

NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

September 22, 2017

WESTSIDE EARLY CHILDHOOD/WESTGATE ECC
The Westside Community Schools Foundation, Inc.
Amanda M. Wilson, ECC Site Director
9030 Western Ave.
Omaha, NE 68114


Dear Ms. Wilson:

In accordance with the letter written by Jo Pfeiffer, Child Care Licensing Supervisor, on September 18, 2017, the original License of Westside Early Childhood/Westgate ECC to operate as 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 September 18, 2017, and it will remain in effect until March 18, 2018. Upon completion of this term, a new license will be issued to the Center.

At this time we ask that you submit the current license of Westside Early Childhood/Westgate ECC by return mail, within the next seven (7) days, to DHHS, Division of Public Health, Licensure Unit, Attn: Rita Krusemark, 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

THE WESTSIDE COMMUNITY SCHOOLS FOUNDATION INC
is hereby authorized in compliance with laws of the State of Nebraska to establish and conduct an
Operating **Child Care Center**
located at: **7802 HASCALL ST OMAHA NE 68124**

A maximum of **90** children in ages **3 YRS** to **13 YRS** may be in attendance at any one time during the hours of **0630** to **1800** on **MTWTHF**.

WESTSIDE EARLY CHILDHOOD - WESTGATE ECC owned by **THE WESTSIDE COMMUNITY SCHOOLS FOUNDATION INC** is hereby issued License No. **CCC7517**
whose status is **Active-Corrective Action Status** effective from **09/18/2017**

Amended: **09/18/2017**

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 **September 22, 2017**.



Thomas L. Williams, MD Chief Medical Officer
Director, Division of Public Health
Department of Health and Human Services

September 18, 2017

CERTIFIED MAIL

Westside Early Childhood/
Westgate ECC
7802 Hascall St.
Omaha, NE. 68124

Dear Amanda Wilson, Director and Julie Oelke, ECC Program Director:

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 09/18/2017.

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, 09/18/2017 to 03/18/2018.

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 Dawn Kozak, Child Care Inspection Specialist at 402-595-3203 or meat 402-595-3335.

Sincerely,


Jo Pfeiffer, Child Care Licensing Supervisor
Children's Services Licensing
Nebraska State Office Building, 3rd floor
1313 Farnam St.
Omaha, NE 68102

Cc: Dawn Kozak, Child Care Inspection Specialist
Marsha Wandersee, Administrative Assistant II



Westside Early Childhood Centers

9030 Western Avenue Omaha, NE 68114 402.390.8207

September 7, 2017

Dawn Kozak,

Westgate Early Childhood Center have recently been found to have violated these three regulations:

391 NAC 3-006.01 Licensee Requirements:

Ensure the center is administered and managed appropriately.

Maintain compliance with all applicable state statutes and school-age only regulations.

Julie Oelke (WECC's Program Director) provided Amanda Wilson (Site Director) and Westgate's employees with a Supervision training on August 14th, 2017. The training objectives included: the definition of supervision of children, the difference between inadequate, adequate and high quality supervision of children, and participants developed an action plan including a personal commitment to providing high quality supervision of children.

Julie Oelke (WECC's Program Director) will meet monthly with Amanda Wilson (Site Director) to review and discuss high quality supervision. These meetings happen on the first Wednesday of every month from 10:00am-11:00am.

Julie Oelke (WECC's Program Director) will conduct two unannounced observations to ensure and document the procedures outlined in the Supervision of Children section of this corrective action plan are being fulfilled.

391 NAC 3-006.02 Director Requirements

Be responsible for the center's compliance with rules and regulations.

Amanda Wilson (Site Director) will check that the transition sheets are being used at least 3 times a day.

Amanda Wilson (Site Director) has held several staff meetings to review the transition expectations as well as WECC/DHHS policies and procedures for high quality supervision (please see attachments for documentation).

Amanda Wilson (Site Director) will also be implementing random count checks. Amanda will ask, at random, how many kids there are and the staff member must be able to give the correct count right away. This will be an ongoing practice. When Amanda is absent the assistant site director Erica Baltz will assume responsibility of checking the transition sheets and conducting random count checks.

3911NAC 4-006.19 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.

In order to correct and maintain compliance, there have been multiple strategies implemented. The first being transition sheets used daily by all staff members. Examples of these are attached. These help the staff members keep track of the children at each transition. The transition sheets must be filled out thoroughly and are checked by the director at least three times a day.

Each staff member reviewed the transition expectations and playground supervision policies and signed off that they will follow these expectations and procedures. This was one of the topics at our staff meeting at the beginning of this school year as seen on the staff meeting agenda attached. Each staff member also attended a supervision training at the beginning of the school year.

Staff meetings are held weekly. Supervision and transitions will be the topic of our next three staff meetings held on September 13, 20, and 27th. Supervision will also be a topic review randomly throughout the year.

All of these items have been implemented immediately.

Sincerely,


Amanda Wilson
Westgate ECC Site Director
7802 Hascall St.
Omaha, NE 68124

(402) 390-8202 

SAFETY FIRST

Effectively Supervising Young Children

Properly supervising children is vital to assuring safety in childcare centers and other settings where children gather. For early childhood programs, effectively supervising children can be especially challenging.

