



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

January 24, 2012 (*Amended and Re-issued February 22, 2012*)

UPS OVERNIGHT DELIVERY AND REGULAR MAIL

Mrs. Janice Wells Braddy
Registered Agent
Destiny's Designers Learning Center, LLC
d/b/a Destiny's Designers Learning Center
1037 Shady Spring Way
Lawrenceville, Georgia 30045

REGULAR MAIL

Mr. Caroll Braddy
Director
Destiny's Designers Learning Center
1037 Shady Spring Way
Lawrenceville, Georgia 30045

RE: Notice of Revocation (*Amended*)

Dear Mrs. and Mr. Braddy:

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 existed and had not been sufficiently corrected at Destiny's Designers Learning Center, located at 6048 West Fayetteville Road, College Park, Georgia 30349. This is evidenced by a previous adverse action. Destiny's Designers Learning Center was issued an adverse action on December 29, 2011, for inappropriate discipline where a staff member hit children with her hand, rulers, and sticks, and also forcibly grabbed children in care by their arms and legs (Exhibit "A"). This adverse action was not appealed. On November 10, 2011, Bright from the Start conducted an investigation regarding a seven-year-old child being inappropriately disciplined while in care. It was determined that serious rule violations occurred again which seriously affected the health and safety of the children in care and demonstrated reckless disregard for the physical and mental health and safety of the children in care. Specifically, on October 13, 2011, a seven-year-old child was forcefully pushed into a wall by a staff member (Exhibit "B"). Additionally, on the afternoon of January 20, 2012, a five-year-old child was left unattended on a vehicle in the center's parking lot for approximately one hour (Exhibit "C"). The rule violations for which Bright from the Start are basing the revocation are marked as Exhibits "A," "B," and "C" which show flagrant deficiencies that constitute shocking intentional misconduct.

The failure of Destiny's Designers Learning Center to correct the deficiencies in the operation or management of the center within a reasonable time demonstrated a reckless disregard for the health and safety of the children in care. The director and all representatives of Destiny's Designers Learning Center were immediately placed on notice by a representative from Bright From the Start verbally and in writing regarding the serious deficiencies at Destiny's Designers Learning Center. Destiny's Designers Learning Center initially submitted an acceptable Plan of Improvement to alleviate the deficiencies in the operation or management of the center; however, the plan of

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improvement was neither followed nor implemented by Destiny's Designers Learning Center to prevent the incident of inappropriate discipline occurring at the center, thereby jeopardizing the health and safety of the children in care. Additionally, Destiny's Designers Learning Center demonstrated a reckless disregard for the health and safety of the children in care when they failed to ensure that all children were unloaded from the vehicle and a five-year-old remained on a vehicle alone without supervision.

Based on the facility's noncompliance with the rules, which subjected children to a potentially life-threatening situation, the licensee is hereby notified that the license to operate the Child Care Learning Center is revoked. Bright from the Start's legal authority for revoking the license is found in O.C.G.A. Sec. 20-1A-12(b)(3) and (5), 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 of the Rules and Regulation of the State of Georgia.

In accordance with O.C.G.A. Sec. 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 the license 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
2 Martin Luther King Jr. Drive, Suite 754, East Tower
Atlanta, Georgia 30334

A hearing request stays or suspends the revocation.

If the licensee does not appeal this action within ten (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,



Brenda Haynesworth
Child Care Services Director

Attachments

cc: Kay Hellwig
J. Ashley Peacock
Kristie Lewis
Ira Sudman
Elisabetta Kasfir
Candy Prince
Vermisha Thompkins
Mireille Emanuels
Cathy Ratti
Monica Warren
Meggan Hemans-Reese
Cynthia Tharp
Garyon Stiggers-Butler
Shenetta McNair
Elizabeth Holland
State File



BRIGHT FROM THE START
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2 Martin Luther King Jr. Drive, SE, Suite 754, East Tower, Atlanta, Georgia 30334
(404) 656-5957

Bobby Cagle, MSW
COMMISSIONER

Nathan Deal
GOVERNOR

December 29, 2011

CERTIFIED MAIL# 7007 1490 0002 3524 0491

Janice Wells Braddy
Registered Agent
Destiny's Designers Learning Center, LLC
d/b/a Destiny's Designers Learning Center
1037 Shadyspring Way
Lawrenceville, Georgia 30045

