

NEBRASKA

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DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

March 12, 2018

PARKVIEW CHRISTIAN SCHOOL
DBA GROWING HEARTS DAYCARE
4400 N 1st St
Lincoln, NE 68521

Dear Licensee:

This letter is to acknowledge receipt, as of March 9, 2018, of check number 32315 for \$320.00 which is payment remitted in accordance with the Notice of Disciplinary Action issued on January 8, 2018, by Thomas L. Williams, MD, Chief Medical Officer, Director, Division of Public Health, Department of Health and Human Services. Therefore, the total amount of \$320.00 has been paid in full.

Thank you for your remittance.

Sincerely,



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

BW/ck

Cc: Children's Services Licensing

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DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

January 29, 2018

GROWING HEARTS DAYCARE
Parkview Christian School, Owner
Teri Hromek, Director
4400 N. 1st Street
Lincoln, NE 68521

Dear Ms. Hromek:


In accordance with the Notice of Disciplinary Action issued on January 8, 2018, by Thomas L. Williams, MD, Chief Medical Officer, Division of Public Health, Department of Health and Human Services, you're the original License of Growing Hearts Daycare 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 January 24, 2018, and it will remain in effect until January 24, 2019. Upon completion of the Probation, a new license will be issued to the Center.

In addition, Growing Hearts Daycare is assessed a Civil Penalty in the amount of \$320.00, payable by February 26, 2018.

At this time we ask that you submit the current license of Growing Hearts Daycare by return mail, within the next seven (7) days, to DHHS, Division of Public Health, Licensure Unit, Attn: Chris Kort, 301 Centennial Mall South, Lincoln, NE 68509-4986.

If you have any questions, please contact Kathee Sanchez, Child Care Licensing Supervisor, at (402) 471-9193.

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

PROBATION

Department of Health and Human Services
Division of Public Health

Parkview Christian School

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

located at: 4400 N 1ST ST Lincoln NE 68521

A maximum of 80 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.

GROWING HEARTS DAYCARE is hereby issued License No. CCC7716 which is effective on 09/09/2002

Amended: 01/24/2019

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 January 29, 2018.



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

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DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

**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 PARKVIEW CHRISTIAN SCHOOL)
DBA GROWING HEARTS DAYCARE)**

**NOTICE OF
DISCIPLINARY ACTION**

LICENSED LOCATION: 4400 N 1st St, Lincoln NE 68521
LICENSE NUMBER: CCC7716
CAPACITY: 80
AGES: SIX WEEKS TO 13 YEARS
HOURS AND DAYS: 6:30 A.M. TO 6:00 P.M., MONDAY THROUGH FRIDAY
DATE INITIALLY LICENSED: SEPTEMBER 9, 2002

NOTICE:

Parkview Christian School DBA Growing Hearts Daycare (hereinafter referred to as "Licensee") 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 Licensee's operating Child Care Center license 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 probationary 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 3-006.01 Licensee Requirements: "The licensee must: ...2. Maintain compliance with all applicable state statutes and child care center regulations;" ...

391 NAC 3-006.02 Director Requirements: "The director is responsible for managing the day-to-day operations of the child care center."

391 NAC 3-006.03A Criminal History Record Checks: The applicant/licensee, if an individual or an individual in a partnership, must complete a pre-employment criminal history record check on him/herself, on each staff member and volunteer age 19 or older, and on each household member age 19 or older if the center is located in a private residence. Documentation must be kept and available for review by the Department.

The check must be conducted through the Nebraska State Patrol or through one or more local law enforcement agencies, as appropriate to the individual's residence(s). If an individual has lived in Nebraska less than 12 months, the applicant/licensee must obtain documentation of a criminal history record check from the previous state(s) of residence.

