



BRIGHT FROM THE START

Georgia Department of Early Care and Learning
2 Martin Luther King Jr. Drive, SE, Suite 754, East Tower, Atlanta, Georgia 30334
(404) 656-5957

Nathan Deal
GOVERNOR

Bobby Cagle, MSW
COMMISSIONER

March 12, 2014

CERTIFIED MAIL #7013 2250 0001 7790 2848

Mr. Henry Abrams, Jr., Owner
d/b/a Little Voices Learning Center
3374 Milledgeville Road
Augusta, Georgia 30909

REGULAR MAIL

Ms. Ogratta Abrams, Director
Little Voices Learning Center
3374 Milledgeville Road
Augusta, Georgia 30909

RE: Notice of Revocation

Dear Mr. Abrams and Ms. Abrams:

On November 5, 2013, a Plan of Improvement Follow Up visit was conducted at Little Voices Learning Center located at 3374 Milledgeville Road, Augusta, Georgia 30909. Bright from the Start: Georgia Department of Early Care and Learning (Bright from the Start) determined that correctable deficiencies in the operation or management of the center continued to exist and had not been sufficiently corrected. Specifically, on November 5, 2013 five children ages infant through one-year-old were unsupervised in the front left room with the lights off and the door closed for an undetermined amount of time. Prior to the November 5, 2013 inspection, adverse actions were issued to you based on serious health and safety rule violations. An Enforcement Fine was issued on October 25, 2013, based on continuing noncompliance with rules and regulations observed during a monitoring visit conducted on May 31, 2013. An Enforcement Fine was also issued on November 7, 2013, based on non-compliance with transportation rules found during a licensing study conducted on September 25, 2013.

You were e-mailed a notice to attend a webinar conducted on September 12, 2013. This webinar was created for all programs that were noncompliant for three or more consecutive years. Providers who attended the webinar were informed that Bright from the Start would use its enforcement authority and responsibility to take action against child care programs that failed to comply with core rules. Core rules are those rules that have been identified by Bright from the Start as having the greatest potential risk to children in care when out of compliance. Neither you, nor a representative of your facility, attended the webinar.

The director and all representatives of Little Voices Learning Center were previously placed on notice by a representative from Bright from the Start verbally and in writing regarding the serious deficiencies at Little Voices Learning Center. The failure of Little Voices Learning Center to maintain compliance with Rules and Regulations in the operation or management of the center demonstrates a reckless disregard for the health and safety of the children in care.

March 12, 2014
Mr. Abrams
Ms. Abrams
Page 2

Based on the facility's noncompliance with the Rules for Child Care Learning Centers, the licensee is hereby notified that the license to operate Little Voices Learning Center is revoked. Bright from the Start's legal authority for revoking a license is found in O.C.G.A. Sections 20-1A-1 *et seq.* and Bright from the Start's Rules for Child Care Learning Centers, Chapter 591-1-1 of the Official Compilation of the Rules and Regulations of the State of Georgia. The rule violations for which Bright from the Start is revoking your license are attached as Exhibit "A" and incorporated in this Notice by reference.

In accordance with O.C.G.A. Sec. 20-1A-10(o), this revocation becomes effective 30 days from receipt of this Notice. You have the right to appeal the decision to revoke the license by filing a written request for an administrative hearing before an Administrative Law Judge at the Office of State Administrative Hearings. If the licensee is incorporated, Georgia law may require the licensee to be represented by an attorney at the Office of State Administrative Hearings. Your statement and/or request for hearing must be made in writing and sent to:

**Ira Sudman
Chief Legal Officer
Bright from the Start
Georgia Department of Early Care and Learning
2 Martin Luther King Jr. Drive, SE, Suite 754, East Tower
Atlanta, Georgia 30334**

Your statement and/or request for hearing must be postmarked within 10 days of your receipt of this Notice. A hearing request stays or suspends the imposition of the adverse action.

If the licensee does not appeal this action within 10 days of receipt of this Notice, the decision to revoke the license will be final. Licensure staff will conduct a follow-up visit to verify closure.