REGULAR MAIL

Carroll Braddy
Director
Destiny's Designers Learning Center
6048 West Fayetteville Road
College Park, Georgia 30349

RE: Notice of Intent to Impose Enforcement Fine

Dear Mr. and Mrs. Braddy:

On September 19, 2011, Bright from the Start: Georgia Department of Early Care and Learning (Bright from the Start) conducted an investigation regarding a three-year-old child being inappropriately disciplined while in care at Destiny's Designers Learning Center, located at 6048 West Fayetteville Road, College Park, Georgia 30349. It was determined that serious rule violations occurred which seriously affected the health and safety of the children in care and demonstrated reckless disregard for the physical and mental health and safety of the children in care. Specifically, on September 13 and 14, 2011, a staff member inflicted corporal punishment on children in her care when she hit children with her hand, rulers and sticks. The staff member also forcibly grabbed children in her care by their arms and legs. Rule violations for which Bright from the Start is imposing an enforcement fine are attached hereto as Exhibit "A" and incorporated in this Notice by reference.

Based on the facility's noncompliance with the rules, which subjected children to a potentially life-threatening situation, the licensee is hereby notified of the intent of Bright from the Start to impose an enforcement fine in the amount of \$499.00. Bright from the Start's legal authority for imposition of a civil penalty is found in O.C.G.A. Sec. 20-1A-4(2) and (5), and 20-1A-11(b)(1)(A), and Bright from the Start's Rules for Child Care Learning Centers, Chapter 591-1-1 of the Official Compilation of the Rules and Regulation of the State of Georgia.

The licensee is also advised that the failure to correct and maintain compliance with these rules may result in further adverse action, which could include the revocation of the license to operate Destiny's Designers Learning Center and could also include the imposition of daily fines for each day the violations continue. Licensure staff will conduct a follow-up visit to determine compliance with the rules and regulations.

EXHIBIT "A"
(4 Pages)

December 29, 2011
Mr. Braddy
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The licensee has the right to appeal the decision to impose the enforcement fine by filing a written request for an administrative hearing before an Administrative Law Judge with the Office of State Administrative Hearings. The licensee also has the opportunity to show in writing why this enforcement fine should not be imposed. The request for a hearing and/or statement as to why the enforcement fine 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 754 East Tower
Atlanta, Georgia 30334**

A hearing request stays or suspends the imposition of the enforcement fine.

If the licensee does not appeal this action within ten (10) days of receipt of this Notice, the decision to impose an enforcement fine will be final. Payment of the enforcement fine, by certified check or money order, would then be expected within thirty (30) days of receipt of this Notice. The certified check or money order should be made payable to Bright from the Start: Georgia Department of Early Care and Learning and mailed to me at the above address. Complete the enclosed Request for Taxpayer Identification Number and Certification (Form W-9) and return the form with your certified check or money order. If the licensee does not pay the penalty as finally determined by Bright from the Start, (1) the license to operate the facility will be revoked; (2) a civil lawsuit to collect the fine may be brought against the licensee by the Attorney General or his designee; or (3) another enforcement fine may be imposed.

Sincerely,



Kay Hellwig
Assistant Commissioner for Child Care Services

Attachments

cc: J. Ashley Peacock
Kristie Lewis
Brenda Haynesworth
Ira Sudman
Elisabetta Kasfir
Candy Prince
Vermisha Thompkins
Mireille Emanuels
Cathy Ratti
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Shenetta McNair
State File

Rule Violations for:

Destiny's Designers Learning Center
6048 West Fayetteville Road
College Park, Georgia 30349

- 1. Rule 591-1-1-.11(1) prohibits disciplinary action, guidance techniques and any other activities in which the children participate or observe at the center that are detrimental to the physical or mental health of any child.**

During the investigation, it was determined that on September 14, 2011, three-year-old children were present when a physical altercation took place between a staff member and a parent at the facility. The investigation revealed that one child was observed to cry after watching the encounter.

The failure of the center staff to protect the children possibly placed the child at serious risk of potential harm.

- 2. Rule 591-1-1-.11(2)(a) prohibits personnel from physically abusing any child enrolled in the center.**

During the investigation, it was determined that on September 13, 2011, three-year-old children were physically abused by a center staff member. The investigation revealed that children were forcefully grabbed by the arms and legs and hit by a staff member. The investigation further revealed that a child was hit several times by the staff member caring for the child. The investigation also revealed that another child was slapped in the mouth by the caregiver.