391 NAC 3-006.03C Reports of Law Enforcement Contact: "The applicant/licensee must complete a Report of Law Enforcement Contact for him/herself, if an individual or an individual in a partnership, and must obtain a completed report for each staff member and volunteer age 19 or older and each household member age 19 or older if the center is located in a private residence. The report must:

1. Be updated, signed, and dated annually;
2. Be updated any time one of these individuals is arrested, issued a citation other than a minor traffic violation, or charged with or convicted of any felony, misdemeanor, or infraction;
3. List all previous and pending criminal charges and arrests, both felony and misdemeanor, regardless of prosecution;
4. List any record of felony and/or misdemeanor charges and arrests related to crimes against children;
5. List any record of felony and/or misdemeanor convictions;
6. List any current or past parole or probation status, including diversion or court supervision; and

7. List details, dates, county, and state of the contact, arrest, charge, conviction, and disposition, if any."

391 NAC3-006.03F Health Information Report: The applicant, if an individual or an individual in a partnership, must submit a completed Health Information Report on a form provided by the Department for him/herself as part of the initial application. All staff who are responsible for the care and supervision of children for more than 20 hours per week must complete the report within 30 days of hiring. The Health Information Report must be completed annually.

The Health Information Report must include an assessment by a health professional of the individual and any health conditions that could negatively affect his/her ability to care for children. If the information indicates that the individual has, or has had, a health condition that could negatively affect his/her ability to care for children, the Department may request additional information.

391 NAC3-006.05B Non-Certificated Teachers: "To be employed as a teacher in a licensed child care center, an individual who is not a certificated teacher must be at least 18 years of age and of good moral character, and must meet one of the following requirements: ...

4. Have a high school diploma or GED; and
 - a. 1500 verified clock hours of experience in organized group activities for young children as indicated by a positive reference from a former employer or supervisor; or
 - b. Submit a written plan for Department approval to acquire at least three credit hours or 45 clock hours of training in administration, early childhood education, education, or child/youth development, in a period not to exceed six months. The licensee must maintain a copy of the written plan and Department approval for Department review."

391 NAC 3-006. 3-006.11 Employee Records Requirements: The licensee must ensure the following employee records are maintained, updated as needed, and made available to the Department upon request. Records must be maintained for at least one year after an employee leaves the center.

391 NAC 3-006.11A Staff: "Records for all staff, except substitutes and volunteers, must include:

1. Name;
2. Address and telephone number;
3. Social Security Number;
4. Date of hire/termination;
5. A completed Report of Law Enforcement Contact;
6. Documentation of a criminal history record check;
7. A completed Health Information Report;
8. Documentation of Nebraska registry checks with no adverse findings;
9. Documentation that the individual has met the qualifications for the position;
10. Documentation of orientation training and required ongoing training; and

11. Documentation that the individual has read and understands these regulations."

FACTS AND FINDINGS:

On June 23, 2016, Teri Hromek, Director, signed a Licensing Agreement effective from June 23, 2016, through December 23, 2016. In the Agreement, the Director acknowledged her understanding and agreement to comply with regulations related to Director Requirements, Criminal History Records Check for staff, and staff qualifications.

On June 21, 2017, Angie Lewis, Child Care Inspection Specialist, Nebraska Department of Health and Human Services, Division of Public Health (hereinafter referred to as "Lewis"), conducted an unannounced semi-annual inspection. At the time of the inspection, Lewis noted repeated violations that were identified in the Licensing Agreement signed on June 23, 2016.

As a result of the repeated violations noted in the June 21, 2017, inspection, the licensee was offered the option to be placed in Corrective Action Status on July 19, 2017. On August 7, 2017, the licensee was notified that the Corrective Action plan submitted was accepted and would be monitored. The Corrective Action Status was to be effective August 7, 2017, and to remain in effect until February 7, 2018.

On October 26, 2017, Lewis conducted an unannounced semiannual and monitoring inspection. Lewis noted violations of required staff records including documentation for a staff (De'Andra Sledge) having a report of Law Enforcement Contact. The terms of the Corrective Action status had been violated.

On November 13, 2017, Lewis received some required information from the Director for staff record violations noted at the October 26, 2017, inspection; however, the information was incomplete, remaining in violation of the Corrective Action status. Information that was not included was the current criminal history check for Sledge. The licensee failed to complete accurate staff records check for Sledge. On November 27, 2017, it was found that Sledge had a criminal history which included a conviction resulting in permanent disqualification of Sledge to work at the center.

The licensee's history of violating the terms of the Corrective Action Status and the failure of conducting the required background checks in a timely manner resulted in a staff person providing care to children who had a criminal history involving a conviction of a crime that involves moral turpitude.