Sincerely,



Deidria Bolden
Child Care Services Director for Program Operations

Attachments

cc: Keith Bostick
Ira Sudman
Kristie Lewis
Elisabetta Kasfir
Jackie Shivers
Candy Prince
Jonathan Davis
Pam Bojo
Meggan Hemans-Reese
Elizabeth Holland
Andre Chambers
Jennifer Taylor
Mari Springs
State File

List of Rule Violations for:

Little Voices Learning Center
3374 Milledgeville Road
Augusta, Georgia 30909

1. **591-1-1-.32(6) requires that children be supervised at all times.**

During a Plan of Improvement Follow Up visit conducted on November 5, 2013, the consultant observed that five children ages infant through one-year-olds were without adult supervision in the front left classroom. The children were left alone in a dark room with the door closed. They were observed to be crying and screaming while sitting in cribs or crawling on the floor. The teacher assigned to this classroom was observed in the right classroom. Additionally, the consultant observed one child sleeping in the hallway outside the left classroom unsupervised while the teacher attended to 12 children in the classroom.

The failure of center staff to provide adequate supervision and watchful oversight could possibly place children at risk of harm.

2. **A. 591-1-1-.30(1)(a) (formerly rule 591-1-1-.45) requires that a crib that is safety approved in compliance with Consumer Product Safety Commission (CPSC) and American Society of Testing and Materials International (ASTM) safety standards shall be provided for each infant.**

During a Licensing Study conducted on September 25, 2013, it was determined that the center had three infants in care and only had two safety-approved cribs. The third infant was placed in port-a-crib for sleeping.

B. 591-1-1-.30(1)(a) (formerly rule 591-1-1-.45) requires that a crib that is safety approved in compliance with Consumer Product Safety Commission (CPSC) and American Society of Testing and Materials International (ASTM) safety standards shall be provided for each infant.

During a Plan of Improvement Follow Up visit conducted on November 5, 2013, the consultant observed one of three cribs in the right classroom did not meet the crib safety requirements and was a recalled crib.

The failure of the center staff to use safety-approved cribs for all infants could potentially place children at risk of harm.

3. **591-1-1-.30(2)(h) requires that infants shall not sleep in equipment other than safety-approved cribs, such as, but not limited to, a car safety seat, bouncy seat, highchair, or swing. Infants who arrive at the center asleep or fall asleep in such equipment, on the floor or elsewhere, shall be transferred to a safety-approved crib.**

During a Plan of Improvement Follow Up visit conducted on November 5, 2013, the consultant observed an infant sleeping in a bouncy seat with a blanket covering part of his face.

The failure of the center staff to use safety-approved cribs for all infants during naptime could potentially place children at risk of harm.

4. **591-1-1-.32(1) requires the center to maintain staff:child ratios as follows: under 1 year = 1:6, under 18 months/not walking = 1:6, 1 year/walking = 1:8, 2 years = 1:10, 3 years = 1:15, 4 years = 1:18, 5 years = 1:20, 6 years and older = 1:25.**

During a Plan of Improvement Follow Up visit conducted on November 5, 2013, the consultant observed a ratio of 0:5 in the infant to one-year-old classroom.

The failure of center staff to maintain an appropriate staff:child ratio could possibly place children at risk of harm.

5. **591-1-1-.32(3) requires that children under three years old be housed in separate physical areas from older children except during early morning arrival and late afternoon departure times.**

During a Licensing Study conducted on September 25, 2013, the consultant observed children ages one to three years combined at a time other than arrival/departure.

The failure of the center staff to separate children under three years of age from children three and older could possibly place children at risk of harm.

6. **591-1-1-.36(2)(a) requires an annual vehicle safety check of tires, headlights, horn, taillights, brakes, suspension, exhaust system, steering, windshield, and windshield wipers.**

During a Licensing Study conducted on September 25, 2013, transportation records were reviewed. It was determined that the center had no annual vehicle safety inspection on file for the personal vehicle used for an unscheduled field trip conducted on this date with license plate PFK1835.

The failure of the center staff to obtain an annual inspection for a personal vehicle used for transportation could potentially place children at risk of harm.