Adequate and appropriate supervision includes:

- a. Knowing the whereabouts and being within sight and sound of ALL children at ALL times. (Child may be within sound only while physically in the bathroom stall but the teacher must regain sight as soon as they are finished).
- b. Being awake, alert, attentive, and responsive to the needs of ALL children
- c. Protecting or removing children from harm.

The challenges of supervising children include the following: ineffective room arrangement; parents distracting you with long conversations; failing to conduct head counts; and ineffective supervision during activities, mealtimes, or daily routines. By consistently following supervision guidelines, you will be on your way to providing a safer place for the children in your care.

Setting the Environment

The set up of your environment contributes to the safety of children in your care and can facilitate proper supervision. Your environment should be arranged to assure a smooth traffic flow.

A smooth traffic flow enables the children more room to move around without bumping into one another. When children are able to move smoothly through the room, they feel less confined, and the chance of a mishap, such as a fall, is reduced.

To facilitate smooth traffic flow, arrange furnishings where you can easily see the children. Be sure that the furniture is not taller than the children and that it is spaced so that three or four children can play in an area.

Arrange furnishings in a manner that allows for multiple exits from each play area or learning center. Stabilize equipment or furniture so it will not be knocked over by the children.

Watch Children

Continual visual supervision assures that you actually see what is happening while the children are in your care. In some cases, you may prevent an incident that leads to injury.

When sitting or standing, position yourself where you can easily see each child. Frequently change your position by moving around the room and interacting with all of the children.

Be sure the required staff/child ratio is maintained at all times, both indoors and outdoors. Remember that you are ultimately responsible for the children in your care.

You should be actively engaged with children when you are in the classroom. This is not the time to do paperwork, check in books or get the days activity ready. All of these activities should be done before you are staffed in with children or at rest time.

SAFETY FIRST

Ratios

It is imperative that you know how many children are in your group at all times.

Please make sure that if you must step away from your group for any reason that the group will be in ratio if you leave. If your group will not be in ratio, then please use your walkie-talkie to communicate with someone else to step in for you.

You also need to make sure that your fellow staff members know where you are/have gone, should we have an emergency and need to account for every staff person.

- State ratios must be maintained at all times.
 - Toddlers-- 1 to 6
 - Preschool-- 1 to 10
 - 4 YOP-- 1 to 12
 - Club 66-- 1 to 15

Talking with Parents

It is important to be available to talk with parents and guardians; however, holding long conversations while supervising children could prevent you from effectively ensuring their safety. Conversations with parents at arrival and pick-up time should be brief.

If a parent wants a detailed conversation with you about their child, you can respond, "I would love to talk with you, but I must get back to the children. Is it possible to schedule a conference when I am not supervising the children?" This approach sends the message that caring for the children is your top priority, and that you also are interested in listening to and talking with them.

Frequent Head Counts

Each day, some children may arrive late or leave early. You should know the number of children in your care at all times. This becomes essential in the event of an emergency.

Frequently count the children in your care to help assure that everyone is accounted for and no one has escaped your supervision. Get into a routine of counting heads throughout the day, such as when children arrive, during morning group time, before and after mealtimes, before and after outdoor play, after restroom breaks, during rest time, and as children are departing for home. To make this more fun, encourage the children to count aloud with you or sing a special song as you conduct your head count.

Some children have a tendency to wander, and if improperly supervised, they may venture off to explore the bathroom, kitchen, or other area of the facility. Please remember to always keep doors to the kitchen, club/gym area and storage areas closed.

So what should you do if a child is missing from your group? Remain calm and immediately begin looking for the child. If you need to leave the room, appoint a responsible adult to supervise the children until you return.

Remember, children should never be unsupervised. Be prepared for the situation by thinking through possible scenarios and how you would respond.

Do you have enough staff to watch the children while you look? Will you take them with you? Is an emergency contact close by and accessible to step in if needed?

SAFETY FIRST

Do not assume that the child must have been picked up by someone. I would rather you or someone in the office call a parent to find out if the child has been picked up than have a phone call from the authorities.

Supervision during Meals

Mealtime provides opportunity for the caregiver and children to socialize while enjoying a healthy meal. To assure that children are safe at the meal table and are properly supervised, it is vital for the caregiver to sit at the table with the children.

When you are at the table with the children you will be able to quickly detect if a child is choking or prevent choking. You also can quickly redirect inappropriate behavior. Here are a few more mealtime supervision tips:

- Have paper towels available on the table, in the event of a spill.
- Keep wipes nearby to clean the children's faces and hands after mealtime.
- Have clean-up buckets or other garbage items readily available.
- Discuss health and safety rules ahead of time and remind children during meals as needed.

Frequently Scan the Room

Effective scanning involves moving around, making eye contact with each child, and getting involved in children's activities. Frequent scanning not only helps prevent problems, but also will help you notice if a child is aimlessly wandering or not actively involved.

Eye contact is very important in preventing inappropriate behavior, such as climbing on a bookshelf or throwing a toy. Young children often look at the adult just before they participate in inappropriate behavior.

