



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

March 16, 2009

Certified Mail #7006 0810 0003 5828 4765

Ms. Jessica D. Kelley
Registered Agent and Director
Little Saints Castle Academy, Inc.
d/b/a Little Saints Castle Daycare
383 Summer Glen Court
Stone Mountain, Georgia 30087

Regular Mail

Ms. Annie L. Kelley
Chief Financial Officer and Administrator
Little Saints Castle Academy, Inc.
d/b/a Little Saints Castle Daycare
1522 Thomas Road
Decatur, Georgia 30032

RE: Notice of Revocation

Dear Ms. Kelley and Ms. Kelley:

On September 4, 2008, 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 at your child care learning center. During the investigation it was determined that serious rule violations occurred which affect the health and safety of the children in care and demonstrate an intentional and /or reckless disregard for the physical and mental health and safety of the children in care. Specifically, the owner/director of the center knowingly allowed a sex offender onto the center premises. The director also allowed the sex offender to attend field trips with the children. The sex offender was allowed on the center premises since 2006. The rule violations for which Bright from the Start: Georgia Department of Early Care and Learning (Bright from the Start) is basing the revocation are marked as Exhibit "A" and incorporated in this Notice by reference.

Based on your noncompliance with Rules and Regulations for Child Care Learning Centers, you are hereby notified that the license to operate Little Saints Castle Daycare 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)(4), Sec. 20-1A-12(c)(5), and 20-1A-10(r), and Bright from the Start's Rules for Child Care Learning Centers, Chapter 591-1-1 of the Official Compilation Rules and Regulations of the State of Georgia.

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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 license to operate a child care learning center 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:

J. Ashley Peacock
Chief Legal Officer
Bright from the Start
Georgia Department of Early Care and Learning
10 Park Place South SE, 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 license will be final. Licensure staff will conduct a follow-up visit to verify closure.

Sincerely,

Kay K. Hellwig
Division Director Child Care Services

KKH/jt
Attachment

cc: Justine Strickland
J. Ashley Peacock
Meggan Hemans-Reese
Mona Jackson
Errol Briggs
Walker Solomon
Brenda Haynesworth
Sherry Smith
Jennifer Taylor
Taquella Austin
State File

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List of Rule Violations for:

Little Saints Castle Daycare
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1. **Rule 591-1-1-.25(9)** requires that the center not allow a person to remain on the premises if the person does not have a legitimate reason for being on the premises.

During an investigation, it was determined that the director and other administrators of the center did not take action to remove a person who did not have a legitimate reason for being on premises. The director allowed a convicted sex offender to come onto the center's parking lot and into the center while children were present. The convicted sex offender has been allowed in center premises since 2006. The director made no attempt to remove the sex offender from the center premises. During the investigation it was determined that the individual would come to the center to visit the director. The sex offender was observed by staff throughout the building since 2007. The sex offender did not have a child enrolled at the center during this time.

The failure of the center to prevent a known sex offender onto center premises placed children at risk of serious and life threatening harm.

2. **Rule 591-1-1-.09** requires that director and employees submit a criminal record check prior to employment in the center

During an investigation, it was determined that the center did not obtain a criminal record check on an individual that accompanied the center on field trips. A person with a known criminal past was allowed to attend three field trips with the center. The same individual was also allowed to perform maintenance work in the center while children were present and without continuous supervision. This sex offender had continuous personal contact with children being cared for at the facility.

The failure of the center to obtain a criminal record check placed children at risk of serious and life threatening harm.

3. **Rule 591-1-.31(9)** requires the center staff to comply with all applicable laws and regulations.

During the investigation it was determined that staff did not comply with applicable laws and regulations and that the center was in violation of O.C.G.A. 42-1-15. The center director knowingly allowed a sex offender onto center premises. The known sex offender was allowed on the center parking lot and child care center when children were present. The sex offender was also allowed to ride on a van transporting children on a field trip in February 2007. The field trip was to the circus at Philips Arena. The sex offender was also allowed to join the center on two field trips during summer 2008. The sex offender met the center at the field trip destination. The sex offender did not have any children attending any of the field trips he went on. The center director allowed the sex offender to come into the center's parking lot in 2006. In 2007 the director allowed the sex offender to regularly enter the center.

The failure of the center to follow applicable laws and regulations placed children at risk for serious and life threatening harm.

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- 4. Rule 591-1-.31(4) requires** the center to have qualified and sufficient staff to supervise an independent contractors without neglecting the supervision of the children.

During the investigation it was determined that staff did not provide continuous supervision to an individual who was performing maintenance work for the center. The individual doing the maintenance work is the same individual who has been a convicted sex offender. Children were present in the building when staff escorted the individual to the area that he was supposed to be working on. Staff then left the individual alone. During the investigation it was determined that no staff member provided continuous supervision to the individual while he worked.

The failure of the center to provide staff to supervise a maintenance worker placed children at risk for serious and life threatening harm.