7. **A. 591-1-1-.36(2)(c) requires that vehicles shall be maintained with a fire extinguisher that is inaccessible to children.**

During a Licensing Study conducted on September 25, 2013, a personal vehicle was inspected that was used for an unscheduled field trip conducted on this date with license plate PFK1835. It was determined that the requirement was not met when there was no fire extinguisher on the personal vehicle used for the unscheduled fieldtrip.

The failure of the center staff to maintain a fire extinguisher in a personal vehicle used for transportation could potentially place children at risk of harm.

8. **591-1-1-.36(2)(f)1. requires that during transportation all children are secured in a child passenger restraining system or seat safety belt that is installed and used in accordance with manufacturer's directions and state and federal laws and regulations.**

During a Licensing Study conducted on September 25, 2013, a personal vehicle was inspected that was used for an unscheduled field trip conducted on this date with license plate PFK1835. Nine children were observed exiting the seven passenger vehicle. One booster seat was observed in the front seat in use. The vehicle did not contain enough seat belts/booster seats to accommodate the nine children.

The failure of the center staff to require children to be transported in child passenger restraining systems or safety belts could potentially place children at risk of harm.

9. **591-1-1-.36(2)(f)2. requires that no vehicle shall exceed the manufacturer's rated seating capacity and that proof of the seating capacity is maintained on file.**

During a Licensing Study conducted on September 25, 2013, a personal seven passenger vehicle was inspected that was used for an unscheduled field trip conducted on this date. Nine children were observed exiting the seven passenger vehicle upon consultant's arrival at the center.

The failure of the center staff to not exceed the vehicle's seating capacity possibly place children at risk of harm.

10. **591-1-1-.36(6)(b) requires that an emergency medical information record containing a listing of the child's allergies, special medical needs and conditions, current prescribed medications, doctor's name and phone number, medical facility the center uses and parents telephone numbers are maintained in the vehicle for each child being transported.**

During a Licensing Study conducted on September 25, 2013, transportation records were reviewed. It was determined that emergency medical information was missing for nine children transported during an unscheduled field trip on this date.

The failure of the center staff to maintain emergency medical information for each child being transported could potentially place children at risk of harm.

11. **591-1-1-.36(6)(c) requires the center to use passenger transportation checklists, in a format approved by the Department, to account for each child during transportation.**

During a Licensing Study conducted on September 25, 2013, transportation records were reviewed. It was determined, based on consultant's observation and staff interviews that center staff did not use a transportation checklist to account for children transported to Terrace Manor Elementary School during an unauthorized trip on September 25, 2013.

This rule violation was the subject of an enforcement fine letter issued November 7, 2013. This rule violation is no longer appealable.

The failure of the center staff to use a passenger transportation checklist in a format approved by the Department could potentially place children at risk of harm.

12. **A. 591-1-1-.36(6)(c)3. requires the driver or other designated person to immediately document in writing, with a check or other mark/symbol on the checklist, each time a child gets on and off the vehicle so that each child is accounted for every time the vehicle is loaded or unloaded.**

During a Licensing Study conducted on September 25, 2013, transportation records were reviewed. It was determined that the driver did not document in writing each time children entered and exited the vehicle when children were transported to Terrace Manor Elementary School during an unauthorized trip conducted on September 25, 2013.

This rule violation was the subject of an enforcement fine letter issued November 7, 2013. This rule violation is no longer appealable.

The failure of the center staff to document with a check or other mark when children get on and off the vehicle could potentially place children at risk of harm.

- 13. A. 591-1-1-.36(6)(c)3.a.i.-iii. requires that the driver or other designated person document in writing the departure/arrival time for each type of transportation.**

During a Licensing Study visit conducted on September 25, 2013, transportation records were reviewed. It was determined that the time of arrival and departure were not documented for an unscheduled field trip taken on September 25, 2013 because no transportation checklists were used.

- B. 591-1-1-.36(6)(c)3.a.i.-iii. requires that the driver or other designated person document in writing the departure/arrival time for each type of transportation.**

During a Plan of Improvement Follow Up visit conducted on November 5, 2013, transportation records were reviewed. It was determined that the return time was not documented for routine school transportation to C.T. Walker Elementary School for Monday, Tuesday and Friday the week of October 14, 2013.