Older children who know the expected behavior may avoid inappropriate actions if they know that you are looking. However, younger children may engage in inappropriate play even when you are looking.

Bathrooms

No child is to be sent to go to the bathroom by themselves from the playground. All children must be accompanied by an adult to the door of the bathroom.

You may not send a child or a group of children inside to use the bathroom by themselves. You MUST accompany the children and wait just outside of the doors. If a teacher is already inside with a child at the bathrooms, there is no need to wait, you are leaving children on the playground unsupervised!

If you need to bring a child in from the playground to use the bathroom please make sure that you are leaving the teachers on the playground in ratio. If the teachers will be out of ratio while you are inside, you will need to take the number of children inside with you that will keep the group in ratio.

Only one child at a time should be in each bathroom. If more than one child needs to use the restroom, please form a line in the hallway and monitor who is in the restroom and the children in line.

Please make sure that the children use the bathroom before going to breakfast/lunch or going out onto the playground. We have several children who avoid going so they can go after everyone else has transition to the

SAFETY FIRST

next activity, especially when we go outside to play on the playground. For some children coming inside to go to the bathroom has become part of their play routine. You can tell a child that they need to wait until we come inside again or when we return to the classroom.

Please periodically check the bathrooms to make sure that there are no children playing or hiding in the bathroom and that the bathroom is clean and clear of any water or trash on the floor.

Hallways

Children are to be supervised at all times in our care. Children are not allowed to go into the hallway without a teacher. They must ask permission to use the restroom or get something from their backpack and should be monitored by a teacher when doing these things. If a child forgets something in a classroom, a teacher must accompany them into the classroom and back to the appropriate room.



Playground

Teachers can help prevent playground accidents by taking some precautions, ensuring that there is adult supervision at the playground, and making sure that any equipment that their students play on is appropriate to his or her age and maturity level.

Adult supervision can help prevent injuries by making sure students properly use any playground equipment and don't engage in unsafe behavior around it. If an injury does occur, an adult can assist the child and administer any needed first aid right away. Be sure to communicate with other teachers effectively.

Students should always have adult supervision when they're at the playground. Young children (and sometimes older ones) can't always gauge distances properly and aren't capable of foreseeing dangerous situations by themselves. Older children often love to test their limits on the playground, so it's important for an adult to be there to keep them in check.

Safe playground equipment and adult supervision are extremely important, but it's only half of the equation: Kids must know how to be safe and act responsibly at the playground. Here are some general rules to teach your students:

Never push or roughhouse while on jungle gyms, slides, swings, and other equipment.

Use equipment properly - slide feet first, don't climb outside guardrails, no standing on swings, etc.

When getting off equipment, make sure that you check to make sure that there are no other children in the way. When you jump, land on both feet with knees slightly bent. Do not jump from swings.

SAFETY FIRST

Leave backpacks, and bags away from the equipment and the area where you're playing so that no one trips over them and falls.

Playground equipment should never be used if it is wet because moisture causes the surface to be slippery.

During the summertime, playground equipment can become uncomfortably or even dangerously hot. Use good judgment - if the equipment feels hot to the touch, it's probably not safe or fun to play on.

Don't wear clothes with drawstrings or other strings at the playground. Drawstrings, purses, and necklaces could get caught on equipment and accidentally strangle a child.

Slides are safe if students are careful when using them. Here are a few guidelines to keep in mind:

- Children should take one step at a time and hold onto the handrail when climbing the ladder to the top of the slide. They should not climb up the slide itself to get to the top.
- Students should always slide down feet first and sitting up, never head first on his/her back or stomach.
- Only one child should be on the slide platform at a time, and kids shouldn't slide down in groups.
- Your students should always check that the bottom of the slide is clear before sliding down. When he or she reaches the bottom of the slide, he or she should get off and move away from the end of the slide so it's clear for other kids to slide down.

Review playground rules with your children before they begin to play.

- Instruct children never to jump off of a moving swing.
- Tell children not to walk in front of or behind a swing that is in motion.
- Require that children go up and down the slide appropriately, no climbing up and over the sides.
- Reinforce the importance of taking turns.
- Encourage children to seek out an adult when problems arise

At all times, use your walkie-talkies to communicate with other teachers. Communicate where you are, when you take a child inside, what area of the playground you are supervising, when you need to use the restroom, and every movement to a different area.

When there is only one teacher outside:

All children must play on the blacktop. This is a good time to get everyone playing a game of kickball or a basketball game. Children may not play on the field, inside the gated playground or on the swings and equipment when there is only one teacher outside.

When there are two teachers outside:

Children may play on the blacktop or the playground equipment.

One teacher should stay on the blacktop, moving around periodically to properly supervise children. This teacher is responsible for monitoring the gate to the playground to ensure all children stay on property at all times. This teacher may choose to join in on a kickball or basketball game with children, but must position

SAFETY FIRST

themselves to be able to see other children. Please watch under the trees, as children are not to pick up acorns from the ground.

