

December 5, 2016

KIDS 4 JESUS CHILDCARE/PRESCHOOL  
Community Covenant Church, Owner  
Casey Huff, Director  
15770 Q Street  
Omaha, NE 68135


Dear Ms Huff:

In accordance with the letter written by Jo Pfeiffer, Child Care Licensing Supervisor, on December 2, 2016, the original License of Community Covenant Church to operate a Child Care Center in the State of Nebraska has been placed on Corrective Action Status. A license imprinted with the term "Corrective Action Status" is enclosed. This status became effective December 2, 2016, and it will remain in effect until June 2, 2017. Upon completion of this term, a new license will be issued to Community Covenant Church.

At this time we ask that the current license be submitted by return mail, within the next seven (7) days, to DHHS, Division of Public Health, Licensure Unit, Attn: Marsha Wandersee, 301 Centennial Mall South, Lincoln, NE 68509-4986.

If you have any questions, please contact Jo Pfeiffer, Child Care Licensing Supervisor, at (402) 595-3335.

Sincerely,

  
Becky Wisell, Administrator  
Licensure Unit  
301 Centennial Mall South  
Lincoln, NE 68509-4986

BW/dcp

cc: Children's Services Licensing

This license shall be kept available in the establishment and such proof of credentialing shall be shown upon request.

# State of Nebraska

Department of Health and Human Services  
Division of Public Health

## COMMUNITY COVENANT CHURCH

is hereby authorized in compliance with laws of the State of Nebraska to establish and conduct an  
Operating Child Care Center

located at: 15770 Q ST OMAHA NE 68135

A maximum of 125 children in ages 6 WKS to 13 YRS may be in attendance at any one time during the hours of 0630 to 1800 on MTWTHF.

KIDS 4 JESUS CHILDCARE/PRESCHOOL owned by COMMUNITY COVENANT CHURCH is hereby issued License No. CCC7409

whose status is Active-Corrective Action Status effective from 12/02/2016

Amended: 12/02/2016

Given under the name and Seal of the Department of Health and Human Services Regulation and Licensure of the State of Nebraska at Lincoln on December 8, 2016.



Thol \_\_\_\_\_, Chief Medical Officer  
Director, Division of Public Health  
Department of Health and Human Services

# NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES

**December 2, 2016**

***Kids 4 Jesus Child Care/Preschool  
Community Covenant Church  
15770 Q St.  
Omaha NE 68022***

***Attention: Ms. Casey Huff, Director***

Dear Ms. Casey Huff:

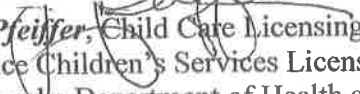
The Nebraska Department of Health and Human Services, Office of Children's Services Licensing received your Plan of Correction. The attached corrective action plan has been reviewed and approved effective **12-2-2016**.

A new license, identified with 'Corrective Action Status' will be mailed to your facility. The new license is to be posted in a prominent location. The license status will be in effect for a period from the date of approval, **12-2-2016 to 6-2-2017**.

Compliance with the terms of the Corrective Action Status will be monitored by announced and unannounced inspections to your facility by Child Care Licensing staff. Any violation may be grounds for discipline as the Office of Children's Services Licensing program may determine appropriate.

If you have questions regarding this letter, please contact **Michele McClellan**, Child Care Inspection Specialist at **402-595-3345**, or me.

Sincerely,

  
**Jo Pfeiffer**, Child Care Licensing Supervisor  
Office Children's Services Licensing  
Nebraska Department of Health and Human Services  
**State Office Building  
1313 Farnam St.**

**Omaha NE 68102**  
**402-595-3335 Jo.Pfeiffer@nebraska.gov**

**cc: Michele McClellan, Child Care Inspection Specialist**  
**Office of Children's Services Licensing Central Office**  
**Marsha Wandersee, Administrative Assistant II,**  
**Heather Stryker, DDHHS Resource Developer Supervisor**  
**Gina Ewing, Staff Assistant II, Omaha Office**

Michele McClellan,

11/30/16

Current staff will be told by Casey and Nikole that we are now doing a head count for the entire center. They will sign a form saying they understand.

The head count has been added to the orientation for new staff. Casey or Nikole will show the new staff member an example of the head count and show them how we implement it.

The lead teacher in each classroom will be responsible for the head count. When the lead teacher leaves they will designate another staff member to take over the head count for the day.

Casey Huff or Nikole Ekeler will initial the check lists when the staff turn them in.

