decalkoala.com with the userid for your program
- 2) On the home page scroll down to the Inspection Reports and select 'Refute Citation' for the visit report in dispute
- 3) Select the specific rule number(s) that you are refuting, add the reason for disagreement regarding the rule citation, and upload supporting documentation
- 4) Submit the refutation in DECAL KOALA to Child Care Services (CCS) within 10 business days of the completion date.

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)

I have read and understand the Rules and Regulations for Child Care Learning Centers, 591-1-1. I acknowledge that the items noted in this report have been discussed with me and I have agreed to a Plan of Improvement (POI) as indicated in this report. I understand that correction of these deficiencies, while required, will not necessarily prevent DECAL from taking adverse action against this facility. I understand that if I disagree with any of the deficiencies cited, I have the right to refute them on this report or any other form that I choose to send to Child Care Services.

David Dowling, Program Official

Date

Connie Boatright ,Regional Consultant

Date

Kimberly Stoy ,Lead Consultant

Date



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Summary Report

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The following information is associated with a Incident Investigation Closure:

Activities and Equipment

591-1-1-.03 Activities

Not Met

Finding Associated with Complaint

591-1-1-.03(9) requires center staff to refrain from engaging in, or allowing children or other adults to engage in, activities that could be detrimental to a child's health or well-being, such as but not limited to, horse play, rough play, wrestling, and picking up a child in a manner that could cause injury. It was determined based on review of video footage, on Friday, July 14, 2023, an infant staff member roughly picked an infant up by two arms, walked about three feet, and roughly placed the infant on the floor away from the staff member. Additionally, the staff member rough handled an infant when pulling the infant half-way out of the large activity bouncer by the infant's right arm, then pulled the infant the remainder of the way out of the large activity bouncer by both arms.

Correction Deadline: 8/21/2023

Health and Hygiene

Finding Associated with Complaint

591-1-1-.07(2) requires Center Staff to immediately notify Parents and obtain specific instructions until the child can be picked up or returned to the group when professional medical attention is required, or when the child experiences symptoms of moderate discomfort such as elevated temperature, vomiting or diarrhea and to notify Parents by the end of the day when professional medical attention is not required, when the child experiences symptoms of less than moderate discomfort or when the child experiences an adverse reaction to prescribed medication which does not constitute moderate discomfort. It was determined based on interviews and written statements, that the parent of the child was not notified by the end of the day on Tuesday, July 18, 2023, when the center was notified of the incident and notified the parent on Wednesday, July 19, 2023.

Correction Deadline: 8/10/2023

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

Not Met

Finding Associated with Complaint

591-1-1-.10(5) requires that Center Staff shall not leave infants or children unattended while being diapered or having their clothes changed on the diaper changing surface. It was determined based on video footage that an infant staff member placed one child on the diaper changing table, then walked away from them child for twenty seconds before returning. Additionally, a second child was placed on the diaper changing table, and the staff member walked away initially for four seconds then again for fourteen seconds before returning. Additionally, a third child was placed on the diaper changing table and the infant staff member walked away for four seconds before returning.

Correction Deadline: 8/21/2023

Organization

591-1-1-.37 Inspections & Investigations

Not Met

Finding Associated with Complaint

591-1-1-.37(d) requires the Center and Staff to cooperate with any inspection or investigation by responding truthfully to any legitimate departmental inquiry. Failure to cooperate with a Department inspection or investigation shall constitute good cause for the denial, restriction, revocation or suspension of a License, Permit or commission. It was determined that a copy of video surveillance was requested from the center on Thursday, July 20, 2023, to be submitted to the consultant by Monday, July 24, 2023. The video surveillance was received on Friday, August 4, 2023, from law enforcement.

Correction Deadline: 8/4/2023

	Safety
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591-1-1-.11 Discipline(CR)

Not Met

Finding Associated with Complaint

591-1-1-.11(2) requires that Personnel not: physically or sexually abuse a child or engage or permit others to engage in sexually overt conduct in the presence of any child enrolled in the Center; inflict corporal/physical punishment upon a child; shake, jerk, pinch or handle a child roughly; verbally abuse or humiliate a child which includes, but is not limited to, the use of threats, profanity or belittling remarks about a child or his family; isolate a child in a dark room, closet or unsupervised area; use mechanical or physical restraints or devices to discipline children; use medication to discipline or control children's behavior without written medical authorization issued by a licensed professional and given with the parent's written consent; restrict unreasonably a child from going to the bathroom; punish toileting accidents; force-feed a child or withhold feeding a child regularly scheduled meals and/or snacks; force or withhold naps; allow children to discipline or humiliate other children; or confine a child for disciplinary purposes to a swing, highchair, infant carrier, walker or jump seat. It was determined that on July 17, 2023, the staff member grabbed the throat and cheeks of a seven-month-old infant that was sitting in a swing and pulled upwards on the infant. Additionally, the staff member aggressively shook the back of the swing while the child was sitting in it. This was done as a form of discipline because the child wouldn't go to sleep. The staff member was terminated on this day.