DISCIPLINARY ACTION IMPOSED:

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

1. The Licensee's Child Care Center license is placed on probation for a period of one year effective January 24, 2018. The following conditions apply:
 - a. The plan submitted as part of the Corrective Action Status effective August 7, 2017 and has previously been approved by the Department, must be implemented and followed as described for the entire probationary period.
 - b. The Licensee must provide written documentation for staff qualifications and staff records for all new employees prior to staff working with children. This information must be submitted to Angie Lewis, Child Care Inspection Specialist, Children's Services Licensing, Licensure Unit, Division of Public Health, Richardson County Court House, First Floor, 1700 Stone Street, Falls City, NE 68355.
 - c. 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.)
 - d. The Licensee must submit corrections/documentation to the Department as evidence that all outstanding non-compliances noted at the inspection conducted on October 26, 2017, have been corrected no later than January 23, 2018.
2. The Licensee is assessed a civil penalty in the amount of \$320 (\$2.00 times license capacity of 80 children) for the two days the Corrective Action Status was violated.

Said penalty will be payable to the Nebraska Department of Health and Human Services, Division of Public Health, Licensure Unit. Said penalty must be sent to Chris Kort, Nebraska Department of Health and Human Services, Division of Public Health, Licensure Unit, Children's Services Licensing, PO Box 94986, Lincoln, Nebraska, 68509-4986.

3. Failure to comply with the terms of this disciplinary action, the applicable Child Care Regulations, and failure to correct the violations may 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.
4. A copy of this Notice of Disciplinary Action must be posted with the current childcare 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 the 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 Licensee discontinues the child care program for any reason, the time the Licensee 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 Parkview Christian School DBA Growing Hearts Daycare as licensee/director/owner shall be subject to the terms of this probation including completion of the probationary period. The Licensee 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 week for fifty (50) weeks of a calendar year.

BE ADVISED:

Pursuant to Nebraska Revised Statutes, section 71-1922, this action becomes final on January 23, 2018, 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 on or before such date, 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 on or by January 23, 2018. It should be addressed to:

Chris Kort for DHHS
Children's Services Licensing – Licensure Unit
Division of Public Health
P.O. Box 94986
Lincoln, NE 68509-4986

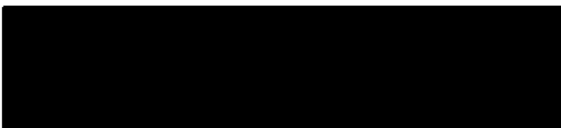
If you request a hearing, you will be notified of the time, date and place of the hearing and other pertinent information, by separate notice. On the basis of such hearing, the director will affirm, modify or rescind the determination of the Department. Be advised that pursuant to Nebraska Revised Statutes, 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 that "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 that "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: January 8, 2018

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



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

CERTIFICATE OF SERVICE

COMES NOW, the undersigned and certifies that on the 9 day of January 2018, a copy of the foregoing **NOTICE OF DISCIPLINARY ACTION** was sent by certified and first class United States mail, sufficient postage prepaid to Parkview Christian School, 4400 North 1st St, Lincoln NE 68521.



Chris Kort

NEBRASKA

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DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

August 15, 2017

GROWING HEARTS DAYCARE
Parkview Christian School, Owner
Teri Hromek, Director
4400 North 1st Street
Lincoln, NE 68521

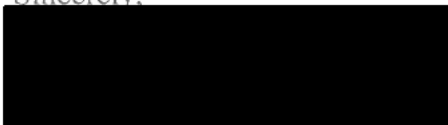
Dear Ms. Hromek:

In accordance with the letter written by Kathee Sanchez, Child Care Licensing Supervisor, on August 7, 2017, the original License of Growing Hearts Daycare 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 August 7, 2017, and it will remain in effect until February 7, 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 Growing Hearts Daycare 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 Kathee Sanchez, Child Care Licensing Supervisor, at (402) 471-9193.

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

Parkview Christian School

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

located at: 4400 N 1ST ST Lincoln NE 68521

A maximum of **80** 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**.

GROWING HEARTS DAYCARE is hereby issued License No. **CCC7716**
whose status is **Active-Corrective Action Status** effective from **08/07/2017**

Amended: 08/07/2017

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
August 15, 2017.