The toddler classrooms will be doing hourly head counts. The infants and Preschool will be implementing a time in and time out check sheet with a place for staff signature.

October 31, 2016

CERTIFIED MAIL and REGULAR MAIL

**Kids 4 Jesus ChildCare/Preschool  
Community Covenant Church**

**15770 Q St.  
Omaha NE 68022**

Dear Ms. Casey Huff

Nebraska Revised Statutes, section 71- 1911 (4), of the Child Care Licensing Act provides that the department may place a license on Corrective Action Status.....A non-disciplinary probationary license may be issued for the licensee to operate under Corrective Action Status if the department determines that:

- a) The Licensee is unable to comply with all licensure requirements and standards or has had a history of noncompliance;
- b) The effect of noncompliance with any rule or regulation does not present an unreasonable risk to the health, safety or well-being of children or staff; and
- c) The Licensee has a written plan of correction that has been approved by the department.

On September 29, a 22 month old female child was found by Ms. Huff in a hall way of the center. The child appeared to be unharmed and not crying. The 22 month old was not with the rest of her group that had gone outside to play. It was estimated that the child had been left unsupervised for approximately a few minutes. Once found, the director led the 22 month old outside to join the rest of the children. Per the director, the three toddler staff failed to count the number of children they had prior to leaving the classroom and leaving the 22 month child unattended.

**REGULATORY BASIS:**

**3-006.19 Supervision of Children:** Adequate and appropriate supervision must be provided to children at all times children are in attendance, including during outdoor play. Ultimate responsibility for supervision rests with the licensee.

**3-008.01 Grounds for Denial or Disciplinary Action:** The Department may deny the issuance of or take disciplinary an action against a license on any of the following grounds: In pertinent part... 4. Conduct or practices detrimental to the health or safety of an individual served by or employed at the program;

Based on the facts presented above and the regulations violated, the department is placing your operating license on Corrective Action Status for a period of six months.

Corrective Action Status is voluntary and the decision regarding placement on Corrective Action Status is not appealable. However, you are required to submit a written Plan of Correction that must be approved by the department. The following items must be included in your written Plan of Correction:

1. Identification of issue(s) of concern;

2. Provisions for how you will correct and maintain compliance;
3. Specify the written documentation to be provided to the Department;
4. Identify who is responsible (include position titles) for corrections and maintenance of compliance; and
5. Timelines.

Please submit your written Plan of Correction to Michele McClellan, Child Care Inspection Specialist, Nebraska Department of Health and Human Services, Office of Children's Services Licensing, 1313 Farnam St., Omaha, NE 68102 within ten calendar days after you receive this letter.

If you do not submit a written Plan of Correction, or the written Plan of Correction is not approved, the department may discipline your license by imposing one or a combination of the following types of Disciplinary Action:

1. Issue a probationary (disciplinary) license;
2. Suspend or revoke a provisional, probationary, or operating license;
3. Impose a civil penalty of up to five dollars per child, based upon the number of children for which the program is authorized to provide child care on the effective date of the finding of violation, for each day the program is in violation;
4. Establish restrictions on new enrollment in the program;
5. Establish restrictions or other limitations on the number of children or the age of the children served in the program; or
6. Establish other restrictions or limitations on the type of service provided by the program.

If you have any questions regarding this letter, please contact Michele McClellan, CCIS at 402-595-3345 or Jo Pfeiffer Children's Services Licensing Supervisor at 402-595-3335.

Sincerely, /)

*Jo Pfeiffer*, Child Care Licensing Supervisor  
Office Children's Services Licensing  
Nebraska Department of Health and Human Services  
1313 Farnam St. Omaha NE 68102

cc: *Michele McClellan, Child Care Inspection Specialist*  
Office of Children's Services Licensing, Central Office  
Tanja Evans, Social Services Resource Developer



Division of Public Health, Licensure Unit  
301 Centennial Mall South, 3<sup>rd</sup> Floor, P.O. Box 94986  
Lincoln, NE 68509-4986  
Phone (402) 471-2115 FAX (402) 471-3577

Division of Public Health

State of Nebraska  
Dave Heineman, Governor

March 14, 2014


COMMUNITY COVENANT CHURCH  
d/b/a/ KIDS 4 JESUS CHILDCARE/PRESCHOOL  
Fred Schott, Registered Agent  
15770 Q Street  
Omaha, NE 68135

Dear Mr. Schott:

In accordance with the Notice of Disciplinary Action issued on February 25, 2014, by Joseph Acierno, MD, JD, Chief Medical Officer and Director, Division of Public Health, Department of Health and Human Services, your original License to operate as a Child Care Center in the State of Nebraska has been placed on Probation. A license imprinted with the term "PROBATION" is enclosed. This status became effective March 13, 2014, and it will remain in effect until March 13, 2015. Upon completion of the Probation, a new license will be issued to you.