The second teacher should move around on the equipment. This teacher must be vigilant, as there are several semi-private areas on the playground. Make sure you are watching under the slides, inside the tunnel, behind the climbing walls, and in the baskets at the top of the slides. This teacher should be constantly moving around, looking both high and low, and monitoring children. Enforce school rules about proper use of equipment, what's on the ground stays on the ground, and proper language during play.

When there are three teachers outside:

Children may play on the blacktop, the playground equipment, and the enclosed playground.

One teacher should stay on the blacktop, moving around periodically to properly supervise children. This teacher is responsible for monitoring the gate to the playground to ensure all children stay on property at all times. This teacher may choose to join in on a kickball or basketball game with children, but must position themselves to be able to see other children. Please watch under the trees, as children are not to pick up acorns from the ground.

The second teacher should move around on the playground equipment. This teacher must be vigilant, as there are several semi-private areas on the playground. Make sure you are watching under the slides, inside the tunnel, behind the climbing walls, and in the baskets at the top of the slides. This teacher should be constantly moving around, looking both high and low, and monitoring children. Enforce school rules about proper use of equipment, what's on the ground stays on the ground, and proper language during play.

The third teacher should move around on the enclosed playground. This teacher should ensure children are following school rules about going down slides. Also, children may not hang upside down from monkey bars or climb on top the monkey bars. Constantly move around to monitor children under the platforms, on all sides of the equipment, and on the equipment. Children may use the gate to get inside the playground - climbing the fence is not allowed.

When there are four teachers outside:

Children may play on the blacktop, the playground equipment, the enclosed playground, and the field.

One teacher should stay on the blacktop, moving around periodically to properly supervise children. This teacher is responsible for monitoring the gate to the playground to ensure all children stay on property at all times. This teacher may choose to join in on a kickball or basketball game with children, but must position themselves to be able to see other children. Please watch under the trees, as children are not to pick up acorns from the ground.

The second teacher should move around on the playground equipment. This teacher must be vigilant, as there are several semi-private areas on the playground. Make sure you are watching under the slides, inside the tunnel, behind the climbing walls, and in the baskets at the top of the slides. This teacher should be constantly moving around, looking both high and low, and monitoring children. Enforce school rules about proper use of equipment, what's on the ground stays on the ground, and proper language during play.

SAFETY FIRST

The third teacher should move around on the enclosed playground. This teacher should ensure children are following school rules about going down slides. Also, children may not hang upside down from monkey bars or climb on top the monkey bars. Constantly move around to monitor children under the platforms, on all sides of the equipment, and on the equipment. Children may use the gate to get inside the playground - climbing the fence is not allowed.

The fourth teacher should monitor children on the field. The hill to the houses on the south side of the field is off-limits to all children. Children may play soccer, football, tag games, or other ball games in the field. This teacher should engage in play with the children. Position your body so you can supervise all children on the field. Please monitor that children do not pick up acorns from the field.

Remember

- *Always, always* know how many children are in your care.
 - Be sure a teacher is always leading the line of kids to the appropriate destination along with another teacher at the end of the line. Teachers at the front of the line should never allow children to run ahead of them and teachers at the end of the line should never allow children to fall behind.
 - Always count and crosscheck against the sign in sheets. Do a head count each time your group moves from classroom to kitchen, to gym or playground. Count when you leave an area and count when you arrive at an area. Make sure the number you leave with is the number you arrive with. If not, have a teacher back track to find the missing child. Please ask for help from the office if you need help.
-
- Be familiar with and know the name of each child.
 - Know where in the center the children are and who picks them up at what time.
 - Greet the parent/adult picking up the child.
 - If you do not know the person who is asking to pick a child in your care you **must** ID them. Check the name on the drivers license against adults on the pick up list located on the yellow child information sheet. If the adults name is not on the authorized pick up list you **may not** release the child until you have verbally spoken with one of the child's parents or guardian.
 - Make sure each child is signed out as they leave.

When parents leave their children with you, they expect their children to be safe. Providing effective supervision is essential to high quality care. Improving the way you supervise children will assure a safer environment for them and will make your job easier.

SAFETY FIRST

Test

Setting the Environment

The best way to set up your environment to ensure safety is:

Watch Children

List three ways to visually supervise children in your care:

Ratios

List the state ratios for the age groups of children you work with:

Talking With Parents

How can you effectively tell a parent that you need to talk with them at a different time then drop off or pick up?

Head Counts

When should you conduct head counts of the children in your care?

Supervision during Meals

List two things that you can do to help ease meal time supervision:



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Bathrooms

What must you do when taking children to the bathroom?

Playground

List eight things you need to do to keep the children safe on the playground:



Final Thoughts:

Please list at least 10 things in your own words on how and what you will do to help ensure the safety of our students:



I have read and understand Effectively Supervising Young Children.

Employee Signature

Date

Transition Expectations

- Before transitioning to a new location have the children line up in a single file line.
- It is expected each teacher, that is staffed in, count the children in line and make sure the count matches the number of children signed in.
- While moving to a new location, there needs to be a teacher leading the line and a teacher in the back of the line.
- The last teacher to leave the room needs to scan the room for any children that may have gotten out of line.
- When arriving at the new location, each teacher that is staffed in, must count the children. The count needs to match the number of children signed in.

