



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: 11/10/2022 **VisitType:** Complaint Closure

Arrival: 10:35 AM

Departure: 4:30 PM

CCLC-47910

Kiddie Academy of Cumming

450 Brannon Road Cumming, GA 30041 Forsyth County
 (470) 253-7114 cumming@kiddieacademy.net

Regional Consultant

Margarita Collier

Phone: (770) 342-7934

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margarita.collier@dec.al.ga.gov

Mailing Address
 Same

Quality Rated: ★

Compliance Zone Designation		
11/10/2022	Complaint Closure	Good Standing
10/24/2022	Complaint Investigation Follow Up	Good Standing
07/21/2022	Licensing Study	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.

Comments


The purpose of this visit was to complete a complaint closure investigation.
 October 24, 2022 - The investigation was not closed.
 November 10, 2022 - The investigation was closed.

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

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@decals.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://decals.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)

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.

Melissa Leonard, Program Official

Date

Margarita Collier, Consultant

Date



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Summary Report

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The following information is associated with a Complaint 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 investigative findings that on October 17, 2022, staff members were observed to roughly handle two-year-old children during the following circumstances:

- A staff member was observed to pick-up a child under the arms and took the two-year-old child to the sink. The child proceeded to kick their legs in the air as they were taken to the sink. The child attempted to turn away, but the staff member grabbed the child by their left arm and turned the child towards the sink.
- A staff member grabbed a two-year-old child by their left arm and walked the child to the front of the classroom. The child ran towards the other side of the classroom and showed signs of distress.
- A staff member roughly grabbed a two-year-old child by their left arm forcing the child to the floor.
- A two-year-old child attempted to walk away from the carpet area during circle time when a staff member grabbed the child by their left arm and roughly pushed the child back on the carpet.
- A two-year-old child attempted to run and a staff member proceeded to grab the child by their left arm and pull the child back.
- A staff member was observed to snatch a two-year-old child back towards the table and made the child sit down at the table during lunch time.
- A staff member pulled a two-year-old child by their right wrist and escorted the child to the restroom.
- Upon checking a two-year-old child for a potential potty accident, a staff member proceeded to pick-up the child by their arms and take the child to the restroom.
- A staff member grabs a two-year-old child by their right arm and escorts the child to the restroom.
- A staff member grabs a two-year-old child by their left arm and escorts the child to the carpet area during center time.
- During center time, a staff member roughly moves a two-year-old child on the carpet area to prevent the child from accessing an area on the carpet area.

POI (Plan of Improvement)

The Center will review requirements with Staff to ensure that appropriate activities are conducted with children.

Correction Deadline: 11/10/2022

591-1-1-.17 Hygiene(CR)**Not Met****Finding Associated with Complaint**

591-1-1-17(7) requires that children wash their hands with liquid soap and warm running water upon arrival for care, when moving from one child care group to another, upon re-entering the child care area after outside play, before and after eating meals and snacks, handling or touching food, playing in water; after toileting and diapering, playing in sand, touching animals or pets, and contact with bodily fluids and after contamination by any other means. It was determined based on investigative findings that on October 17, 2022, two-year-old children were not observed to wash their hands before and after meal times and after toileting times.

POI (Plan of Improvement)

The Center will train Staff on required handwashing for children and Staff will ensure children's hands are washed when required. The Director will monitor for compliance.

Correction Deadline: 11/10/2022**Finding Associated with Complaint**

591-1-1-.17(8) requires staff to wash their hands with liquid soap and warm running water upon arrival for the day, when moving from one child care group to another, upon re-entering the child care area after outside play, before and after diapering each child, dispensing medication, applying topical medications, handling and preparing food, eating, drinking, preparing bottles, feeding each child, assisting children with eating and drinking, after toileting or assisting children with toileting, using tobacco products, handling garbage and organic waste, touching animals or pets, handling bodily fluids and after contamination by any means. It was determined based on investigative findings that on October 17, 2022, staff members were not observed to wash their hands before and after meal times and after toileting times.

POI (Plan of Improvement)

The Center will ensure liquid soap and warm running water are available for handwashing, train Staff on the handwashing requirements, review the requirements with Staff periodically, and monitor handwashing.

Correction Deadline: 11/10/2022**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 based on investigative findings that on October 17, 2022, a staff member was observed to inappropriately disciplined a two-year-old when the staff member was observed to roughly grab a two-year-old child by their left arm, proceed to get close to the child's face and speak to them during snack time. Further investigative findings revealed that on October 17, 2022, a staff member poked a two-year-old child in the head as a form of discipline in order to make the child stick a card on the black board located in the carpet area. The staff member was further observed to poke a two-year-old child on the head a second time in order to make the child stick a card on the black board located in the carpet area. The child showed signs of distress, but no bruises and/or marks were reported.

POI (Plan of Improvement)

The Center will take immediate action to ensure the action/conduct has ceased; train/review appropriate child guidance techniques with center staff; and have a system in place to monitor and identify inappropriate actions.

Correction Deadline: 11/10/2022

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 investigative findings that on October 17, 2022, staff members failed to provide direct supervision to the two-year-old children that napping when a staff member was observed scrolling through their phone during nap time in the two-year-old classroom. The staff member was observed sitting at a table with a two-year-old during a quiet activity while on their phone and also sit next to a two-year-old napping on their cot while scrolling through their phone. The staff member was observed to scroll through their phone for approximately 33 seconds and five minutes and 38 seconds. No incidents and/or injuries were reported.

POI (Plan of Improvement)

The Center will train Staff and monitor to ensure they are providing supervision and watchful oversight to the children at all times.

Correction Deadline: 11/10/2022