At this time we ask that you return your current license, within the next seven (7) days, to Marsha Wandersee in the Licensure Unit. If you have any questions, please contact Children's Services Licensing at (402) 471-9302.

Sincerely,

  
Helen L. Meeks, Administrator  
Licensure Unit

HLM/dcp

cc: Children's Services Licensing



This license shall be kept available in the establishment and such proof of credentialing shall be shown upon request.

# State of Nebraska

**PROBATION**

Department of Health and Human Services  
Division of Public Health

## COMMUNITY COVENANT CHURCH

is hereby authorized in compliance with laws of the State of Nebraska to establish and conduct an  
Operating Child Care Center  
located at: 15770 Q ST OMAHA NE 68135

A maximum of 125 children in ages 6 WKS to 13 YRS may be in attendance at any one time during the hours of 0630 to 1800 on MTWTHF

KIDS 4 JESUS CHILDCARE/PRESCHOOL is hereby issued License No. CCC7409 which is effective on 05/20/2003

Amended: 03/15/2014

Given under the name and Seal of the Department of Health and Human Services Regulation and Licensure of the State of Nebraska at Lincoln on March 17, 2014.



Joseph M. Acerno, M.D., J.D., Chief Medical Officer  
Director, Division of Public Health  
Department of Health and Human Services

**NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES  
DIVISION OF PUBLIC HEALTH  
STATE OF NEBRASKA**

**IN THE MATTER OF:  
THE OPERATING CHILD CARE CENTER  
LICENSE OF COMMUNITY COVENANT  
CHURCH D/B/A KIDS 4 JESUS CHILDCARE/  
PRESCHOOL**

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**NOTICE OF  
DISCIPLINARY ACTION**

**LICENSED LOCATION: 15770 Q STREET, OMAHA, NE, 68135**

**NOTICE:**

The Community Covenant Church (hereinafter referred to as "Community Covenant Church") is notified that the Department of Health and Human Services, Division of Public Health, (hereinafter referred to as "Department") is imposing disciplinary action against the Community Covenant Church's operating Child Care Center license, Kids 4 Jesus Childcare/Preschool (hereinafter referred to as "Kids 4 Jesus"), for violation of the following statutes and regulations:

**AUTHORITY:**

Nebraska Revised Statutes, section 71-1919, of the Child Care Licensing Act provides that "the Department may ... take disciplinary action against a license issued under the Child Care Licensing Act on any of the following grounds:

- (1) Failure to meet or violation of any of the requirements of the Child Care Licensing Act or the rules and regulations adopted and promulgated under the act;" ...
- (4) Conduct or practices detrimental to the health or safety of a person served by or employed at the program;" ...

Nebraska Revised Statutes, section 71-1920, of the Child Care Licensing Act provides that "...the Department may impose any one or a combination of the following types of disciplinary action against a license issued under the Child Care Licensing Act: (a) Issue a probation license; ... (c) Impose a civil penalty of up to five dollars per child, based upon the number of children for which the program is authorized to provide child care on the effective date of the finding of violation, for each day the program is in violation; ..."

391 NAC 3-008.01 Grounds for Denial or Disciplinary Action: "The Department may deny the issuance of or take disciplinary action against a license on any of the following grounds:

1. Failure to meet or violation of any of the requirements of the Child Care Licensing Act or the rules and regulations adopted and promulgated under the Act; ...
4. Conduct or practices detrimental to the health or safety of an individual served by or employed at the program;" ...

391 NAC 3-002 Adequate and Appropriate Supervision includes: 1. Knowing the whereabouts and being within sight or sound of all children at all times; ... 3. Protecting or removing children from harm."

391 NAC 3-006.02 Director Requirements: "The director is responsible for managing the day-to day operations of the child care center. ... The director must: 1. Be responsible for the center's compliance with rules and regulations; ...3. When not in the child care area, designate another staff to act in his/her absence who will be responsible and accountable for management of the center;" ...

391 NAC 3-006.19 Supervision of Children: "Adequate and appropriate supervision must be provided to children at all times children are in attendance, include during outdoor play. Ultimate responsibility for supervision rests with the licensee."

