



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

Sonny Perdue
GOVERNOR

Holly A. Robinson, Ed.D.
COMMISSIONER

November 16, 2010

Re-sent November 24, 2010 to current address: (5524 Saratoga Dr., Columbus, GA 31907)

CERTIFIED MAIL #7002 2410 0002 7004 1172

Ms. Rochell J. Jefferson
Family Day Care Home
5629 Mill Branch Road
Columbus, Georgia 31907

RE: Notice of Revocation

Dear Ms. Jefferson:

On February 26, 2010, Bright from the Start: Georgia Department of Early Care and Learning (Bright from the Start) began an investigation regarding the death of an 23-month-old child and the serious injury of three other children that resulted from a fire at your family day care home located at 5629 Mill Branch Road, Columbus, Georgia 31907. The findings of the investigation substantiated that rule violations occurred which jeopardized the health and safety of children in care. Specifically, on February 26, 2010, the home was overcrowded with nine children in care when a house fire erupted. The provider and her helper were unable to assist the nine children in leaving the home safely and, in fact, advised firefighters that eight children were present that day. One child was fatally injured in the fire and three children who were seriously injured were rescued either by fire department personnel or a neighbor. It was determined during the on-site visit made on February 26, 2010 and the subsequent investigation, that rule violations occurred which seriously affected the health and safety of the children in care and demonstrated an intentional and/or reckless disregard for the physical and mental health and safety of the children in care. The rule violations are marked as Exhibit "A" and incorporated in this Notice by reference. The February 1, 2010 monitoring visit, the January 4, 2010 licensing study, and the No Compensation Form for one child are marked, respectively, as Exhibits "B", "C", and "D" and incorporated in this Notice by reference.

Based on your noncompliance with rules and regulations, you are hereby notified that your Certificate of Registration to operate a family day care home is revoked. Bright from the Start's legal authority for revoking the registration is found in O.C.G.A. Sections 20-1A-4(5), 20-1A-12(b)(1), (3) and (5) and 20-1A-12(c)(5), and the Bright from the Start Rules and Regulations 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-A-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 Certificate of Registration 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:

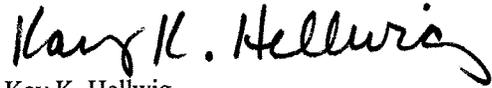
J. Ashley Peacock
Chief Legal Officer
Bright from the Start
Georgia Department of Early Care and Learning
10 Park Place South SE, Suite 200
Atlanta, Georgia 30303

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A hearing request stays or suspends the revocation.

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

Sincerely,



Kay K. Hellwig
Assistant Commissioner for Child Care Services

Attachments

cc: J. Ashley Peacock
Kristie Lewis
Brenda Haynesworth
Meggan Hemans-Reese
Candy Prince
Vermisha Thompkins
Vernadine Mabry
Cynthia Tharp
Elisabetta Kasfir
Judy T. LaRue
Sherry Smith
State File

EXHIBIT "A"
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List of Rule Violations for:

Ms. Rochell J. Jefferson
5629 Mill Branch Road
Columbus, Georgia 31907

1. Rule 290-2-3-.07(7) requires that children be supervised at all times by at least one adult.

During an investigation, it was determined that on February 26, 2010, the family day care home was overcrowded and there was a serious fire in the home that resulted in the death of one child and the serious injury of three others. There were nine children in care with the provider and her helper when the fire erupted. When the fire started in the home, the children were divided among three rooms and the provider and her helper were unable to safely evacuate all of them. One 23-month-old child, who was fatally injured, was found in a car seat in a bedroom approximately 45 minutes after the fire was extinguished. The location of the children in three different rooms made it more difficult for the provider and her helper to reach the children to get them out of the house.

The lack of supervision and watchful oversight by the provider placed children at serious risk of potential harm.

2. Rule 290-2-3-.04(2) requires a person caring for more than six children for pay to make application for a license to operate a Group Day Care Home or a Day Care Center.

During an investigation, it was determined that on February 26, 2010, the provider cared for nine children for pay. This exceeded the maximum capacity of the family day care home by three children. The provider and her helper were unable to take sufficient and prompt action to evacuate the children when a fire began in the home. The provider and helper were unable to assist all the children in safely exiting the home resulting in the death of one child and the serious injury of three children.

The failure of the provider to make application to care for more than six children as a Group Day Care Home or a Child Care Learning Center placed children at serious risk of potential harm.

3. Rule 290-2-3-.05(c) requires the provider to not make or condone any employee to make false or misleading statements to the department in connection with any authorized investigation or inspection being conducted by the department.

During the investigation, it was determined the provider and helper gave false and misleading statements to Bright from the Start consultants after a licensing inspection on January 5, 2010, during a monitoring visit on February 1, 2010, and during an investigation on February 26, 2010 and March 2, 2010. The provider presented a No Compensation Form for a child for whom the provider was receiving payment and both the provider and the helper told Bright from the Start personnel the child was cared without payment. The provider first said the child was the helper's foster child and later said the child was the helper's granddaughter and gave a false name for the child's mother. The helper first said the child was her foster child and later said the child was her cousin's child and she was receiving no payment for the care of the child. The child's actual mother was identified during the investigation and provided a written statement that she was the mother of the child and had paid the provider for the child's care from August 2009 through February 2010.

The false information provided by the provider and the helper placed children at serious risk of potential harm.

List of Rule Violations for:

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Columbus, Georgia 31907

- 4. Rule 290-2-3-.12(5)(b) requires that furniture and equipment shall be used in accordance with manufacturer's instructions, recommendation, and intended use.**

On February 26, 2010, the provider permitted a 23-month-old child to have access to and play with a car seat, knowing the child was able to fasten the strap on the seat. This child was found after the fire was extinguished, strapped in a car seat. According to the Fire and Emergency personnel, the child was found in the front left bedroom of the home under debris. The child suffered extensive injuries. According to the helper, the child was playing in this car seat prior to the fire.

Allowing children to play with a car seat placed them at serious risk of potential harm.

- 5. Rule 290-2-3-19 requires that infants be placed for sleeping on a firm, tight-fitting mattress in a sturdy and safe crib.**

During the investigation, it was determined that on February 26, 2010, the provider and helper had placed one infant on a bed to sleep and placed a second infant in an infant carrier to sleep. Both children were located in the front left bedroom when the fire occurred at the FDCH.

The failure of the provider to place infants in sturdy and safe cribs to sleep placed the children at serious risk of potential harm.