

Division of Public Health

State of Nebraska  
Dave Heineman, Governor

June 27, 2011

FREMONT CHILDREN'S ACADEMY, INC  
2436 Colorado Street  
Fremont, NE 68025

Dear Ms April Ross:

In accordance with the letter written by Rene Tiedt, Child Care Licensing Supervisor, on June 21, 2011, 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 June 21, 2011, and it will remain in effect until December 21, 2011. 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.

Sincerely,



Helen L. Meeks, Administrator  
Licensure Unit

HLM/dcp

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  
Division of Public Health

## **Fremont Children's Academy, Inc**

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

located at: **2436 COLORADO ST Fremont NE 68025**

A maximum of **88** children in ages **6 WKS** to **12 YRS** may be in attendance at any one time during the hours of **0600** to **0100** on **MTWTFSS**.

**FREMONT CHILDREN'S ACADEMY, INC** is hereby issued License No. **CCC8796**  
whose status is **Active-Corrective Action Status** effective from **06/21/2011**

Amended: **06/21/2011**

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  
**July 11, 2011.**



*Joan Schaefer*  
Joan Schaefer MD, Chief Medical Officer, Director  
Division of Public Health, Department of Health and Human Services

June 21, 2011

Fremont Children's Academy, Inc.  
ATTN: April Ross  
2634 Colorado Street  
Fremont NE 68025

Dear Ms Ross:

I have received and reviewed your Corrective Action Plan received on June 21, 2011. You have addressed all of items included in the Corrective Action Notice. Your plan is now approved.

Your plan stated:

1. You developed a written policy for supervision of children all times they are in care (written policy submitted with this plan).
2. All staff will attend a two (2) hour workshop on the topic of adequate and appropriate supervision. This must be a face to face training held in a group setting and conducted by an outside trainer. **Name of trainer will be approved by CCIS Richardson in advance. Copies of training certificates must be submitted to CCIS Richardson by July 30, 2011.**
3. You will follow your plan.

Your Corrective Action Status is in effect from June 21, 2011 to December 21, 2011.

You are subject to monitoring visits by Children's Service's Licensing Staff to determine compliance with this plan.

If at any time subsequent to your placement on Corrective Action Status, should Children's Services Licensing receive substantiated concerns or complaints relating to the care, well being or risk to children in care, Children's Services

Licensing / Licensure Unit will initiate further negative action against your Child Care Center license.

If you have questions regarding this letter, please contact Diana Richardson at 402-727-3231 or me at 402-471-9193.

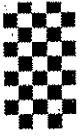
Thank you.

Sincerely,

*Rene' Tiedt* by - *Diana Richardson*

Rene' Tiedt  
Child Care Licensing Supervisor  
Children's Services Licensing-Licensure Unit  
P.O. Box 98933  
Lincoln, NE 68509

Cc. Diana Richardson, Child Care Inspection Specialist  
Marsha Wandersee, Administrative Assistant II



JUN 21 2011 12:11 PM

NO. 1042 P. 1

June 21, 2011

To whom it may concern,

We received your letter regarding our corrective action status. The following is our corrective action plan. All staff have been trained to follow the new outdoor supervision policy we have developed. The policy is also posted throughout the center.

\*All staff will attend a 2 hour training on Adequate and Appropriate Supervision.

\*Develop a written outdoor supervision policy. (Attached)

\*All staff will follow the written plan.

Please let me know if any further steps are required.

Sincerely,

April Ross  
Director

# **Outdoor Supervision Policy**

**The following outlines our policy on proper supervision when outdoors. All staff must follow this policy at all times.**

\*Staff shall keep a written list with children's names while in attendance. Random checks will be conducted throughout the day.

\*Staff shall have children remain seated on entry benches to change shoes upon entry & exit of playground.

\*Staff shall send "guest" inside to have ID's checked.

\*Staff will use phone intercom to communicate in times of emergency or as necessary. A FCA phone will be brought out with staff.

\*Staff will walk around playground at all times to supervise all areas.