Signature

Date

Date:					
SCHOOL AGE AM		Teachers are responsible to check each child IN and OUT. Check should be done at EVERY transition. Children may never be left unattended or unsupervised at any time.			
		Time IN:			
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Transition Key: Playground: PG Club Room: CR
 Gym: G Safety Patrol: SP Breakfast: BF
 Preschool room: PR

Teachers Name	Time IN	Time OUT

Supervision Reminders:
 Children may never be left unattended or unsupervised at any time (this includes exiting the classroom to access the hallway, exiting the classroom to access the playground, exiting the classroom to go to the gym, entering the building from the playground, etc...) If you are unsure of who a pick up person is, it is your responsibility to stop and ID them. Check the authorized pick up list on your clipboards.

NOTES:

Date:						
SCHOOL AGE PM		Teachers are responsible to check each child IN and OUT. Check should be done at EVERY transition. Children may never be left unattended or unsupervised at any time.				
						Time OUT:
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Teachers Name	Time IN	Time OUT

Transition Key: Playground: PG Club Room: CR
 Gym: G Safety Patrol: SP Breakfast: BF
 Preschool room: PR

Supervision Reminders:
 Children may never be left unattended or unsupervised at any time (this includes exiting the classroom to access the hallway, exiting the classroom to access the playground, exiting the classroom to go to the gym, entering the building from the playground, etc...) If you are unsure of who a pick up person is, it is your responsibility to stop and ID them. Check the authorized pick up list on your clipboards.

NOTES:

4YO Teachers are responsible to check each child IN and OUT. Check should be done at EVERY transition. Children may never be left unattended or unsupervised at any time.

Date:	Lunch	WHERE:																		
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Transition Key: Playground: PG Classroom: CR Gym: G Club Room: CL																				

Teachers Name	Time IN	Time OUT	Time IN	Time OUT

Teachers Name	Time IN	Time OUT	Time IN	Time OUT

Date:	<p>WECC staff are responsible for the supervision & safety of enrolled students. Attendance checks should be done every 15 minutes or more often if a transition has occurred. Attendance must be taken at the school prior to the field-trip, when boarding the bus, after arrival at the destination, throughout the trip, when re-boarding the bus, upon arrival at the school. If a child is leaving with a parent/guardian, please have them initial the transition sheet at departure.</p>												
Group Name/Trip:													
Time of check:													
Number of Staff:													
Child's Name:													
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4													
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Total number of students													

Westside Early Childhood Centers

Certificate of

This is to certify that

[REDACTED]
Has successfully completed training in Westside Early Childhood Fall Kick-Off

Awarded on

August 14, 2017

Effective Supervision
Date of Training - 8.14.17
Trainers: Julie Oelke
1.0 training hours
#19253

Break Out Session #1

Break Out Session #2

Julie Oelke, Program Director
[REDACTED]

August 28, 2017

Certified Mail and Regular Mail

Westside Early Childhood/
Westgate Early Childhood
7802 Hascall Street
Omaha, NE. 68124

Dear Amanda Wilson / Julie Oelke:

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 non compliance with any rule or regulation does not present an unreasonable risk to the health, safety or well-being of children or staff; and
The Licensee has a written plan of correction that has been approved by the department.

FACTS:

On 08/08/17, A seven year old female child was left the classroom for approximately 10 minutes without staff supervision. None of the 3 teachers responsible for supervision were aware the child was unaccounted for until the child walked by herself from the classroom where she had been sleeping to the playground where the rest of the children and staff were playing.

REGULATORY BASES:

391 NAC 3-006.01 Licensee Requirements:

Ensure the center is administered and managed appropriately.
Maintain compliance with all applicable state statutes and school-age only regulations.

391 NAC 3-006.02 Director Requirements

Be responsible for the center's compliance with rules and regulations.

391 NAC 4-006.19 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.

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 (6) months.

Corrective action status is voluntary and the decision regarding the 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 Dawn Kozak Child Care Inspection Specialist, Nebraska Department of Health and Human Services, Office of Children's Services Licensing, 1313 Farnam Street, 3rd Floor, 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 effective date of finding violation, for each day the program is in violation;
4. Establish restrictions on new enrollment of the program;
5. Establish restrictions or other limitations on the number of children, or the age of the children served in this program; or
6. Establish other restrictions or limitations on the type of service provided by the program.

If you have questions regarding the letter, please contact Dawn Kozak Child Care Inspection Specialist at 402-595-3203 or Jo Pfeiffer, Child Care Licensing Supervisor at 402-595-3335.

Sincerely, /


Jo Pfeiffer, Child Care Licensing Supervisor
Office of Children's Services Licensing
1313 Farnam St., 3rd floor
Omaha, NE 68102

CC Dawn Kozak, Child Care Inspection Specialist
Heather Stryker, DHHS Resource Developer Supervisor



Division of Public Health

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

State of Nebraska

Dave Heineman, Governor

September 10, 2009

Westside Early Childhood-
11444 Hascall St
Omaha NE 68144

Dear Ms. Vavruska:

In accordance with the letter, written by Jo Pfeiffer, Child Care Licensing Supervisor, on September 3, 2009, your original License 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 August 24, 2009, and it will remain in effect until February 24, 2010. Upon completion of this term a new license will be issued to you.