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

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DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

August 7, 2017

Teri Hromek, Director
Growing Hearts Daycare
4400 N 1st Street
Lincoln, NE 68521

Dear Ms. Hromek,

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 August 7, 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, August 7, 2017 to February 7, 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 Angie Lewis, Child Care Inspection Specialist at (402) 245-4439 or me.

Sincerely,

A black rectangular redaction box covering the signature of the sender.

Kathee Sanchez, Child Care Licensing Supervisor
Children's Services Licensing
Nebraska Department of Health and Human Services - Licensure Unit
P.O. Box 94986
Nebraska State Office Building, First Floor
301 Centennial Mall South
Lincoln, NE 68509-4986

Cc. Angie Lewis, Child Care Inspection Specialist
Rita Krusemark, Program Specialist
Janet Ensz, Resource Development

Growing Hearts Corrective Plan

Standards of Operation and Care:

I will implement the steps to make sure when the Director is away, the Assistant knows what to do and can manage the center under any circumstances.

Director Requirements

In sure the center is running good and employees are doing their job and children are safe and well cared for. Director will always make sure there is always enough staff for the center. Director should not be counted in center count, only in the event of an emergency. The director spends more time in the office to keep up on paperwork. The assistant director needs to know all aspects of the center so she can make sure all rooms are doing what they should be doing and children are happy and safe. Teachers will read rules and regulations.

Director will make sure all staff have all paperwork and qualifications in place before they start working. Paperwork needs to be updated yearly and the director will make sure all staff are current on training hours. An employee file with service hours and qualifications will be made to help the Director keep up on this. Teachers will continually be trained and up-to-date on new ideas. Rooms will have parents handouts to keep them informed on news from the center and state.

Children files will be checked weekly to make sure all information is up-to-date. Paperwork will be one of my first priorities and making sure the assistant is doing her job and can run the center at all times and having enough staff so I can do my job completely and correct.

Teri Hromek
Director

All my employees will have a file that all training is listed on so I can see how many hours they have and need and have early learning guidellnes.

Staff have a checklist I cross off when I am doing orientation with them, Teacher have list of their duties that need to be done. The assistant director will follow up with this.

My assistant director will check ratios in rooms and every hour. Staff will count kids every half hour and let the assistant director or the director know if they are over ratio.

I, Teri, will check all staff files quarterly to see who needs in-service hours and what training staff need. I along with my 2 sister centers will schedule trainings for staff.

My assistant director will check child files every week to see if any paperwork is missing. My assistant will have a checklist to follow to make sure this is done. Checklist will be gone over and talked about daily in our huddles.

All staff have sign in/ out boards in their rooms. Parents will sign their children out as they leave. Teachers sign children in. Staff are required to sign into and out of each room, so we know who was in that room.

Staff Orientation Checklist

Employee checklist

- Employee Handbook
- Parent Handbook
- Tour the Center
- State Regulations
- Sign In Sheet
- Cleaning Schedule
- Accident/Incident Reports
- Emergency Procedures
- Discipline Policy
- Health Policies
- First Aid Procedures
- In-service Hours
- Breakfast/Lunch/Snack
- Lesson Plans

The director has reviewed the information listed concerning procedures and policies. I have read and understand the information presented to me.

Employee Signature

Date

Director will be using supplemental training record for employees that will be at the front of the file showing the Director what hours employees have, what training that have, and what needs to be done.

Supplemental Training Record

Staff Records

Safe with You Every 5 years	Hours	Date Taken	Renewal Date
Sudden Infant Death Syndrome	1 hr.		
Shaken Baby Syndrome	1 hr.		
Child Abuse Neglect And Reporting	2 hr.		

Nebraska Early Learning Guidelines	Date Taken
Social and Emotional Development	
Approaches to Learning	
Health and Physical Development	
Language and Literacy Development	
Mathematics	
Science	
Creative Arts	

Safety Training	Hours	Date Taken	Renewal Date
CPR	2 hours		
First Aid	1 hour		

Other Specialized Training	Date Taken	Renewal Date
Nutrition and Food Safety		
Health and Safety		
Safe Kids Buckle up		

The Director Teri Thromet will follow
the staff records checklist to make
sure all staff has this done
before starting work.

All marks will be ✓ off for staff.

