

# NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

May 19, 2017

WESTSIDE EARLY CHILDHOOD/  
SUNSET EARLY CHILDHOOD PROGRAM  
The Westside Community Schools Foundation, Inc, Owner  
Joan Crum, Director  
9030 Western Ave.  
Omaha, NE 68124

Dear Ms. Crum:

In accordance with the letter written by Jo Pfeiffer, Child Care Licensing Supervisor, on May 17, 2017, the original License of Westside Early Childhood-Sunset Early Childhood Program to operate as a Child Care Center in the State of Nebraska has been recently placed on Corrective Action Status. A license imprinted with the term "Corrective Action Status" is enclosed. This status became effective May 17, 2017, and it will remain in effect until November 17, 2017. Upon completion of this term, a new license will be issued to the Child Care Center.

At this time we ask that you submit your current license 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

**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: **9503 WALNUT ST OMAHA NE 68124**

A maximum of **99** 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 - SUNSET EARLY CHILDHOOD** owned by **THE WESTSIDE COMMUNITY SCHOOLS FOUNDATION INC** is hereby issued License No. **CCC7528**  
whose status is **Active-Corrective Action Status** effective from **05/17/2017**

Amended: 05/17/2017

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  
**May 19, 2017.**



Thomas L. Williams, 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

1313 Farnam 3<sup>rd</sup> Floor, Omaha, Ne. 68102

May 17, 2017

CERTIFIED MAIL

Westside Early Childhood/  
Sunset Early Childhood Program  
9503 Walnut Street  
Omaha, NE. 68124

Dear Joan Crum, Director/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 05/17/2017

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, 05/17/2017 to 11/17/2017.

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 Dawn Kozak, Child Care Inspection Specialist at 402-595-3206 or me.

Sincerely,

*Handwritten signature*

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

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

Plan of Correction  
Sunset Early Childhood Center  
Incident on 3/14/2017

1. Identification of issues:

- 391 NAC 3-006.01 Licensee Requirements
- 391NAC 3-006.02 Director Requirements
- 391 NAC 4-006.19 Supervision of children

2. Corrections and maintaining the compliance:

391 NAC 3-006.01 Licensee Requirements-Program Director Julie Oelke will address.

- Julie Oelke (Program Director) has made it mandatory for Joan Crum (Site Director) to attend NDE's "Supervision of Children" training on Friday, April 28th from 9:00-11:00am.
- Julie Oelke (Program Director) met with Site Director Joan Crum on Thursday, April 6th to review WECC and DHHS policies and procedures to ensure appropriate site administration and management. (See Attachment)
- Joan Crum (Site Director) will continue to have monthly meetings with Julie Oelke (Program Director) to monitor her progress on achieving her goal of "adequate and appropriate supervision."
- Julie Oelke (Program Director) will conduct two unannounced observations (one in April, one in May) to ensure and document the procedures outlined in the Supervision of Children section of this corrective action plan are being fulfilled (observation documentation will be provided to Dawn each month).

391NAC 3-006.02 Director Requirements:

My job is to ensure that the center is being managed appropriately in order to provide a safe, healthy, and nurturing environment to all children enrolled in our center. It is my responsibility to manage the day to day operations of the center and maintain compliance with all regulations. It is my responsibility to self report any incident that occurred when a child is left unattended. Here is the correction action:

- Site Director Joan Crum will have a mandatory staff meeting to review supervision policies and procedures as well as licensing regulations regarding supervision on Monday, April 3rd 2017. All staff will sign off on supervision procedures and the staff meeting agenda. Licensing will receive a copy.
- Site Director Joan Crum will monitor staff compliance with program supervision policies and procedures. All staff will carry a copy of supervision policies on their clip board to ensure the children's safety. (Effective immediately)
- Site Director Joan Crum will observe staff members on a weekly basis to monitor their supervision practices when they are working with children. Director Joan Crum will give feedback to all staff to ensure they are following policy and procedures. (Effective Immediately)

- Supervision policies and procedures will be reviewed during the year as a reminder to all staff to provide quality care to all children. Written and oral communication will be provided during quarterly staff meetings as a review. (Effective Immediately)
- When Joan Crum the Director is off site at a meeting or doing errands for the center Assistant Director Jen Wood is responsible for managing the center. The Director Joan Crum will review with the Assistant Director procedures and policies before leaving the center. (Effective Immediately)

391 NAC 4-006.19 Supervision of children - All staff must provide adequate and appropriate supervision to all children who are in attendance on a daily basis to ensure their safety. Here are some changes that are being made to minimize the risk of this occurring incident happening again. All staff attended a supervision meeting on April 3rd, 2017 and we reviewed these changes. These corrections timeline will be effective immediately.

- All doors to the classroom or gym will be closed to ensure all children stay inside the area. All teachers will be monitoring the doors.
- Head counts will be taken every 5 minutes while in the gym or outside to have an accurate count at all times. All staff will have a list of the children that are in their care. All staff will take head counts during all transitions along with an updated list of the children. (See attached form for 5 minute checks)
- All staff will remind children about the rules and expectations when they are in the classroom, gym or outdoors so they are safe. If they need to go the bathroom a teacher will walk them to and from the restrooms.
- All children need to be in sight never leave a child alone not even for a second to put supplies or materials away. Supplies will be put away at the end of the day, or put away by a teacher not included in the ratio count.
- Betty Beckman (Preschool Teacher) will attend the NDE "Supervision of Children" provided by Program Director Julie Oelke at Underwood Hills on Friday, April 28th 2017 from 9:00-11:00 a.m. (Completed 4/28/2017)

Our jobs are to ensure the safety and well being of our children in our center. My staff and I take this incident very seriously, and we all understand how important supervision in our profession. Please let me know if you need anything else from me.

Thank you,  
Joan Crum  
Director of Sunset Early Childhood Center

402 390-8203

March 27, 2017

Certified Mail and Regular Mail

Westside Early Childhood/  
Sunset Early Childhood  
9503 Walnut Street  
Omaha, NE. 68124

Dear Joan Crum / 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 3-149-17, A four year old male child left the gym area, and then the building without staff supervision. The child was unaccounted for for a minimum of 3 minutes.

**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, 3<sup>rd</sup> 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., 3<sup>rd</sup> floor  
Omaha, NE 68102

CC Dawn Kozak, Child Care Inspection Specialist  
Marsha Wandersee, Administrative Assistant II  
Heather Stryker, DHHS Resource Developer Supervisor