The failure of the center staff to document the arrival and departure times could potentially place children at risk of harm.

- 14. A. 591-1-1-.36(6)(d)1. Requires that following transportation, for vehicles without child safety alarm devices, a staff person who was present on the vehicle during the trip physically walk through the vehicle and inspect all seat surfaces, under all seats, and in all compartments or recesses in the vehicle's interior. The staff person must then sign the passenger checklist with his/her full name, indicating that all of the children have exited the vehicle, and give the checklist to the director or designated staff person at the center who will also check the vehicle as stated above and sign the checklist with his/her full name.**

During a Licensing Study conducted on September 25, 2013, transportation records were reviewed. It was determined, based on consultant's observation and staff interviews, that the driver did not conduct a physical inspection of the vehicle when children unloaded the vehicle at Terrace Manor Elementary School or when children unloaded the vehicle upon returning to the center. The director or a designated staff person did not conduct a second physical check of the vehicle at Terrace Manor Elementary School or when children unloaded the vehicle upon returning to the center.

It was further determined, based on consultant's observation and staff interviews, that the driver did not sign the passenger checklist indicating that a physical inspection of the vehicle had been conducted when children unloaded the vehicle at Terrace Manor Elementary School or when children unloaded the vehicle upon returning to the center. The director or a designated staff person did not sign the passenger checklist indicating that a second physical check of the vehicle was completed at Terrace Manor Elementary School or when children unloaded the vehicle upon returning to the center.

- B. 591-1-1-.36(6)(d)1. requires that following transportation, for vehicles without child safety alarm devices, a staff person who was present on the vehicle during the trip physically walk through the vehicle and inspect all seat surfaces, under all seats, and in all compartments or recesses in the vehicle's interior. The staff person must then sign the passenger checklist with his/her full name, indicating that all of the children have exited the vehicle, and give the checklist to the director or designated staff person at the center who will also check the vehicle as stated above and sign the checklist with his/her full name.**

During a Plan of Improvement Follow Up visit conducted on November 5, 2013, transportation records were reviewed. It was determined that requirements were not met when the second check of the vehicle was not completed by the director or the director's designated staff person who was not on the trip. Furthermore, the director or the director's designated staff person who was not on the trip did not sign the passenger checklist indicating that all children exited the vehicle.

This rule violation was the subject of an enforcement fine letter issued November 7, 2013. This rule violation is no longer appealable.

The failure of the center staff to physically check the interior of the vehicle and sign the passenger checklist at the time of the check could potentially place children at risk of harm.

- 15. 591-1-1-.13(2) requires the center to obtain written, signed and dated parental permission prior to a child's participation in a field trip.**

During a Licensing Study conducted on September 25, 2013, transportation records were reviewed. It was determined, based on observation that the center did not obtain permission as required when a staff person took children on an unscheduled field trip on this date.

The failure of center staff to follow appropriate requirements for obtaining parental permission prior to a child's participation in a field trip could potentially place children at risk of harm.

- 16. 591-1-1-.13(4) requires that a list of children and adults participating in the trip be at the center and with the adult in charge on the trip.**

During a Licensing Study conducted on September 25, 2013, transportation records were reviewed. It was determined that a list of trip participants was not complete for an unscheduled field trip on this date.

The failure of center staff to complete a list of field trip participants and leave one at the center and one with the adult in charge on the trip could potentially place children at risk of harm.

- 17. 591-1-1-.13(5) requires that emergency medical information on each child be both at the center and in the possession of the adult in charge of the trip.**

During a Licensing Study conducted on September 25, 2013, transportation records were reviewed. It was determined that emergency medical information was not available at the center or with the adult in charge of an unscheduled field trip conducted on this date.

The failure of center staff to have emergency medical information both at the center and on the field trip could possibly place children at risk of harm.

- 18. 591-1-1-.13(6) requires that each child on a field trip have on their person a name tag with information as specified.**

During a Licensing Study conducted on September 25, 2013, transportation records were reviewed. It was determined that the children were taken on an unscheduled field trip without name tags.

The failure of center staff to provide name tags to all children participating in a field trip could possibly place children at risk of harm.