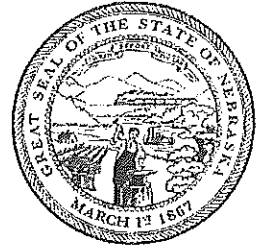


# NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

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

THE OPERATING CHILD CARE CENTER OF )  
FIRST CONGREGATIONAL CHURCH CHILD ENRICHMENT CENTER )  
OWNED BY FIRST CONGREGATIONAL CHURCH

LICENSING  
AGREEMENT

LICENSED LOCATION: 1550 N. BROAD ST., FREMONT, NE 68025

LICENSE NUMBER: CCC8979

CAPACITY: 150

AGES: 6 WEEKS TO 13 YEARS

HOURS AND DAYS: 5:30 AM TO 6:00 PM MONDAY THROUGH FRIDAY

DATE INITIALLY LICENSED: OCTOBER 10, 2007

I, Nancy Goudhe, hereby state and declare:

1. I am the Director of the above-mentioned childcare program.
2. I have read, understand and agree to comply with all the Regulations Governing Licensure of Child Care Centers, Title 391, as long as I am licensed by the State of Nebraska to provide child care services. Specifically,

391 NAC 3-006.01 Licensee Qualifications and 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; ...
7. Be in compliance with all regulations whenever any children are in care."

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;
2. Be within the child care area a sufficient number of hours to permit adequate attention to the management of the center; " ...

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

391 NAC 3-006.20 Discipline: When parents are not present, the responsibility for the discipline of children in care lies only with the licensee/director or the designated substitute.

391 NAC 3-006.20A Prohibited Forms of Discipline: The following actions are prohibited as a form of discipline:

1. Spanking;
2. Slapping;
3. Pinching;
4. Punching;
5. Shaking;
6. Striking with any object;
7. Use of soap, hot sauce, or other unpleasant food and non-food items;
8. Isolating a child in a locked or closed room or closet;
9. Handling roughly;
10. Biting;
11. Denial of food;
12. Forced napping;
13. Subjecting children to derogatory remarks about the child or the child's family;
14. Abusive or profane language directed at children;
15. Yelling or screaming at children;
16. Threats of physical punishment; or
17. Mechanical restraints.

391 NAC 3-006.20B Child Behavior That Cannot Be Disciplined: Children must not be disciplined for:

1. Toileting accidents;
2. Refusal to take medication; or
3. Refusal to eat.

3. I understand that this agreement is based on the fact that **the Office of Children's Services Licensing (OCSL)** conducted an inspection on July 2, 2018, due to a self-report of an incident of a child getting out of the facility. During an interview with staff and director, it was indicated that staff told child that they needed to assist in cleaning up the bathroom after a toileting accident.

4. I understand and agree with the following:

- A. I will re-train all current staff by September 30, 2018, and any new hires within 10 days of hire, on 391 NAC 3-006.20A Prohibited Forms of Discipline; and have them sign documents attesting to such. Acknowledgement of training will be sent to CCIS Brenda Herring with 10 days of completion.
- B. This Agreement will be prominently posted with the current license so it is clearly visible to parents and Department representatives.
- C. That the OCSL shall conduct announced or unannounced visits to my facility to determine compliance with this Agreement.

5. Any violation of this Agreement may be grounds for further negative action or discipline.

6. This Agreement shall be in effect from the signing date for 6 months. Should the 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 Signature]

Licensee/Registered Agent

9-11-18  
Date

[Redacted Signature]

Child Care Inspection Specialist  
Brenda Herring

9/11/18  
Date



May 5, 2010

First Congregational Church Child Enrichment Center  
1550 N Broad  
Fremont NE 68025

Dear Ms. Black:

In accordance with the letter, written by Rene Teidt, Child Care Licensing Supervisor, on April 16, 2010, 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 April 16, 2010, and it will remain in effect until October 16, 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.

Sincerely,



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

Division of Public Health

**FIRST CONGREGATIONAL CHURCH of FREMONT UNITED CHURCH of CHRIST** is hereby authorized in compliance with laws of the State of Nebraska to establish and conduct an **Operating Child Care Center**

located at: **1550 N BROAD Fremont NE 68025**

A maximum of **150** children in ages **6 WKS to 13 YRS** may be in attendance at any one time during the hours of **0530 to 1800** on **MTWTHF**.