At this time we ask that you return your current license, within the next ten (10) days, to Marsha Wandersee in the Licensure Unit. If you have any questions please contact Child Care Licensing, at (402) 471-9302.



Helen L. Meeks, Administrator
Licensure Unit

HLM/clb

cc: Child Care 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
Regulation and Licensure

THE WESTSIDE COMMUNITY SCHOOLS FOUNDATION INC
is hereby authorized in compliance with laws of the State of Nebraska to establish and conduct an
Operating **Child Care Center**
located at: **7802 HASCALL ST. OMAHA NE 68124**

A maximum of **90** children in ages **3 YRS** to **13 YRS** may be in attendance at any one time during the hours of **0700** to **1800** on **MTWThF**.

WESTSIDE EARLY CHILDHOOD-WESTGATE ECC is hereby issued License No. **CCC7517**
whose status is **Active-Corrective Action Status** effective from **08/24/2009**
Amended: **08/24/2009**

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 **September 11, 2009**.



[Redacted Signature]
Joan Schaefer, MD, Chief Medical Officer, Director
Division of Public Health, Department of Health and Human Services



Division of Public Health

State of Nebraska

Dave Heineman, Governor

September 3, 2009

The Westside Community Schools Foundation Inc.
Westside Early Childhood Westgate ECC
11444 Hascall Street
Omaha, NE 68144

Dear Ms. Vavruska:

The Nebraska Department of Health and Human Services, Children's Services Licensing, has received your corrective action plan. The plan has been reviewed and approved effective August 24, 2009.

A new license indicating "Corrective Action Status" will be mailed to the Child Care Center which you must post in a prominent place.

This license status will be in effect for a period of six months from the date of approval.

Compliance with the terms of the Corrective Action Status will be monitored by announced or unannounced inspections to your center by Children's Services Licensing staff. Any violation may be grounds for discipline as the Department may determine appropriate.

Please find enclosed a revised offer of Corrective Action Status letter dated August 3, 2009. 391 NAC 8-002 Staff Qualifications: in pertinent part... "Center staff or any person designated by the licensee as having responsibility for children shall have the responsibility to provide adequate and appropriate supervision at all times children are in attendance. Evidence of negligent or willful lack of supervision is basis for denial of an application or suspension or revocation of the center's license" (Page 9, Standard 36, Child Care Center Standards) was erroneously omitted under the heading Regulatory Basis from the letter initially mailed.

If you have any questions, please contact Renee Madsen at 595-3375.

Sincerely,


Jo Miller
Child Care Licensing Supervisor
DHHS Division of Public Health
Children's Services Licensing

cc: Renee Madsen, Child Care Inspection Specialist
Bob Cummings, Resource Development, Contract Management Division
Marsha Wandersee, Administrative Assistant II

AUG 24 2009

July 21, 2009

Problem-

Thomas Dowling age 9 was left at the family Fun center.

29 children attended the field trip and 9 staff (Michelle Simon, Ben Latka, Abby Stromquist, Josh Lagenfelter, Julie Nickel, Kelly Urbach, Cori Mardi, Becky Kilcoin, Josh Amen. The staff were from Westgate, Paddock and Hillside Club and Preschool programs.

9 of the students were preschool and 20 were School age students.

We arrived at the center at 1:00. As we arrived Michelle Simon sat the children down and told them that we were going to split into small groups of 4 and that at 2:30 all students needed to come downstairs to the snack station that Miss Michelle pointed to and the children were then dismissed.

Corrective Action-

- The director's will visit a Field trip site or have prior knowledge of basic information of a future site.(i.e. where are the bathrooms, if the site is well contained, who the contact person is, what is the phone number of the place and the address, what specific activities the children are to do.
- Small color coded groups will be determined the day prior to leaving for the field trip.
- Each staff will have a clipboard with an agenda and a schedule of the field trip.
- Each staff member will carry a walkie talkie so that immediate communication can be made.
- A new role call sheet has been developed to not only check a head count of children but also a roll call of each child.
- Each child will be required to wear a blue field trip shirt .
- Each child will wear a color coded name badge with information on the back such as the child's name, the center's phone number and address.
- Each child's color group will have assigned seats on the school bus.
- Each child who has special needs will be assigned a one to one aide on a field trip.
- Each field trip will be color leveled according to risk factors RED= many risks such as environment, the number of outside kids, ratios. Yellow= the site is contained and the group will be secluded from other groups of children. Green= an in house field trip.

At 3:00 the bus arrived and a head count was made by 2 staff members and the children loaded the bus. We arrived at Paddock at 3:10 and a head count was made again by 3 staff members and the bus was walked through after the last student was off. 2 children did leave the field trip with their parents and I think that this is where the head count error occurred. At 3:15 as we walked into the building the staff and the Directors realized that [REDACTED] was missing. At this time the manager was trying to call us because he had with him.

At 3:16 Michelle Simon called the Family Fun Center and was informed that he was left at the Family Fun Center.