STAFF RECORDS CHECKLIST

Staff Name _____

Address _____

Telephone _____ Social Security Number _____

_____ Date of Employment _____ Date of Separation _____

_____ Report of Law Enforcement Contact (signed yearly) Date Signed _____

_____ Criminal History Record Check Completed

_____ Health Information Report Completed (yearly) Date Completed _____

_____ Nebraska Child Abuse/Neglect / Adult Protective Services Central Registry checks completed. Date Completed _____

_____ State Patrol Sex Offender Registry check. Date completed _____

_____ Statement from director certifying staff qualifications

_____ Documentation of staff qualifications

_____ Documentation of orientation training

_____ In-service Records: Average hours worked:
21 - 40 : 12 hours per year required
20 or less : 6 hours per year required

_____ Documentation of reading and understanding "Child Care Center Regulations"

DIRECTOR'S STATEMENT

I _____, Director of _____ Certify that
_____ meets the qualifications for
_____ under Option _____

In the Child Care Regulation Book, page _____

Director's Signature

Date

3-006.05 Teacher Qualifications: A teacher must be at least 18 years of age and of good moral character, and must meet one of the following requirements:

1. Hold a bachelor's degree from an accredited college or university in education or child/youth development;
2. Hold an associate degree from an accredited college or university in education or child/youth development;
3. Have a Child Development Associate Credential; or
4. Have a high school diploma or GED; and
 - a. 1500 verified clock hours of experience in organized group activities for young children as indicated by a positive reference from a former employer or supervisor; or
 - b. Submit a written plan for Department approval to acquire at least three credit hours or 45 clock hours of training in administration, education, or child/youth development, in a period not to exceed six months. The licensee must maintain a copy of the written plan and Department approval for Department review.

Assistant will check ratio in rooms every hour. Staff will count kids every half hour and let the assistant director or the director know if they are over ratio.

Ratio (Teachers to Children)

Infants: 1:4 or 2:8

Toddlers: 1:6

Preschool (3's): 1:10

Preschool (4-5's): 1:12

School-age: 1:15

GROWING HEARTS ATTENDANCE

children room sign-in-a

Monday	Tuesday	Wednesday	Thursday	Friday	Notes
In Out	In Out	In Out	In Out	In Out	
In Out	In Out	In Out	In Out	In Out	
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In Out	In Out	In Out	In Out	In Out	

Teacher sign in and out

Remember to mark when you enter a room and when you leave a room! (i.e. beginning of the day, bathroom breaks, water breaks, etc)

	<u>Time in</u>	<u>Time out</u>

+

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Pete Ricketts, Governor

July 19, 2017

Certified Mail and Regular Mail

Teri Hromek, Director
Growing Hearts Daycare
4400 N 1st Street
Lincoln, NE 68521

Dear Ms. Hromek,

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.

FACTS:

Child Care Inspection Specialist Angie Lewis received a complaint alleging that staff at Growing Hearts Daycare emotionally and physically abused children in care. CCIS Lewis and Tessa Harding, Children and Family Services worker, conducted a complaint investigation at the center on May 10, 2017. Allegations were unable to substantiate for emotional or physical abuse and unable to substantiate for prohibited forms of discipline. Allegations were substantiated for adequate and appropriate supervision.

Child Care Inspection Specialist Angie Lewis conducted an unannounced semi-annual inspection at the center on June 21, 2017. The center was not in compliance with regulations pertaining to: Director Requirements; Report of Law Enforcement Contact (repeat violations – 06-15-16, 04-27-15); Staff Records (repeat violations - 06-15-16; 11-10-15; 04-27-15; 12-15-14; 04-14-14); Health Information Report (repeat violations - 06-15-16; 04-27-15; 07-10-14; 12-15-14); Teacher Qualifications (repeat violations - 06-15-16; 11-10-15; 04-27-15; 12-15-14; 04-14-14); Annual Training; Parent Information Brochure; Maintenance of Materials, Disaster Preparedness Plan; and Water Supply. Licensing Agreement pertaining to repeat violations implemented 06-23-16 through 12-23-16.