\*Staff will check playground and entry for children before exiting.

\*Staff will follow FCA policy of "classroom ratio" while outside.

\*Staff will not combine on playground with other classes if more than 15 children are on playground at a time.

\*Staff will follow scheduled "gym/outdoor time"

\*Staff will keep children in sight, supervised at ALL TIMES. (Including bathroom breaks, placing items in lockers, etc.)

\*Staff shall count children at the following times:

1. While on bench changing shoes.
2. In line to exit
3. In line upon entry of playground along fence before playing.
4. Randomly while playing
5. In line upon exit of playground along fence before returning inside.
6. While standing in line along building to enter.
7. While sitting on bench upon re-entry.

June 7, 2011

Fremont Children's Academy, Inc.  
ATTN: April Ross  
2634 Colorado Street  
Fremont NE 68025

CERTIFIED MAIL

Dear Ms. Ross:

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.

**FACTS:**

May 26, 2011- CCIS Diana Richardson conducted an unannounced visit to your facility, to investigate allegations that a daycare child was left on the playground unattended for approximately three minutes. Richardson spoke with two staff members who confirmed that a child enrolled at and attending Fremont Children's Academy had in fact been left in the fenced playground. A staff person had taken her group of children into the building to check identification of a person picking up another child. Staff checked the number of children they had inside the building and immediately returned to the playground to get the child who was left outside. The child was left outside for an estimated three minutes.

**Regulatory Bases:**

**391 NAC 8-002 Staff Qualifications:**

The licensee and the director shall not knowingly allow any person, neither paid nor volunteer, who has been convicted of, admitted to, or there is substantial evidence of crimes involving intentional bodily harm, crimes against children, crimes involving the illegal use of a controlled substance, or crimes involving moral turpitude to be on the center premises. 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. The licensee shall list all staff, including volunteers. #13 Page 7.

**391 NAC 8-009 Staffing:**

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. #36 Page 9.

### **DETERMINING 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 non-compliance;
- (b) The effect of non-compliances with any rule or regulations 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.

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

### **CORRECTIVE ACTION STATUS PLAN:**

Corrective action status is voluntary and the decision regarding placement on corrective action status is not appealable. However, you are required to submit a written plan of correction that must be approved by the Department.

The minimum the plan should specifically address is the following:

1. The Licensee will develop a written policy for supervision of children that includes how children will be monitored at all times they are in care.
2. All staff will attend a two (2) hour workshop on the topic of adequate and appropriate supervision. This must be a face to face training held in a group setting and conducted by an outside trainer. Name of trainer will be approved by CCIS Richardson in advance. Copies of training certificates must be submitted to CCIS Richardson by July 30, 2011.
3. You will follow the plan you submit.

Please submit your written Corrective Action Plan to Diana Richardson, Child Care Inspection Specialist, Child Services Licensing, Licensure Unit, 435 North Park- Room 303, Fremont, Nebraska 68025 within 10 calendar days.

### **FAILURE TO SUBMIT CORRECTIVE ACTION PLAN:**

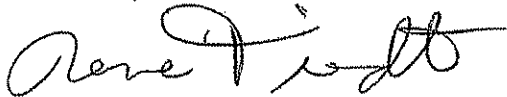
If you do not submit a written plan of correction or the written plan of correction is not approved, the Department may discipline your license by imposing one or a combination of the following types of disciplinary action:

- (a) Issue a probationary (disciplinary) license;
- (b) Suspend or revoke a provisional, probationary, or operating license;
- (c) Impose a civil penalty of up to \$5.00 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;
- (d) Establish restrictions on new enrollment in 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 Diana Richardson at 402-727-3231 or me at 402-471-9193.

Sincerely,

A handwritten signature in black ink, appearing to read "Rene Tiedt". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Rene Tiedt  
Child Care Licensing Supervisor  
Children's Services Licensing- Licensure Unit  
P.O. Box 98933  
Lincoln, NE 68509

Cc. Diana Richardson, Child Care Inspection Specialist  
Marsha Wandersee, Administrative Assistant II