



**BRIGHT FROM THE START**  
Georgia Department of Early Care and Learning  
10 Park Place South, S.E., Suite 200, Atlanta, Georgia 30303  
(404) 656-5957

**Sonny Perdue**  
GOVERNOR

**Holly A. Robinson, Ed.D.**  
COMMISSIONER

December 29, 2010

**CERTIFIED MAIL # 7007 2680 0000 9817 2463**

Bertha Williams  
Family Day Care Home  
1507 Locust Log Way  
Austell, Georgia 30168

**RE: Notice of Revocation**

Dear Ms. Williams:

On September 28, 2010, the Child Care Services Division of Bright from the Start: Georgia Department of Early Care and Learning (Bright from the Start) concluded its complaint investigation. It was determined that serious rule violations occurred which could seriously affect the health and safety of the children in care and demonstrated the intentional and reckless disregard for the physical and mental health and safety of children in care. Specifically, the provider and an unrelated adult were arrested on September 3, 2010, after committing criminal acts, in the presence of an enrolled five-year-old child, including fleeing/attempting to elude police, obstruction of an officer, cruelty to children, aggravated assault, burglary, and possession of tools to commit a crime (Exhibit "A"). Additionally, the provider did not have and/or maintain documentation of a satisfactory criminal records check for all adults residing in the home, nor did the provider report to Bright from the Start previous arrests resulting in an unsatisfactory determination (Exhibit "B"). Further, it was later determined that there was a convicted felon who temporarily resided in a mobile unit in the backyard of the family day care home (Exhibit "C"). The rule violations for which Bright from the Start is basing the revocation are marked as Exhibit "A," which is a flagrant abuse that constitutes shocking intentional misconduct. The letter dated September 30, 2010, rescinding the family day care provider's satisfactory criminal record determination is marked as Exhibit "B". The letter dated October 25, 2010, advising the family day care provider that an adult residing on the premises had an unsatisfactory criminal record determination, and is prohibited from being on the premises is marked as Exhibit "C".

Based on your noncompliance with Rules and Regulations for Family Day Care Homes, you are hereby notified that the license to operate as a family day care home is hereby revoked. Bright from the Start's legal authority for revoking a license is found in O.C.G.A. Sec. 20-1A-12(b)(3)(5), Sec. 20-1A-12(c)(5), and 20-1A-10(q), and the Bright from the Start: Georgia Department of Early Care and Learning's Rules for Family Day Care Homes, Chapter 290-2-3 of the Official Compilation Rules and Regulations of the State of Georgia.

In accordance with O.C.G.A Section 20-1A-10(o) this revocation becomes effective thirty (30) days from receipt of this Notice. You have the right to appeal the decision to revoke your registration to operate a family day care home by filing a written request for an administrative hearing before an Administrative Law Judge with the Office of State Administrative Hearings. The request must be made in writing within ten (10) days of receipt of this Notice and addressed to:

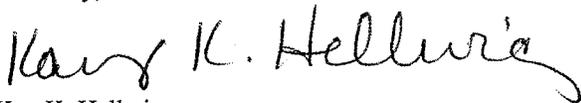
Ms. Bertha Williams  
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J. Ashley Peacock  
Chief Legal Officer  
Bright from the Start  
Georgia Department of Early Care and Learning  
10 Park Place South, S.E., Suite 200  
Atlanta, Georgia 30303

A hearing request stays or suspends the revocation.

If you do not appeal this action within ten (10) days of this Notice, the decision to revoke your registration will be final. Licensure staff will conduct a follow-up visit to verify closure.

Sincerely,



Kay K. Hellwig  
Assistant Commissioner of Child Care Services

KKH/hn  
Attachment

cc: J. Ashley Peacock  
Kristie Lewis  
Brenda Haynesworth  
Meggan Hemans-Reese  
Candy Prince  
Vermisha Thompkins  
Catherine Anderson  
Elisabetta Kasfir  
Janet Goggins  
Earlene Houston  
Carley Ross  
State File

List of Rule Violations for:

Bertha Williams  
1507 Locust Log Way  
Austell, Georgia 30168

**1. Rule 290-2-3-.04(2)(c)2.(i)** A satisfactory criminal record check determination was not received as required.

And

**2. Rule 290-2-3-.08(5)** Copies of satisfactory criminal records check determinations were not maintained.

During a visit to the home on September 21, 2010, to conduct an investigation, it was determined that documentation from the Fulton County Superior Court revealed the family day care home provider had previous arrests that occurred on October 26, 2008, and September 3, 2010. The arrest on September 3, 2010 would render the provider's criminal record check unsatisfactory under O.C.G.A. §20-1A-30. Neither of the arrests was reported to the Department as required.