REGULATORY BASES:

391 NAC 3-006 Standards of Operation and Care: To provide adequate protection to children in care and to comply with state law, a child care center must meet the following standards

391 NAC 3-006.01 Licensee Requirements: The licensee must:

1. Ensure that the center is administered and managed appropriately;
2. Maintain compliance with all applicable state statutes and child care center regulations;
5. Ensure that the center has sufficient resources to provide a safe, healthy, and nurturing environment to all children enrolled in the center.

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 report to the licensee all matters related to the maintenance, operation, and management of the child care center and be directly responsible to the licensee or to a person delegated governing authority by the licensee. The director must:

1. Be responsible for the center's compliance with rules and regulations;
5. Assess his/her own ability and the ability of all staff to provide care for children with special needs while meeting the needs of other children enrolled;
7. Schedule training and continuing education for all staff and ensure that records are maintained including the date, topic, and length of time for each training entry;
8. Ensure that center staff identify and review incidents, accidents, complaints, and concerns, and monitor patterns and trends in overall operation and take action to alleviate problems;

391 NAC 3-006.03C Reports of Law Enforcement Contact: The applicant/licensee must complete a Report of Law Enforcement Contact for him/herself, if an individual or an individual in a partnership, and must obtain a completed report for each staff member and volunteer age 19 or older and each household member age 19 or older if the center is located in a private residence. The report must:

1. Be updated, signed, and dated annually;
2. Be updated any time one of these individuals is arrested, issued a citation other than a minor traffic violation, or charged with or convicted of any felony, misdemeanor, or infraction;
3. List all previous and pending criminal charges and arrests, both felony and misdemeanor, regardless of prosecution;
4. List any record of felony and/or misdemeanor charges and arrests related to crimes against children;
5. List any record of felony and/or misdemeanor convictions;
6. List any current or past parole or probation status, including diversion or court supervision; and
7. List details, dates, county and state of the contact, arrest, charge, conviction, and disposition, if any.

391 NAC 3-006.03F Health Information Report: The applicant, if an individual or an individual in a partnership, must submit a completed Health Information Report on a form provided by the Department for him/herself as part of the initial application. All staff who are responsible for the care and supervision of children for more than 20 hours per week must complete the report within 30 days of hiring. The Health Information Report must be completed annually.

The Health Information Report must include an assessment by a health professional of the individual and any health conditions that could negatively affect his/her ability to care for children. If the information indicates that the individual has, or has had, a health condition that could negatively affect his/her ability to care for children, the Department may request additional information.

391 NAC 3-006.05B Non-Certificated Teachers: To be employed as a teacher in a licensed child care center, an individual who is not a certificated teacher must be at least 18 years of age and of good moral character, and must meet one of the following requirements.

1. Hold a bachelor's degree from an accredited college or university in early childhood education, education or child/youth development,

2. Hold an associate degree from an accredited college or university in early childhood education, education or child/youth development;
3. Have a Child Development Associate Credential; or
4. Have a high school diploma or GED; and
 - a. 1500 verified clock hours of experience in organized group activities for young children as indicated by a positive reference from a former employer or supervisor; or
 - b. Submit a written plan for Department approval to acquire at least three credit hours or 45 clock hours of training in administration, early childhood education, education, or child/youth development, in a period not to exceed six months. The licensee must maintain a copy of the written plan and Department approval for Department review.

391 NAC 3-006.10D Annual Training: Each staff member, not including substitutes or volunteers, who provides direct care to children must obtain a minimum of 12 clock hours of training annually. Staff who work 20 hours or less each week must obtain six clock hours of training annually.

391 NAC 3-006.11 Employee Records Requirements: The licensee must ensure the following employee records are maintained, updated as needed, and made available to the Department upon request. Records must be maintained for at least one year after an employee leaves the center.

391 NAC 3-006.11A Staff: Records for all staff, except substitutes and volunteers, must include:

1. Name;
2. Address and telephone number;
3. Social Security Number;
4. Date of hire/termination;
5. A completed Report of Law Enforcement Contact;
6. Documentation of a criminal history record check;
7. A completed Health Information Report;
8. Documentation of Nebraska registry checks with no adverse findings;
9. Documentation that the individual has met the qualifications for the position;
10. Documentation of orientation training and required ongoing training; and
11. Documentation that the individual has read and understands these regulations.