The failure of the center staff to appropriately discipline children possibly placed the children at serious risk of potential harm.

- 3. Rule 591-1-1-.11(2)(b) prohibits personnel from inflicting corporal/physical punishment upon a child.**

During the investigation, it was determined that on September 13 and 14, 2011, three-year-old children were popped and hit with a ruler or stick by the center staff member. The investigation revealed that the children were popped on the hand, legs, and bottom by the staff member. This was observed by the licensing consultant, the center's assistant director, the accountant and the center's director on the center's video recordings for the dates, September 13 and 14, 2011.

The failure of the center staff to appropriately discipline children possibly placed the children at serious risk of potential harm.

December 29, 2011
Mr. Braddy
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Continued List of Rule Violations for:

Destiny's Designers Learning Center
6048 West Fayetteville Road
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4. Rule 591-1-1-.11(2)(c) prohibits personnel from shaking, jerking, or handling a child roughly.

During the investigation, it was determined that on September 13 and 14, 2011, three-year-old children were roughly handled by a center staff member. The investigation revealed that the children were grabbed by their arms, jerked by their arms and legs, and shoved while the staff member was holding the collar of the shirts. This was observed on video recordings for the dates.

The failure of the center staff to appropriately discipline children possibly placed the children the children at serious risk of potential harm.

EXHIBIT "A"
(PAGE 2 OF 2)

Rule Violations for:

Destiny's Designers Learning Center
6048 West Fayetteville Road
College Park, Georgia 30349

1. Rule 591-1-1-.11(2)(c) prohibits personnel from shaking, jerking, or handling a child roughly.

During the investigation, it was determined that on October 13, 2011, a seven-year-old child was roughly handled by a center staff member. The investigation revealed that two children in the school-age classroom were involved in a physical altercation and the staff member intervened and asked them both to go to separate corners in the classroom. When one child refused, the staff member went to ask him to get up from his seat and go to the corner. The child refused again and the staff member took the chair, causing the child to stand up and then grabbed him by his wrist to escort him to the corner. During this time the child swung a pencil at the staff member. At this point, the staff person was behind the child. She responded by grabbing his arm and she then pushed him through the classroom doorway with such force he hit his head on the hallway wall across from the classroom door, approximately three feet away.

The failure of the center staff to provide appropriate discipline practices placed the child at risk of harm.

This rule was previously cited on September 19, 2011.

2. Rule 591-1-1-.11(2)(d) prohibits personnel from verbally abusing any child enrolled in the center.

During the investigation, on November 10, 2011, a staff member was heard to continuously yell at children ages three to five years old. The staff member only discontinued this act when requested to do so by the consultant conducting the investigation.

The failure of the center staff to provide appropriate discipline practices placed the child at risk of harm.

3. Rule 591-1-1-.32(1) requires the center to maintain staff:child ratios.

During the investigation on November 10, 2011, the center had a ratio of 1:7 in the infant age group and a ratio of 2:7 was required. The center had a ratio of 1:26 in the school-age group, ages five to eleven years old and a ratio of 2:26 was required.

The failure of the center staff to maintain appropriate ratios placed children at risk of harm.

This rule was previously cited on January 24, 2011.

Continued List of Rule Violations for:

Destiny's Designers Learning Center
6048 West Fayetteville Road
College Park, Georgia 30349

4. Rule 591-1-1-.32(2) requires that the staff: child ratio be based on the ages of the youngest children if more than 20% of the children in the group belong to younger age groupings.

During the investigation on November 10, 2011, the center had a mixed-age grouping for children ages one and two years old. The staff:child ratio was 2:18. There were eight (8) one year olds and ten (10) two year olds. The ratio required was 3:18 based on the ages of the children in care.

The center also had a mixed-age grouping of children ages three to five years old. The staff:child ratio was 1:22. There were six (6) three year olds and the remaining children were four and five years old. The staff:child ratio required was 2:22 based on the ages of the children in care.

The failure of the center staff to maintain appropriate ratios placed children at risk for harm.

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

During the investigation on November 10, 2011, a child walked down a hallway alone from the A2 classroom to classroom C.

The failure of the center staff to provide adequate supervision placed children at risk for harm.

This rule was previously cited on September 19, 2011 and January 24, 2011.

6. Rule 591-1-1-.45 stipulates requirements when using a crib blanket.

During the investigation on November 10, 2011, four infants, in classroom I, were sleeping in cribs with untucked blankets.