The failure of the family day care home to comply with criminal record check requirements could possibly place children at risk of harm.

**3. Rule 290-2-3-.04(2)(c)2.(i)** A satisfactory criminal record check determination was not received as required.

And

**4. Rule 290-2-3-.08(5)** Copies of satisfactory criminal records check determinations were not maintained.

During a visit to the home on September 21, 2010, to conduct an investigation, it was determined that an adult male was found to live at the address of the family day care home. Upon reviewing documents from the Fulton County Superior Court, it was determined that this adult male received several prior felony convictions, and unresolved arrests. These convictions and arrests would render his criminal record check unsatisfactory under O.C.G.A. §20-1A-30.

The failure of the family day care home to comply with criminal record check requirements could possibly place children at risk of harm.

**5. Rule 290-2-3-.04(2)(c)2.(i)** A satisfactory criminal record check determination was not received as required.

And

**6. Rule 290-2-3-.08(5)** Copies of satisfactory criminal records check determinations were not maintained.

During a visit to the home on September 21, 2010, to conduct an investigation, it was determined that an additional adult male was found to live at the address of the family daycare home. No documentation was present of a completed satisfactory criminal record check for this adult male.

The failure of the family day care home to comply with criminal record check requirements could possibly place children at risk of harm.

**7. Rule 290-2-3-.08(1)(h)** The home did not obtain parental authorization for transportation provided. During the course of the investigation, it was determined that on September 3, 2010, the provider and an unrelated adult transported an enrolled five-year-old child to a restaurant and an unspecified residence before fleeing in the vehicle from police. The provider and unrelated adult did not have parental authorization to transport this enrolled child to either location.

The failure of the family day care home to obtain parental agreement prior to transporting an enrolled child could place children at risk of harm.

**8. Rule 290-2-3-.11(1)(m)** An enrolled child was not kept clean, dry, and comfortable.

During the course of the investigation, it was determined that on September 3, 2010, an enrolled five-year-old child was found by police screaming in the back of the provider's van. The child had vomited on herself, and was observed lying unrestrained between two water heaters.

The failure of the family day care home to keep this child clean, dry, and comfortable could place children at risk of harm.

**9. Rule 290-2-3-.11(2)(i)** Gasoline was not stored inaccessible to children in care.

The investigation determined that on September 3, 2010, an enrolled five-year-old child was transported in the provider's vehicle, and was observed lying in the van less than two feet away from an overturned gasoline can.

The failure of the family day care home to store flammable liquids inaccessible to children could place children at risk of harm.

**10. Rule 290-2-3-.11(2)(j)** The driver of a vehicle transporting an enrolled child did not possess a current driver's license, and the enrolled child was not restrained by a seat belt or appropriate child restraint.

The investigation determined that on September 3, 2010, an enrolled five-year-old child was not properly restrained in a child safety seat while being transported by the provider and an unrelated adult male. The provider and the unrelated adult male were fleeing from the police. After the vehicle stopped, the child was observed by a police officer lying between two water heaters in the back of the provider's van.

The failure of the family day care home to restrain children properly could place children at risk of harm.

**11. Rule 290-2-3-.11(3)(a)(9)** The provider and an unrelated adult committed criminal acts in the presence of an enrolled child.

During an investigation it was determined that on September 3, 2010, the provider and an unrelated adult committed criminal acts in the presence of an enrolled child, resulting in the arrest of both adults. These criminal acts included: fleeing/attempting to elude police, obstruction of an officer, cruelty to children, aggravated assault, burglary, and possession of tools to commit a crime.

Committing criminal acts in the presence of a child in the family day care home could place children at risk of harm.

