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

Investigation Report

Date: 7/25/2022 **VisitType:** Incident Investigation Closure from II/FollowUp on 06/14/2022

CCLC-53587
Growing Gardens Learning Center
815 US Highway 27 Cataula, GA 31804 Harris County
(762) 524-7651 gglcdirector@gmail.com

Special Investigations Unit Sr. Specialist
Beverly Pollard
Phone: (770) 357-7002
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beverly.pollard@decal.ga.gov

Mailing Address
2510 mckee rd
upatoi, GA 31829-0000

Quality Rated: ★ ★

Compliance Zone Designation		
07/25/2022	Incident Investigation Closure	Good Standing
06/14/2022	Incident Investigation & Follow Up	Good Standing
06/01/2022	Complaint Closure	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 Incident Investigation was not completed on this date. A final copy will be sent to the facility.

July 25, 2022 The Incident Investigation was completed on this date. A final copy was sent to the facility.

A Plan of Improvement is due by August 8, 2022.

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.decal.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: 7/25/2022 **VisitType:** Incident Investigation Closure from II/FollowUp on 06/14/2022 **Arrival:** 2:30 PM **Departure:** 4:00 PM

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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 that in May, 2022, a staff person engaged in activities that were detrimental to children by taking inappropriate pictures and videos of two enrolled children. The pictures showed the private area of a one-year-old child. A video showed the private area of a two-year-old child. The staff person was arrested and charged with two felony counts of Unlawful Eavesdropping or Surveillance and two counts of felony Sexual Exploitation of Children.

Correction Deadline: 7/25/2022

Safety

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 in May, 2022, a staff person took inappropriate videos of a two-year-old child. Based on a review of the video footage by law enforcement, one video showed a staff person yelling at the child because of a toileting accident. The child was standing in the bathroom. A second video showed the staff person belittling the child because of the toileting accident.

Correction Deadline: 7/25/2022

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 that in May, 2022, a staff person did not comply with applicable laws and regulations by taking inappropriate pictures and videos of two enrolled children. The pictures showed the private area of a one-year-old child. A video showed the private area of a two-year-old child. The staff person was arrested and charged with two felony counts of Unlawful Eavesdropping or Surveillance and two counts of felony Sexual Exploitation of Children.

Correction Deadline: 7/25/2022