At 3:17 Stephanie Vavruska (Operations Coordinator) was called and notified of the error and the Directors told her we were on route to pick up [REDACTED]

From 3:15 to 3:25 Greg Smith tried to call [REDACTED] at her work number and cell phone number. Greg talked to her briefly at 3:25 and she was informed of the incident.

Thomas was picked up by 3:45

At 3:55 [REDACTED] came and picked up her children and informed us that they had a 4:30 appointment and that she would like to meet with the directors the following day 7/22/09 at 3:30.

Greg Smith and Michelle Simon met with [REDACTED] and she shared with us her concerns and the fact that [REDACTED] had been left on a bus once when he was 5. [REDACTED] also expressed concern about not knowing the staff. *at O.P.S.*

Problem- Prior knowledge of children's behaviors and disabilities and incidents are essential.

Solution- During the summer session a meet and greet/parent meeting will be held so that parents can come and meet each staff member and that parents can share special instructions and information.

[REDACTED]

Individual Staff accounts...

I, Julie Nickel, to the best of my ability, recall every teacher being assigned a small group of four children paired with staff when we arrived. I saw 3 staff people counting the children as they got on the bus. I was the last person on the bus. I saw

take her 2 children and leave from the Family Fun Center. I believed that we had every child on the bus when we left.

I Josh Lagenfelter arrived at the Center got in a group of four got tokens and played games. After we were done we went upstairs and played 18 holes of miniature golf. At 2:30 we came down stairs. I saw staff counting children. An announcement was made that we would be leaving in 5 minutes. We counted kids got on the bus and left.

I, Ben Latka, to the best of my ability, recall that we had all children with us when we left. When we arrived at the center we were told to get in small groups of 4 and then we were able to go and play. I was also informed that we were to report downstairs at 2:30.

I, [REDACTED] to the best of my ability recall, that we arrived at the center and were told to get into small groups. We were also told that we were to meet at 2:30 to have snack. I had Michael W, Dawn W., Alex E, Josh B, and Kevin D in my group. After snack and all the staff and children were loaded I drove myself and [REDACTED] home from the Family Fun center since my shift was over. I was granted permission by Michelle and Greg to drive.

Kelli Urbach -We rode on the bus to the Family Fun Center when we got there the staff and children were told to get into groups of 4. ([REDACTED] was in her group)The children were given tokens and told about miniature golf. I took my group and played games first. We then went upstairs to play mini golf. We ere almost done when we were told to go down stairs for snack I took all of the children down for snack. We ate snack and then got onto the bus.

I, Abby Stromquist, to the best of my ability, recall that when we arrived at Family Fun Center we got into groups. I was in charge of one child, Ethan. When snack was over and the bus arrived, I counted the children as they got on the bus. Michelle counted them as they walked past her in the aisle, and Josh L. counted them before we walked out of Family Fun Center. All three of us counted the same amount of children. When we arrived at Paddock Road we realized immediately that [REDACTED] was not accounted for. A phone call was made and Michelle and Greg went to get him immediately.

I, Josh Amen, to the best of my ability, recall that three other teachers and myself were responsible for the nine preschoolers we took to the Family Fun Center. I was not responsible for the school age children.

Cori Mardi; I was with the preschool group.

Becky Kilcoin was assigned to the preschool group.

Pre-Field Trip Visit

- Is the field trip inside or outside ?
- Who is the contact person ?
- Is it contained or not contained?
- Phone number
- Address
- What specific activities will the children do ?
- Give a brief reflection on what the expectations are for the children.
- Where are the bathrooms
- In the event of a rain date we will reschedule for _____
- Price per child ?
- Price per adults ?
- Hours we will attend
- Hours of Operation
- Fire exits
- Where do we park ?

- What entrance do you want for us to use ?
- Can we bring in lunches/snack ?
- We will bring our first aid kit but is there any first aid provided ?

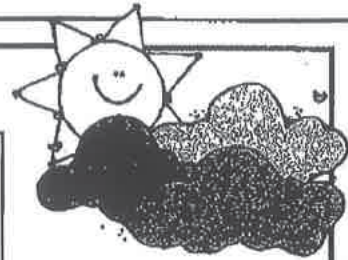
Field Trip Questioner for Parents

- Can your child follow a 4 step direction ?
 - Will your child respond to his or her name when called ?
 - Does your child know his or her full name and his or her parents names?
 - Will your child stay with you in a foreign situation ?
 - Will your child stay with a group ?
 - Are there any history of misbehaviors that we should know about ?
 - Any special qualities that we should know regarding your child.
-

Child's name _____

Parent signature _____

Date _____



**Items to consider on a
Field-Trip**

Is the location indoor or outdoor?

Has anyone been there before?

Contact Person number _____

What entrance do we use? _____

Where do we need to park? _____

Field trip site phone number _____

Please circle ☺

Red-High level of risk factors

**Yellow-Contained away from other
groups.**



#1



Teacher	Teacher	Teacher
1.	1.	1.
2.	2.	2.
3.	3.	3.
4.	4.	4.
5.	5.	5.
6.	6.	6.
Teacher	Teacher	Teacher
1.	1.	1.
2.	2.	2.
3.	3.	3.
4.	4.	4.
5.	5.	5.
6.	6.	6.

