



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

**Sonny Perdue**  
GOVERNOR

**Holly A. Robinson, Ed.D.**  
COMMISSIONER

November 15, 2010

**CERTIFIED MAIL #7007 2680 0000 9817 2449**

Mrs. Sandra Harvey  
Family Day Care Home  
6085 Jim Pruitt Road  
Eastman, Georgia 31023

**RE: Notice of Revocation**

Dear Mrs. Harvey:

An incident investigation regarding the blatant overcrowding of your Family Day Care Home was conducted on August 17, 2010, at 6085 Jim Pruitt Road, Eastman, Georgia, 31023. It was determined during the investigation that serious rule violations occurred which seriously affected the health and safety of the children in care and demonstrated an intentional and reckless disregard for the physical and mental health and safety of the children in care. Specifically, when a child care consultant arrived at the Family Day Care Home to conduct an inspection, there were twenty-one children present that were under the age of thirteen. The Family Day Care provider sent five children out of the home due to being overcrowded. The children were transported by a staff person to another location without parental authorization or being properly restrained in appropriate seat or safety belts. The rule violations for which Bright from the Start is basing the revocation are marked as Exhibit "A", which is a flagrant abuse that constitutes shocking intentional misconduct.

Based on your noncompliance with Bright from the Start's Rules for Family Day Care Homes, you are hereby notified that the registration to operate your Family Day Care Home is hereby revoked. Bright from the Start's legal authority for revoking a registration is found in O.C.G.A. Section 20-1A-12(b)(3)(5), and Section 20-1A-12(c)(5), and the Bright from the Start: Georgia Department of Early Care and Learning's Rules for Family Day Care Homes, Chapter 290-2-3 of the Official Compilation of the Rules and Regulations of the State of Georgia.

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 registration to operate a family day care home 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:

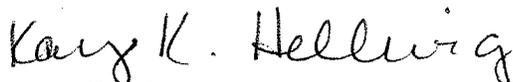
**J. Ashley Peacock**  
Chief Legal Officer  
Bright from the Start  
Georgia Department of Early Care and Learning  
10 Park Place, Suite 200  
Atlanta, Georgia 30303

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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 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

KKH/dm

Attachments

cc: J. Ashley Peacock  
Kristie Lewis  
Brenda Haynesworth  
Candy Prince  
Vermisha Thompkins  
M. Craig Smith  
Cynthia Tharp  
Laura Davis  
Elisabetta Kasfir  
Heather Kirkley  
State File

**Exhibit "A"**  
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List of Rule Violations for:

Sandra Harvey  
6085 Jim Pruitt Road  
Eastman, Georgia 31023

- 1. Rule 290-2-3-.04(2) Requires that any person that provides care for more than six children for pay shall make application to operate as either a Group Day Care Home or a Day Care Center.**

During an attempted routine monitoring visit, on August 17, 2010, at approximately 10:45 AM, the consultant found that there were 21 children present in the Family Day Care Home. Fifteen of the children were kept for compensation. All twenty-one of the children were under thirteen years old. The provider also stated that twelve children were kept for no compensation when in fact the provider was receiving compensation for seven of the twelve children identified. On July 07, 2010, the provider was cited for caring for ten children for compensation.

The Family Day Care Provider's repeated failure to reduce to six children for compensation could possibly place the children at risk of harm.

- 2. Rule 290-2-3-.11(2)(j) Requires that children be restrained by either individual seat belts or appropriate child restraints in accordance with state law.**

During the attempted monitoring visit, on August 17, 2010, five children were not properly restrained when transported in a vehicle from the Family Day Care Home, to another location.

The failure of the Family Day Care Provider to ensure the children were properly restrained could possibly place the children at risk of harm.

- 3. Rule 290-2-3-.07(8) Requires that the total number of children present under the age of thirteen years, may not exceed twelve.**

During an attempted monitoring visit, on August 17, 2010, the consultant observed a total of 21 children present in the home under the age of thirteen.

The failure of the Family Day Care provider to not exceed twelve children present under the age of thirteen at one time could possibly place the children at risk of harm.

- 4. Rule 290-2-3-.04(2)(c)2. Requires that before a person may work in a registered home, the provider shall cause the person to be employed to submit a preliminary criminal records check.**

A criminal records check was not completed for one staff person for whom this was required. This staff person transported five children from the Family Day Care Home to another location alone on August 17, 2010.

The failure of the Family Day Care Provider to obtain a criminal record check for the helper could possibly place the children at risk of harm.

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**5. Rule 290-2-3-.08(1)(h) Requires that the home maintains parental or guardian agreements for transportation away from the home.**

During an attempted monitoring visit on August 17, 2010, the Family Day Care Provider instructed a staff person to transport five children from the premises without parental consent due to being over-crowded. As a result of causing the children to be transported without parental authorization, the provider was arrested for five misdemeanor charges of reckless conduct causing harm to or endangering the bodily safety of another.

The failure of the Family Day Care Provider to obtain parental authorization before allowing another staff person to transport the children off of the premises could possibly place the children at risk of harm.

**6. Rule 290-2-3-.08(1)(a-j) Requires that the home shall maintain current updated records on each child in care.**

During an attempted monitoring visit on August 17, 2010, when children's names, dates of birth, and parental information was requested for children in care, no records were produced to provide this information that is required to be maintained at the home.

The failure of the Family Day Care Provider to maintain required records on each child in care could possibly place the children at risk of harm.

**7. Rule 290-2-3-.05(a) Requires that an issuance of a registration by the department constitutes consent for the department's representative to have meaningful access to all children present and all records required by these rules.**

During an attempted monitoring visit on August 17, 2010, the Family Day Care Provider was not cooperative in allowing access to the children's records. The provider refused to give the consultant a list of all of the children's names, dates of birth and parent information.

The failure of the Family Day Care Provider to allow the consultant access to the children's records could possibly place the children at risk of harm.

**8. Rule 290-2-3-.05(b) Requires that the department's representative be allowed access to the home, its staff, children receiving care at the home, and all records required by these rules, and that failure to cooperate with a departmental inspection or investigation shall constitute good cause for revocation of a registration.**

During an attempted monitoring visit on August 17, 2010, the Family Day Care Provider was not cooperative with a departmental inspection, in that access to the children's records was not allowed. The provider refused to give the consultant a list of all of the children's names, dates of birth and parent information.

The failure of the Family Day Care Provider to cooperate with a departmental inspection could possibly place the children at risk of harm.

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- 9. Rule 290-2-3-.11(3)(a)9. Requires that a provider or a home's employees shall not commit any criminal act, as defined under Georgia law which is set forth in O.C.G.A. Sec. 16-1-1 et seq., in the presence of any child enrolled in the home.**

During an attempted monitoring visit on August 17, 2010, the Family Day Care Provider committed a criminal act in the presence of children enrolled in the home when she instructed a staff person to transport five children from the premises without parental consent. As a result of causing the children to be transported without parental authorization, the provider was arrested for five misdemeanor charges of reckless conduct causing harm to or endangering the bodily safety of another.

The failure of the Family Day Care Provider to not commit a criminal act in the presence of children enrolled in the home could possibly place the children at risk of harm.