



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 D. Cagle, MSW
COMMISSIONER

December 28, 2011

CERTIFIED MAIL #7005 3110 0001 1501 5631 AND REGULAR MAIL

Ms. Tonya Watts
Family Day Care Home
7106 Ravenwood Lane
Lithonia, Georgia 30038

RE: Notice of Denial and Revocation of Family Day Care Home Registration

Dear Ms. Watts:

On May 27, 2011, Bright from the Start: Georgia Department of Early Care and Learning (Bright from the Start) received your Family Day Care Home Registration Application requesting a change of location for your family day care home located at 6179 Sable Fox Drive, Riverdale, Georgia 30296, to move to a new location, 7106 Ravenwood Lane, Lithonia, Georgia 30038. An unannounced visit was attempted at your Riverdale, Georgia home on April 20, 2011, and you were found not to be residing at this location and had not submitted a change of location to the Department within the recommended 30 days.

On April 20, 2011, we received a referral regarding allegations that occurred at your residence located at 6179 Sable Fox Drive, Riverdale, Georgia 30296. An unannounced visit was attempted at this location on April 20, 2011, and you were found not to be residing at this location and therefore an investigation could not be conducted. After researching we found you had moved to your current location 7106 Ravenwood Lane and were caring for children without a valid registration. During the course of the investigation, criminal charges were brought against an adult male residing in your home which rendered his criminal records check unsatisfactory. Also, another adult male residing in your home was found to have an unsatisfactory criminal records check from an arrest that occurred in 2006.

Based on your noncompliance with Rules and Regulations for Family Day Care Homes, you are hereby notified that your registration application to operate a family day care home at 7106 Ravenwood Lane, Lithonia, Georgia, 30038 is denied and your registration to operate a family day care home at 6179 Sable Fox Drive, Riverdale, Georgia, 30296 is revoked. The rule violations for which Bright from the Start is denying your family day care home registration application and revoking your family day care home registration is attached as Exhibit "A" and incorporated in this Notice by reference.

Bright from the Start's legal authority for denying the application for a registration to operate a family day care home is found in O.C.G.A. Sections 20-1A-4(5), 20-1A-10(m)(1), 20-1A-12(b)(3) and 20-1A-12(c)(1); legal authority for revoking the registration is found in O.C.G.A. Section 20-1A-12(b)(3) and (5) and Section 20-1A-12(c)(5) and the Department's authority to deny an application for registration and to revoke a registration are also found in Bright from the Start's Rules and Regulations for Family Day Care Homes, Chapter 290-2-3 of the Official Compilation Rules and Regulations of the State of Georgia.

Specifically, Rule 290-2-3-.15(a)1 states that Bright from the Start shall refuse to renew a registration and may revoke a registration in cases of noncompliance with the Rules and Regulations for Family Day Care Homes; Rule 290-2-3-.15(c)2 states that Bright from the Start may revoke a registration upon determination that a non-correctable

deficiency exists in the operation or management of the family day care home. The rule violation attached hereto demonstrates your inability to ensure that children are cared for in a safe and healthy environment.

Per O.C.G.A. 20-1A-10(o) you have the right to appeal the decision to deny the application for registration and revoke the former registration by filing a written request for an administrative hearing before an Administrative Law Judge with the Office of State Administrative Hearings. Also, you have the option to explain in writing why this denial of application and revocation of registration should not be imposed. The request for a hearing and/or statement as to why the denial of application and revocation of registration should not be imposed 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
2 Martin Luther King Jr. Drive, SE, Suite 754, East Tower
Atlanta, Georgia 30334**

If you do not appeal this action within ten (10) days of the receipt of this Notice, the decision to deny the application and to revoke the registration will be final and your family day care home would need to close within thirty (30) days of receipt of this notice. Licensure staff would then conduct a follow-up visit to verify closure. Please note if you appeal Bright from the Start's refusal to renew your registration and revocation of your former registration, an appeal would stay Bright from the Start's decision until an Administrative Law Judge issues a final ruling.

Sincerely,



Brenda Haynesworth
Child Care Services Director

Attachment

cc: Kay Hellwig
J. Ashley Peacock
Ira Sudman
Kristie Lewis
Elisabetta Kasfir
Candy Prince
Vermisha Thompkins
Glenene Lanier
Mireille Emanuels
Meggan Hemans-Reese
Kathleen Jayson
Karen McGill
State file

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Ms. Tonya Watts

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Rule Violation for:

Tonya Watts

7106 Ravenwood Lane

Lithonia, Georgia 30038

- 1. Rule 290-2-3-.04(2)(c)2.(i) requires that no person having an unsatisfactory determination as to his or her criminal record may be a provider or employee of a home and no adult having an unsatisfactory determination as to his or her criminal record may reside in the home and have contact with the children.**

During an investigation conducted on August 4, 2011, it was determined that an adult male with an unsatisfactory criminal record resided at the address of the family day care home. A review of documents from Magistrate Court of Fulton County indicated that on August 29, 2011, an adult male who resided at the home was charged with Child Molestation O.C.G.A. 16-6-4(a) which rendered his criminal record check as unsatisfactory.

The unsatisfactory criminal records check of the two adults in the home of provider placed children at risk of harm.

- 2. Rule 290-2-3-.04(2)(c)2.(i) requires that no person having an unsatisfactory determination as to his or her criminal record may be a provider or employee of a home and no adult having an unsatisfactory determination as to his or her criminal record may reside in the home and have contact with the children.**

During an investigation conducted on August 4, 2011, it was determined that an additional adult male residing in the home was also observed to have an unsatisfactory criminal record check from an arrest in 2006 which rendered his criminal records check unsatisfactory. Specifically, he was found guilty of Driving Under the Influence of Alcohol and Public Indecency/Indecent Exposure on November 28, 2006.

The unsatisfactory criminal records check of the two adults in the home of provider placed children at risk of harm.

- 3. Rule 290-2-3-.04(2)(d)2. Registration is nontransferable. A registration to operate a home is not transferable in any way. A change in residence or address requires a new registration.**

During an investigation it was determined that the family day care home provider moved to a new residence on or about, and possibly prior to, March 2011. The family day care home provider continued to operate at a new address without applying for a new registration, or notifying the Department of the change. An application was not submitted to the Department for a registration at the new location until May 27, 2011. Records demonstrate that the family day care home provider received payment for providing care for children at the new location under the registration for the prior location.

The failure to notify the Department of a change in location, or obtain a new registration placed children at risk of harm.