#### **FACTS AND FINDINGS:**

Community Covenant Church is the licensee of an operating Child Care Center which was licensed prior to 2003 and is currently licensed for a maximum of 125 children, ages six weeks to 13 years, 6:30 a.m. to 6:00 p.m., Monday through Friday.

On January 22, 2014, Michele McClellan (hereinafter referred to as "McClellan"), Child Care Inspection Specialist, Children's Services Licensing, Licensure Unit, Division of Public Health, and Kathleen Jankowski (hereinafter referred to as "Jankowski") conducted a complaint investigation to Kids 4 Jesus.

Interviews determined that a parent of a 20 month old, BM, went to pick up his/her child and was told by staff, Stephanie, the child was not there and had already been picked up. The parent informed Stephanie the child had not been picked up and began to look for the child. The parent and Stephanie found the child in the women's restroom playing in the toilet. The child's clothing was soaked from playing in the toilet. Staff had no idea how long the child was missing from the room. In addition, it was alleged that the director and co-director are never at the center during drop off and pick up times.

McClellan and Jankowski interviewed Director, Casey Huff (hereinafter referred to as "Huff") and Co-Director, Nikole Ekeler (hereinafter referred to as "Ekeler") about the incident. Huff stated that on the day of the incident, January 13, 2014, she left the center at 4:20 p.m. Ekeler was not at the center that day. Since Ekeler was gone that day, the responsibility for the center went to either Anna or Courtney but Casey could not be specific as to who should have been responsible. McClellan asked to see the center's policy regarding this and was told that it was not in writing and that staff just know. When Huff and Ekeler learned of the incident the next day, January 14, 2014, they contacted BM's parent.

Huff and Ekeler explained that the afternoon of January 13, 2014 at approximately 4:50 p.m., staff transitioned the toddlers from their primary room that they had been in all day, to another toddler's room so they could switch activities. BM had been in Heather's room and then would have transitioned to Stephanie's room. Neither Heather nor Stephanie could remember when they saw BM last. Once BM was found, BM left for the day at 5:05 p.m.

Huff works from 7:30 a.m. to 4:30 p.m. and Ekeler works from 8:00 a.m. until 5:00 p.m. or later. When one of them is gone, the other one covers the center. However, this was not the case on the date of the incident, January 13, 2014.

## DISCIPLINARY ACTION IMPOSED:

Based upon the facts set out above, the Department intends to impose the following:

1. Community Covenant Church is assessed a civil penalty in the amount of \$625.00 (\$5.00 times license capacity of 125 children times one day (January 22, 2014) effective March 13, 2014.

Said penalty must be paid on or by April 12, 2014, which is thirty (30) calendar days from the effective date of this Notice, March 13, 2014, and must be payable to the Nebraska Department of Health and Human Services, Division of Public Health, Licensure. Said penalty must be sent to Marsha Wandersee, Administrative Assistant, Nebraska Department of Health and Human Services, Division of Public Health, Licensure, Children's Services Licensing, P.O. Box 94986, Lincoln, Nebraska, 68509-4986.

2. The Community Covenant Church's Child Care Center license, Kids 4 Jesus, is placed on Probation for a period of one year effective March 13, 2014. Terms and conditions include:

- a. By March 13, 2014, the Community Covenant Church must:
- Develop and establish written policies and procedures on how the Community Covenant Church will ensure that adequate and appropriate supervision is provided at all times children are in attendance. The written policies and procedures should incorporate, but not limited to:
    - The use of checklists,
    - Staffing charts,
    - Frequent monitoring,
    - Accountability, and
    - Training of staff, who may include: director, assistant/co-director, teachers, assistant teachers, substitutes, volunteers, aides and any other individual who counts in the staff-to-child ratio, and
    - Other detailed procedures to insure proper and adequate supervision of children at all times.
  - Submit a written plan as to how the above policies and procedures will be implemented and how current and new staff will be made aware of these policies and procedures.

These policies, procedures and plans must be submitted to the Department: Attn: Michele McClellan, Child Care Inspection Specialist, Children's Services Licensing, Licensure, Division of Public Health, 1801 North 73<sup>rd</sup> Street, Omaha, Nebraska, 68114 for approval or at such other address as directed, in writing, by the Department, for approval. The Department agrees that after reviewing these written policies, procedures and plans, it will either approve or require modifications. If modifications are required, the Community Covenant Church agrees to reply within ten calendar days of notice by the Department by resubmitting the written policy to the Department at the above address for approval.