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EXHIBIT "B"



**BRIGHT FROM THE START**  
Georgia Department of Early Care and Learning  
10 Park Place, Suite 200, Atlanta, Georgia 30303  
(404) 656-5957

**Sonny Perdue**  
GOVERNOR

**Holly A. Robinson, Ed.D.**  
COMMISSIONER

September 30, 2010

**CERTIFIED MAIL #7007 2680 0000 9817 2425**

Ms. Bertha Williams  
1507 Locust Log Way  
Austell, Georgia 30168

Dear Ms. Williams:

This letter is in reference to your satisfactory criminal record check determination, which was made on June 25, 1998.

Bright from the Start: Georgia Department of Early Care and Learning (Bright from the Start) has recently become aware of additional information in reference to your criminal record. The satisfactory determination that was rendered on June 25, 1998 has been rescinded based upon an arrest that occurred on September 3, 2010 for the charge of Obstruction of Officers.

Upon receipt of this letter you have twenty-four (24) hours to complete the Live Scan Fingerprinting Procedure. The directions to complete this process are attached to this letter. Please note, you are no longer able to go to a local law enforcement department to be fingerprinted.

Currently, you are UNABLE to maintain current employment with a licensed or registered childcare facility. Further, if you fail to complete this process in the time allotted, you will be UNABLE to pursue new employment with a licensed or registered childcare facility.

Please be aware that you are not allowed to be present in or reside in a registered family day care home while children are present due to your satisfactory determination being rescinded.

Pursuant to Section 20-1A-43, you have the right to contest this finding in an administrative hearing. If you decide to do this, please submit a written request to the Criminal Records Unit within ten (10) days of receipt of this letter. Also, if you have proof to show that you have been exonerated of this crime, please contact the Criminal Records Unit also within ten (10) days of receipt of this letter at (404) 657-5562.

Sincerely,

Brenda Haynesworth  
Child Care Services Director

Enclosure

CC: State File  
Ira Sudman  
Janet Goggins  
Earlene Huston  
Carley Ross



**BRIGHT FROM THE START**  
Georgia Department of Early Care and Learning  
10 Park Place, Suite 200, Atlanta, Georgia 30303  
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**Sonny Perdue**  
GOVERNOR

**Holly A. Robinson, Ed.D.**  
COMMISSIONER

October 25, 2010

**CERTIFIED MAIL #7007 2680 0000 9817 2432**

Ms. Bertha Williams  
1507 Locust Log Way  
Austell, Georgia 30168

Dear Ms. Williams:

Bright from the Start: Georgia Department of Early Care and Learning (Bright from the Start) has recently become aware of additional information in reference Mr. Brice Charles' criminal record. On or about September 3, 2010, Mr. Brice Charles was arrested by Atlanta Police Department, for a specific charge(s) that would render his criminal record check unsatisfactory under O.C.G.A. §20-1A-30. On documentation concerning this arrest from Atlanta Police Department, Mr. Brice provided the address of your registered family day care home as his residence.

Upon receipt of this letter Mr. Charles has twenty-four (24) hours to complete the Live Scan Fingerprinting Procedure. The directions to complete this process are attached to this letter. Please note, he is no longer able to go to a local law enforcement department to be fingerprinted.

Currently, Mr. Charles is UNABLE to maintain current employment with a licensed or registered childcare facility, which includes but is not limited to, residing at a registered family day care home. Further, if he fails to complete this process in the time allotted, he might be UNABLE to pursue new employment with a licensed or registered childcare facility.

Please be aware that Mr. Charles is not allowed to be present in, or reside in, a registered family day care home while children are present due to his current unsatisfactory criminal record check status.

Pursuant to O.C.G.A. §20-1A-43, Mr. Charles will have the right to contest this finding in an administrative hearing if he receives an official unsatisfactory determination letter subsequent to his completion of the Live Scan Fingerprinting Procedure. If he decides to do this, he should submit a written request to the Criminal Records Unit within ten (10) days of receipt of that letter. Also, if he has proof to show that he has been exonerated of this crime, he should contact the Criminal Records Unit also within ten (10) days of receipt of this letter at (404) 657-5562.

Sincerely,

Brenda Haynesworth  
Child Care Services Director

Enclosure

CC: State File  
Ira Sudman  
Elisabetta Kasfir  
Janet Goggins  
Earlene Huston  
Carley Ross