391 NAC 3-005.19 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.

391 NAC 2-002 DEFINITIONS

Adequate and appropriate supervision includes:

1. Knowing the whereabouts and being within sight or sound of all children at all times;
2. Being awake, alert, attentive, and responsive to the needs of all children, and
3. Protecting or removing children from harm.

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 Angie Lewis, Child Care Inspection Specialist, Nebraska Department of Health and Human Services, Office of Children's Services Licensing, Richardson County Courthouse 1st Floor, 1700 Stone Street Falls City NE 68355 within ten calendar days after you receive this letter.

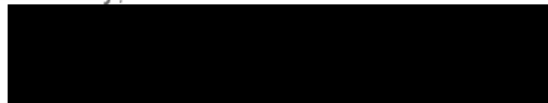
If you do not submit a written plan of correction or the written plan of correction is not approved, the Department may discipline your license by imposing one or a combination of the following types of Disciplinary Action:

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 questions regarding this letter, please contact Angie Lewis, Child Care Inspection Specialist at 402-245-4439 or me at 402-471-9193.

Thank you.

Sincerely,



Kathee Sanchez, Child Care Licensing Supervisor
Children's Services Licensing
Nebraska Department of Health and Human Services - Licensure Unit
P.O. Box 94986
Nebraska State Office Building, First Floor
301 Centennial Mall South
Lincoln, NE 68509-4986

Cc. Angie Lewis, Child Care Inspection Specialist
Rita Krusemark, Program Specialist
Kay Bourn, Resource Development

NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

June 29, 2017

via e-mail and mail

Parkview Christian School
Growing Hearts
Attn: Ms. Teri Hromek
4401 N 1st Street
Lincoln NE 68521

Dear Ms. Hromek,

This letter is to inform you that the Interim Licensing Agreement you signed on May 10, 2017 has been terminated effective June 29, 2017. While the OCIS investigation regarding licensing issues is still ongoing I will close this licensing agreement as I understand Investigations are concluded.

If you have any questions, please contact me at 402-471-9193

Sincerely,



Kathee Sanchez, Child Care Inspection Supervisor
Office Children's Services Licensing
Nebraska Department of Health and Human Services
301 Centennial Mall South
Lincoln NE 68509-4986

Cc: File
Rita Krusemark
Angie Lewis

NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES



INTERIM LICENSING AGREEMENT

I, Teri Hromek, Licensee/Director, Parkview Christian School a Child Care Center operating five days a week Monday through Friday, 6:30 AM to 6:00 PM a day as Growing Hearts, license number CCC7716, 4400 N 1st Street, Lincoln, NE 68521, hereby voluntarily state and declare: I have read and understand the Regulations governing licensure of Child Care Centers.

I agree to comply with each of the Child Care Center Regulations, as long as I am licensed by the State of Nebraska to provide child care services. [REDACTED]

I understand and agree to comply with: [REDACTED]

On Friday, May 5, 2017, the Office of Children's Services Licensing (OCSL) became aware of an investigation involving Yvette Myrick and Destini Waage.

I understand and agree that under no circumstances will I, Teri Hromek, allow Yvette Myrick or Destini Waage to be alone with child care children until the investigations by Law Enforcement, [REDACTED] and the OCSL are complete and findings are determined.

I will ensure that this Interim Licensing Agreement will be prominently posted with the current Child Care Center license so it is clearly visible to parents and Department representatives.

I understand that the OCSL shall conduct announced or unannounced visits to my facility to determine compliance with this Agreement.

Any violation of this Agreement may be grounds for further negative action or discipline as the Department of Health and Human Services, Division of Public Health, OCSL, may deem appropriate.

This Agreement is an Interim Licensing Agreement which means that the Department reserves the right to take additional action as deemed appropriate. However, any violation of this Interim Licensing Agreement may be grounds for further negative action or discipline as the Department of Health and Human Services, Division of Public Health, OCSL, may deem appropriate.

This Agreement shall be in effect from the signing of this Agreement for as long as the Department deems it appropriate and upon completion of an ongoing investigation. Should the Child Care Center license be amended because of a change of address, this Agreement may transfer to the new address if appropriate to the conditions of this Interim Licensing Agreement.