The Department reserves the right to make minor unilateral modifications to the written policies, procedures and plans. Once approved by the Department, the Community Covenant Church agrees to implement the written policies, procedures and plans as approved by the Department.

b. By March 13, 2014, the Community Covenant Church must submit in writing the name of a designated person who will be in charge when the Director and Co-Director are not present at the facility at the same time. This person must meet either certificated and/or non-certificated teacher requirements and already be employed at Kids 4 Jesus Childcare/Preschool.

3. Compliance will be monitored by Children's Services Licensing staff and may be monitored by other Department representatives (i.e., Fire Marshal or designated agent, Environmental Health Specialist/Scientist or designated agent, Resource Development Worker, Children and Family Services Specialist/Worker, etc.). The Community Covenant Church and any employees and/or agents must cooperate with the Department in these monitoring inspections.

4. A copy of this Notice of Disciplinary Action must be posted with the current child care license so it is clearly visible to parents and agency representatives.

5. Failure to comply with the terms of this disciplinary action, the applicable Child Care Regulations and failure to correct these violations will be grounds for revocation or such other discipline as the Department may deem appropriate after notice to the licensee and an opportunity for a hearing.

6. If the Community Covenant Church discontinues the child care program for any reason, the time the Community Covenant Church is not actively operating a licensed child care program will not count toward the probation period and any subsequent child care license issued by the Department indicating the Community Covenant Church and/or Kids 4 Jesus Childcare/Preschool as licensee/director/owner shall be subject to the terms of this probation including completion of the probation period. The Community Covenant Church must notify the Department, in writing, within seven (7) working days of any period that it is not actively operating the program. Active operation is the provision of child care for a minimum of forty (40) hours a week for fifty (50) weeks of a calendar year.

**BE ADVISED:**

Pursuant to Nebraska Revised Statutes, section 71-1922, this action becomes final on March 12, 2014, unless the Department receives a written request for a hearing on or before such date. The license shall continue in effect until the final order of the director if a hearing is requested. If the director does not receive such request within such period, the action of the Department is final.

If you decide to request a hearing, your written request for hearing must be received by the Department no later than March 12, 2014. It should be addressed to:

Marsha Wandersee, for DHHS  
Children's Services Licensing  
Licensure - Division of Public Health  
P.O. Box 94986  
Lincoln, NE 68509-5986

If you request a hearing, you will be notified of the time, date and place of the hearing and other pertinent information, by separate notice. On the basis of such hearing, the director will affirm, modify or rescind the determination of the Department. Be advised that pursuant to Nebraska Revised Statutes, section 71-1920, upon completion of any hearing held, the director may impose any or a combination of any of the following: probation, suspension, revocation, civil penalty, restrictions of new enrollment,

restrictions or other limitations on the number of children or the ages of the children served in the program, or other restrictions or limitations on the type of service provided by the program. On the basis of the hearing, a modification by the director may include sanctions important to your program, up to and including the loss of your license.

Nebraska Revised Statutes, section 71-1920 of the Child Care Licensing Act, provides "any fine imposed and unpaid under the Child Care Licensing Act shall constitute a debt to the State of Nebraska which may be collected in the manner of a lien foreclosure or sued for and recovered in any proper form of action in the name of State of Nebraska in the district court of the county in which the program is located." ...

That Nebraska Revised Statutes, section 71-1923 of the Child Care Licensing Act, provides "a licensee may voluntarily surrender the license issued under the Child Care Licensing Act at any time, except that the Department may refuse to accept a voluntary surrender of a license if the licensee is under investigation or if the Department has initiated disciplinary action against the licensee.

Dated: FEBRUARY 25, 2014

Joseph M. Acierno, M.D., J.D.  
Chief Medical Officer  
Director, Division of Public Health  
Department of Health and Human Services

Patricia Urzedowski  
By: Patricia Urzedowski, Section Administrator  
Children's Services Licensing  
Nebraska Department of Health and Human Services  
Division of Public Health - Licensure Unit  
P.O. Box 94986  
Lincoln, NE 68509-4986

CERTIFICATE OF SERVICE

COMES NOW, the undersigned and certifies that on the 25 day of February, 2014, a copy of the foregoing **NOTICE OF DISCIPLINARY ACTION** was sent by certified and first class United States mail, sufficient postage prepaid to Kids 4 Jesus Childcare/Preschool, 15770 Q Street, Omaha, Nebraska, 68135 and Community Covenant Church, C/O Fred Schott, Registered Agent, 15770 Q Street, Omaha, Nebraska, 68135.

Marsha Wandersee  
Marsha Wandersee