



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: 2/28/2025 **VisitType:** Complaint Investigation Closure from CI FollowUp on 02/21/2025

CCLC-37405

Benjamin Preparatory School of Academics & Performing Arts

2445 Church Road SE Atlanta, GA 30339 Cobb County

(770) 436-5200 nkelly@benjaminprep.com

Regional Consultant

Neli Todorova

Phone: (770) 359-5167

Fax: (678) 891-5630

neli.todorova@dec.al.ga.gov

Mailing Address

Same

Quality Rated: ★

Compliance Zone Designation		
02/28/2025	Complaint Closure	Good Standing
02/21/2025	Complaint Investigation Follow Up	Support
11/13/2024	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 investigation was completed on February 28, 2025. The Director was notified of the outcome same day.

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.



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

Summary Report

Date: 2/28/2025 **VisitType:** Complaint Investigation Closure **Arrival:** 10:00 AM **Departure:** 2:00 PM
from CI FollowUp on 02/21/2025

CCLC-37405

Benjamin Preparatory School of Academics & Performing Arts
2445 Church Road SE Atlanta, GA 30339 Cobb County
(770) 436-5200 nkelly@benjaminprep.com

Regional Consultant
Neli Todorova
Phone: (770) 359-5167
Fax: (678) 891-5630
neli.todorova@decal.ga.gov

Mailing Address
Same

The following information is associated with a Complaint Closure:

	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 based on staff statements and interviews, as well as review of video recording that on February 6, 2025, at approximately 12:46 p.m, a three-year-old child was under a child-size table in the back of the room. A staff member was in the room placing out mats for nap. Another staff member came into the room and attempted to verbally direct the child to come from under the table. The child did not follow direction and retreated further to the back of the table and to the wall.. At approximately 12:47 p.m. another staff member came in the room, reached under the table, grabbed the child, pulled their body from under the table and lifted the child's whole body off the floor and carried the child to the nearby bathroom (the entrance of the bathroom was approximately one foot from the table). As a result one of the child's shoes came off their foot. The other staff picked up the shoe and followed the staff who was carrying the child in the bathroom. In the bathroom staff told the child that they will be 'in trouble' if the behavior continues . There were no injuries reported and the child received no medical attention.

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: 2/28/2025

	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 staff interviews and statements that on February 6, 2025 at approximately 12:47 p.m., a staff member left the children in room E-5R-Shooting Stars B without another staff member present for approximately one and a half minutes. Staff left her room to enter the adjacent room (F-4R-Shooting Stars A) through the Jack-and-Jill bathroom to assist with discipline. There were no injuries or incidents 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: 2/28/2025