



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: 8/8/2024

VisitType: Incident Investigation Closure from II/FollowUp on 06/05/2024

CCLC-46535

Gems Learning Academy

8850 High Point Road Union City, GA 30291 Fulton County
(770) 306-6133 syma_rauf@yahoo.com

Special Investigations Unit Sr. Specialist

Lesley Barrett

Phone: (404) 478-8125

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lesley.barrett@dec.al.ga.gov

Mailing Address

6 Velma Rd
Wakefield, GA 01880

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.
08/08/2024	Incident Investigation Closure	Deficient	
07/30/2024	Complaint Investigation Follow Up	Good Standing	
07/10/2024	POI Follow Up	Good Standing	

Comments

08-09-2024: Investigative findings were concluded on this date.

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), 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.



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Summary Report

Date: 8/8/2024 VisitType: Incident Investigation Closure from II/FollowUp on 06/05/2024 Arrival: 11:25 AM Departure: 2:20 PM

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The following information is associated with a Incident Investigation Closure:

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

Finding Associated with Complaint

591-1-1-.36(10) requires that a child never be left unattended in a vehicle. It was determined based on an investigation that on May 15, 2024, center staff failed to conduct vehicle checks and incorrectly completed the transports log, resulting in a seven-year-old child being left unsupervised on the vehicle for approximately 33 minutes. Professional medical attention was not required.

Correction Deadline: 8/16/2024

Finding Associated with Complaint

591-1-1-.36(3)(a-b) requires any Center that provides any type of transportation to obtain two (2) hours of state-approved or state-accepted transportation training, biannually, for the Director and for each person responsible for or who participates in the transportation of children. The training shall include, but is not limited to, a review of the transportation rules, a review of approved transportation forms and procedures, and instruction on the usage and completion of the forms and procedures. This training may be counted as part of the annual training requirements for Staff. It was determined based on investigation that a staff member had completed transportation training that was not approved by the Department. Center staff failed to ensure that staff members who participate in the transportation of children had obtained 2 hours of state-approved transportation training.

Correction Deadline: 8/9/2024

Finding Associated with Complaint

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 an investigation that on May 15, 2024, center staff failed to ensure that the information documented on the transportation checklist was accurate when they mistakenly accounted for a seven-year-old child that did not exit the vehicle. The seven-year-old child was left on the bus for at least 33 minutes. Professional medical attention was not required.

Correction Deadline: 8/9/2024

Finding Associated with Complaint

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 an investigation that on May 15, 2024, center staff incorrectly completed the transportation log and did not conduct a first check of the transportation vehicle as required after returning to the center when a seven-year-old child in care was left on the vehicle for at least 33 minutes.

Correction Deadline: 8/9/2024

Finding Associated with Complaint

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 an investigation that on May 15, 2024, center staff failed a second check of the transportation vehicle after returning to the center from school, when a seven-year-old child in care was left on the vehicle for at least 33 minutes.

Correction Deadline: 8/9/2024

Finding Associated with Complaint

591-1-1-.36(7)(d)3. requires that if a second designated Staff person is not available to conduct a second check of the vehicle the driver will check the vehicle by physically walking through the entire vehicle; visually inspecting all seat surfaces, under all seats and in all compartments or recesses in the vehicle's interior; and signing the passenger transportation checklist(s), indicating all of the children have exited the vehicle, and then report by phone to the Director or designated Staff person that the check has been completed and no children remain on the vehicle. The time and verification of such telephone contact shall be immediately documented and signed on the passenger transportation checklist(s) by the driver. It was determined based on an investigation that on May 15, 2024, a seven-year-old child was left unattended on a center vehicle. Center staff failed to ensure that a thorough check of the vehicle upon arrival at the school was conducted by the driver when the driver was the only staff member present at the location to conduct a check.

Correction Deadline: 8/9/2024

Staffing and Supervision

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

Not Met

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 an investigation that on August 15, 2024, center staff failed to provide watchful oversight when they did not ensure that there were no children left in the van. A seven-year-old child in care was left on the center van for at least 33 minutes. Professional medical attention was not required.

Correction Deadline: 8/9/2024