Field Trip Small Groups





State of Nebraska

Dave Heineman, Governor

August 3, 2009

Westside Early Childhood-
Westgate Early Childhood Center
11444 Hascall Street
Omaha, NE 68144

CERTIFIED MAIL

Attn: Stephanie Vavruska

Dear Ms. Vavruska:

Nebraska Revised Statutes, Section 71-1911 (4), of the Child Care Licensing Act, effective July 16, 2004, provides the department may place a license on Corrective Action Status.

FACTS:

Westgate Early Childhood Center program coordinator, Stephanie Vavruska contacted Children's Services Licensing on July 22, 2009 to report that a [REDACTED] was left at the Family Fun Center (FFC) while on a center field trip on July 21, 2009. Ms. Vavruska reported that there were twenty-nine children at the FFC with nine staff members. Nine of the children were preschool and twenty were school age students. The children were placed in groups of four with assigned staff member once they arrived at the FFC. At 2:30 p.m. the children and staff had been instructed to meet at the snack station by Michelle Simon, Westgate Club director. The child left behind had been seen at the prize counter and had been told by Simon to go to the snack area. Two staff members were assigned by Simon to check the FFC, which has two levels, to make sure all children were with the main group. After snack a head count was completed when leaving the building and prior to the children boarding the bus, which transported all the children to the child care center. Vavruska reported that two of the twenty nine children did not return on the bus at 3:00 p.m., but were picked up at the FFC by their parent. Vavruska reported that a head count was completed and that a roll call of children's names was not. The center staff determined the child was not with the group as they returned to the child care center and notified their supervisor, the FFC and the child's parent. The child had been taken to the manager of the FCC. Vavruska reported that this [REDACTED] Staff members returned to the Fun Center and picked the child up at 3:45 p.m.

Madsen interviewed Vavruska and Simon on July 30, 2009. Madsen learned that the group included children from several Westside Early Childhood Centers. The staff members were assigned to groups of children when on a field trip. New procedures are now in place to ensure that all children are accounted for. Both Vavruska and Simon felt that if a roll call of names had been completed when the children boarded the bus, this could have been prevented. An incident and corrective plan was received by Children's Services Licensing on July 23, 2009.

REGULATORY BASIS:

Nebraska Revised Statutes, section 71-1919, 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:"...

391 NAC 8-002 Staff Qualifications: in pertinent part.... *Center staff, whether paid or volunteer, shall not engage in or have a history of behaviors injurious to or which may endanger the health or morals of the children in care. (Page 6, Standard 13, Child Care Center Standards).

391 NAC 8-009 Staffing: in pertinent part *Center staff or any person designated by the licensee as having responsibility for children shall have the responsibility to provide adequate and appropriate supervision at all times children are in attendance. Evidence of negligent or willful lack of supervision is basis for denial of an application or suspension or revocation of the center's license. (Page 9, Standard 36, Child Care Center Standards).

DETERMINING CORRECTIVE ACTION STATUS

A non-disciplinary probation license may be issued for the licensee to operate under corrective action status if the department determines:

- (a) A licensee is unable to comply with all licensure requirements and standards or has a history of non-compliance
- (b) The effect of the non-compliance with any rule or regulation does not present an unreasonable risk to 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

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 (6) months.

CORRECTIVE ACTION STATUS- PLAN OF CORRECTION:

Corrective Action Status is voluntary and the decision regarding the placement on corrective status is not appealable. On July 23, 2009, Westside Early Childhood Centers submitted to the department a written corrective plan outlining procedures and policies for the summer programs and field trips. Westside ECC can submit changes to the department to update or add to this policy or any additional information they would like the department to consider before acceptance of the corrective action plan. Any changes must be received by the Department within ten (10) calendar days after receipt of this letter. Please submit additional policy and/or procedure to Renee Madsen, Child Care Inspection Specialist, Children's Services Licensing, Dept. of Health and Human Services, 1801 North 73rd ST., Omaha NE 68114.

FAILURE TO SUBMIT CORRECTIVE ACTION PLAN:

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:

- (a) Issue a probationary (disciplinary) license;
- (b) Suspend or revoke a provisional, probationary or operating 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, effective date of finding of violation and for each day the program is in violation;
- (d) Establish restrictions on new enrollment of the program;
- (e) Establish restrictions or other limitations on the number of children or the age of the children served in the program; or
- (f) Establish other restrictions or limitations on the type of service provided by the program

If you have any questions regarding this letter, please contact Renee Madsen, Child Care Inspection Specialist at 595-3375 or Jo Pfeiffer, Child Care Licensing Supervisor at 595-3335.

Sincerely,



Jo Preifer, Child Care Licensing Supervisor
Children's Services Licensing
NE Department of Health and Human Services, Division of Public Health
1801 North 73rd ST
Omaha, NE 68114

cc: Renee Madsen, Child Care Inspection Specialist
Marsha Wandersee, Administrative Assistant II
Robert Cummings, Resource Development, Contract Management Division

/m