Correction Deadline: 8/4/2023

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

Not Met

Finding Associated with Complaint

591-1-1-.30(2) requires the Center to provide a safe sleep environment in accordance with American Academy of Pediatrics (AAP), Consumer Product Safety Commission (CPSC) and American Society for Testing and Materials (ASTM) recommendations as listed in these rules for all infants. Center Staff shall place an infant to sleep on the infant's back in a crib unless the Center has been provided a physician's written statement authorizing another sleep position for that particular infant that includes how the infant shall be placed to sleep and a time frame that the instructions are to be followed. When an infant can easily turn over from back to front and back again, Staff shall continue to put the infant to sleep initially on the infant's back but allow the infant to roll over into his or her preferred position and not re-position the infant. Sleepers, sleep sacks and wearable blankets that fit according to the commercial manufacturer's guidelines and will not slide up around the infant's face may be used when necessary for the comfort of the sleeping infant. Swaddling shall not be used unless the Center has been provided a physician's written statement authorizing its use for a particular infant that includes instructions and a time frame for swaddling the infant. Center Staff shall not place objects or allow objects to be placed in or on the crib with an infant such as but not limited to toys, pillows, quilts, comforters, bumper pads, sheepskins, stuffed toys, or other soft items and shall not attach objects or allow objects to be attached to a crib with a sleeping infant, such as, but not limited to, crib gyms, toys, mirrors and mobiles. It was determined based on video footage that an infant staff member, placed blankets in four infant cribs and bottles in two of the four infant cribs and did not remove them the duration that the infants were sleeping.

Correction Deadline: 8/21/2023

Finding Associated with Complaint

591-1-1-.30(2)(c) requires that infants shall not sleep in equipment other than safety-approved cribs, such as, but not limited to, a car safety seat, bouncy seat, highchair, or swing. Infants who arrive at the Center asleep or fall asleep in such equipment, on the floor or elsewhere, shall be transferred to a safety-approved crib. It was determined based on video footage that an infant staff member allowed an infant to sleep in a side-by-side swing from 1:28 PM – 3:04 PM, an hour and thirty-six minutes.

Correction Deadline: 8/21/2023

Staff Records

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

Not Met

Finding Associated with Complaint

591-1-1-.31(13) prohibits Center Staff from committing any criminal act, as defined under Georgia law, in the presence of any child enrolled in the Center and requires Center staff to comply with all applicable laws and regulations. It was determined based on face-to-face interviews, staff written statements, collateral contact information, and copies of related documents, that an infant staff member committed a criminal act when she was arrested for Felony Cruelty to a Child and Misdemeanor Simple Battery on July 20, 2023.

Correction Deadline: 8/21/2023

Staffing and Supervision

Finding Associated with Complaint

591-1-1-.32(7) requires that children be supervised at all times appropriate to the individual age, needs and capabilities of each child. Such supervision must include, but not be limited to, indoor and outdoor activities, mealtimes, naptime, transportation, field trips, and transitions between activities. "Supervision" means that the appropriate number of Staff members are physically present in the area where children are being cared for and are providing watchful oversight to the children, volunteers and Students-in-Training. The persons supervising in the child care area must be alert, positioned to maximize their ability to hear and see the children at all times, and able to respond promptly to the needs and actions of the children being supervised, as well as the actions of the volunteers and Students-in-Training, and provide timely attention to the children's actions and needs. Staff shall be attentive and participating with all children during mealtimes and shall be seated within an arm's length away from children thirty-six (36) months of age and younger. It was determined based on video footage on Friday, July 14, 2023, from 1:29 PM through closing, an infant staff member was on and off a phone causing them to not be fully attentive to the infants under their supervision and watchful oversight.

Correction Deadline: 8/21/2023