[REDACTED]

Licensee/Director

5-10-17

Date

[REDACTED]

Child Care Inspector, Specialist

[Signature]

Date

Division Manager

Date

LICENSING AGREEMENT

I, Teri Hegerek, Director, hereby certify and declare:

I am the Director of Licensing, located at 2001 N. 24th St., 2400 N. P. Street, Lincoln, NE 68521.

I have requested and received the Department of Licensing License for a Child Care Center, Title 201 Chapter 201.001.

I agree to comply with all the regulations governing the issue of Child Care Center, effective May 26, 2013 as long as I am licensed by the State of Nebraska to provide child care services.

I understand and agree to comply with:

201 NAC 201.00103 Director, Requirements: The Director is responsible for managing the day-to-day operations of the child care center. The Director must report to the licensee all matters related to the maintenance, operation, and management of the child care center and be directly responsible to the licensee or to a person delegated governing authority by the licensee. The Director must:

1. Be responsible for the center's compliance with rules and regulations.
2. Be within the child care center a sufficient number of hours to permit adequate attention to the management of the center.

201 NAC 201.00103A Criminal History Records Check: The applicant/licensee, if an individual or an individual in a partnership, must complete a one-employment criminal history record check on him/herself on each staff member and volunteer, age 19 or older, and on each household member age 19 or older if the center is located in a private residence. Documentation must be kept and available for review by the Department. The check must be conducted through the Nebraska State Patrol or through one or more local law enforcement agencies, as appropriate to the individual's residence(s). If an individual has lived in Nebraska less than 12 months, the applicant/licensee must obtain documentation of a criminal history record check from the previous state(s) of residence.

201 NAC 201.00103B Non-Certificated Teachers: To be employed as a teacher in a licensed child care center, an individual who is not a certificated teacher must be at least 18 years of age and of good moral character, and must meet one of the following requirements:

1. Hold a bachelor's degree from an accredited college or university in early childhood education, education or child/youth development;
2. Hold an associate degree from an accredited college or university in early childhood education, education or child/youth development;
3. Have a Child Development Associate Credential; or
4. Have a high school diploma or GED, and
 - a. 1500 verified clock hours of experience in organized group activities for young children as indicated by a positive reference from a former employer or supervisor; or
 - b. Submit a written plan for Department approval to acquire at least three credit hours or 45 clock hours of training in administration, early childhood education, education, or child/youth development, in a period not to exceed six months. The licensee must maintain a copy of the written plan and Department approval for Department review.

09/26/2016 HSA Staff Review of all staff records submitted and violations noted as follows:

- 1. Name
- 2. Address and phone number
- 3. State Secretary Number
- 4. Date of hire/transfer date
- 5. A completed Report of Law Enforcement Contact
- 6. Documentation of a criminal history beyond checks
- 7. A completed Health Information Report
- 8. Documentation of background registry checks within adverse findings
- 9. Documentation of the individual beyond the qualifications for the position
 - a. Documentation of cumulative training and required ongoing training, and
 - b. Documentation that the individual has read and understands these regulations

I understand and agree that having an unannounced semi-annual inspection on June 15, 2016 complete staff records were unavailable that proves proof of teacher qualifications on those staff and proof of criminal records checks completed on June 15th. Repeat violations for proof of teacher staff history were cited on April 18, 2016, December 15, 2016, April 27, 2017, and November 10, 2017. I understand and agree that pre-employment criminal history checks are required on each staff member before these staff members are responsible for the care of children.

The person who I personally employed to be criminally profited with me Child Care Center Teacher as well as other workers had to do away with these matters.

I understand and agree that I am responsible for ensuring staff shall conduct themselves in accordance with the original regulations and policies of the Center.

Any violation of this Agreement by myself or anyone else who is employed at the National Daycare of Health and Human Services, Division of Public Health, Licensing & Regulatory Services, I hereby agree to accept that.

I understand and agree that I am responsible for ensuring after all I am the agreement and to reviewed and if needed, corrected and provided. In addition, should a change of address or if you do not apply for a license or if you are licensed, this Licensing Agreement may transfer to the new address and be subject to the provisions of this Licensing Agreement.

[Redacted Signature]

Director, Licensed

HEALTH

10-20-16

Date

[Redacted Signature]

Director, Licensed

Director, Licensed

HEALTH

10-20-16

Date