The failure of the center staff to meet the infant sleep requirements placed children at risk for harm.

7. Rule 591-1-1-.19(1) requires that the center provide 35 square feet of usable space per child.

During the investigation on November 10, 2011, the center cared for 18 children in room G, and the space was licensed for 16. The center also cared for 31 children in classroom C, and the space was licensed for 16.

The failure of the center staff to meet licensed capacity in each classroom placed children at risk for harm.

This rule was previously cited on November 15, 2011 and June 22, 2011.

List of Rule Violations for:

Destiny's Designers Learning Center

6048 West Fayetteville Road

College Park, Georgia 30349

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

And

2. **Rule 591-1-1-.36(6)(h) requires that children not be left alone on vehicles.**

During an investigation, it was determined that a five-year-old child was not adequately supervised on the afternoon of January 20, 2012, when she was left alone on a vehicle in the center's parking lot at approximately 3:00 p.m., following after school transportation. The child was heard crying by a staff person who was walking through the parking lot approximately one hour later. When the child exited the vehicle, she told staff that she didn't know how to open the door to the vehicle.

The absence of a staff person to provide supervision and watchful oversight placed children at risk of harm. Inadequate supervision was previously cited on September 19, 2011, November 10, 2011, and January 24, 2011.

3. **Rule 591-1-1-.36(6)(d)1. requires that transportation vehicles are checked twice to ensure that no child is left behind.**

During an investigation, it was determined that final checks of the vehicle were not completed on the afternoon of January 20, 2012, following after school transportation. Although two final checks of the vehicle were documented on the passenger checklist, a five-year-old child was left alone on the vehicle for approximately one hour.

The failure of center staff to check the transportation vehicle to ensure that no child was left unattended placed the children at risk of harm.

4. **Rule 591-1-1-.36(6)(c)3. requires the center to maintain on the vehicle a passenger checklist.**

During an investigation, it was determined that the center's passenger checklist for Church Elementary School was not accurately completed on the afternoon of January 20, 2012. The checklist indicated that all children were unloaded from the vehicle. However, one child was not unloaded from the vehicle and remained on the vehicle alone for approximately one hour.

Additionally, the center's passenger checklist for Oliver Elementary School was not accurately completed on January 16, 2012. The school was closed to observe a holiday. The checklist reflected that children were loaded on and unloaded off the vehicle even though no transportation to and from school occurred that date.

The failure of center staff to accurately complete the passenger checklists placed the children at risk of harm.

Continued List of Rule Violations for:

Destiny's Designers Learning Center
6048 West Fayetteville Road
College Park, Georgia 30349

5. Rule 591-1-1-.36(3)(a) requires the driver to be at least eighteen years old and possess a valid driver's license for the class of vehicle being operated.

During an investigation, it was determined that documentation that a driver possessed a valid driver's license was not on file. The driver transported the children to and from their elementary schools during the week of January 16, 2012.

The failure of center staff to ensure that documentation of the driver's license was on file placed the children at risk of harm.

6. Rule 591-1-1-.36(3)(c) requires that the driver or another staff member on the vehicle have current CPR and first aid training.

During an investigation, it was determined that documentation of a driver's current CPR and first aid training was not on file. The driver transported the children to and from their elementary schools during the week of January 16, 2012, and no additional staff person was present on the vehicle.

The failure of center staff to ensure that documentation of the driver's CPR and first aid training was on file placed the children at risk of harm.

7. Rule 591-1-1-.17(2) requires that center personnel, to the extent possible, keep children clean, dry and comfortable.

During an investigation, it was determined that a five-year-old child was not kept clean, dry, and comfortable on the afternoon of January 20, 2012, when she was left alone on a vehicle in the center's parking lot for approximately one hour. When the child exited the vehicle, she was observed to be crying and had wet clothing due to a toileting accident.

The failure of center staff to keep children clean, dry, and comfortable placed the children at risk of harm.

8. Rule 591-1-1-.29(1)(c)(3) requires the director or designated person-in-charge to report to the Department within twenty-four (24) hours any situation when a child is left on a vehicle.

During an investigation, it was determined that the center failed to report to the Department that a five-year-old child was left alone on a vehicle in the center's parking lot for approximately one hour on the afternoon of January 20, 2012.

The failure of center staff to properly report an incident of a child being left on a vehicle placed the children at risk of harm.