**FIRST CONGREGATIONAL CHURCH CHILD ENRICHMENT CENTER** is hereby issued License No. **CCC8979**

whose status is **Active-Corrective Action Status** effective from **04/16/2010**

Amended: **01/13/2009**

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 **May 12, 2010.**



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



April 16, 2010

Jackie Black  
First Congregational Church Child Enrichment Center  
1550 N Broad  
Fremont NE 68025

I have received and reviewed the Corrective Action Plan you submitted. Your plan is approved.

Your plan stated you have / will:

1. Hire an additional staff member to work in the mornings to assist with breakfast and morning diaper checks.
2. You (Jackie Black, Director) has visited with all staff to discuss and situations here they feel additional assistance is needed to help provide the best supervision for children.
3. Nancy Gourdy, Administrative Director, has been doing consistent checks to make sure that staff are following these procedures in the early morning, as well as offer help when needed.
4. Placed a sign outside the door to remind all staff, parents and other adults that the door must remain shut at all times.
5. Staff reminds parents to enter rooms completely during drop off and pick up time to help prevent children from "sneaking" out the doors.
6. Staff has been strongly reminded to constantly head count all the children in their care and compare numbers to the daily sign in sheets.
7. It has been our policy to not allow cell phone usage for personal calls. Staff received reminders of this policy and reminder sheets have been put in rooms. Staff were also been reminded of the potential repercussions of using cell phones for personal use when children are present and under their care.
8. All staff will be required to attend a two hour face to face training regarding the topic of adequate and appropriate supervision. Kelly Vanness (out of Columbus) has been contacted. I am awaiting a return phone call. I will notify Diana Richardson as soon as the classes are scheduled. The training certificates will be submitted to Diana Richardson no later then June 30, 2010.


You are required to follow the plan you submitted as outlined above.

Your Corrective Action Status is in effect from April 16, 2010 to October 16, 2010.

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 Family Child Care Home II license.

If you have any questions, please contact Diana Richardson at (402) 727-3231 or me at (402) 471-9193.

  
Rene Tiedt, Child Care Licensing Supervisor  
Children's Services Licensing  
Division of Public Health  
P. O. Box 98933  
Lincoln, NE 68509-8933

CC: Diana Richardson, CCIS  
Marsha Wandersee, Administrative Assistant

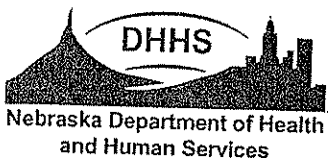
Attention Diana Richardson  
From Jackie Black, Director at First Congregational Church's Child  
Enrichment Center

Regarding the incident on March 3, 2010, we have taken the following  
corrective actions to prevent any further incident:

- An additional staff member has been hired to work in the mornings to assist with breakfast and morning diaper checks. We feel that this will definitely help with supervision, since one staff will be checking diapers and the other will be supervising children.
- Jackie Black, Director, has visited with all staff to discuss any situations where they feel additional assistance is needed to help provide the best supervision for the children.
- Nancy Goudy, Administrative Director, has been doing consistent checks to make sure that staff are following these procedures in the early morning, as well as offer help when needed.
- A sign has been put on the outside door to help remind all staff, parents and other adults that the door must remain shut at all times.
- Staff has been reminding parents to enter the rooms completely during drop-off and pick-up times to help prevent the children from "sneaking" out of the doors.
- Staff has been strongly reminded to constantly head count all the children in their care and compare the numbers to the daily sign-in sheets.
- It has always been our policy to not allow cell phone usage for personal calls. Staff have received written reminders of this policy, and reminder sheets have been put in the rooms. Staff have also been reminded of the potential repercussions of using cell phones for personal use when the children are present and under their care.
- All staff will be required to attend a two hour, face to face training session regarding the topic of adequate and appropriate supervision. I have contacted Kelly Vanness, based out of Columbus, and I am awaiting a return phone call. I will notify Diana Richardson as soon as the classes are scheduled. The training certificates will be submitted to Diana no later than June 30, 2010.







March 18, 2010

Jackie Black  
First Congregational Church Child Enrichment Center  
1550 N Broad  
Fremont NE 68025

Dear Ms. Black:

Nebraska Revised Statutes, Section 71-1911(4), of the Child Care Licensing Act, effective July 16, 2004 (Law 2004, LG 1005), provides that the Department may place a license on corrective action status.

**FACTS:**

March 4, 2010, CCIS Diana Richardson made an unannounced visit to your facility, to investigate allegations that a daycare child walked away twice in the same day. Richardson spoke Nancy Goudy, assistant director, who confirmed that on March 3, 2010, a child enrolled at and attending First Congregational Church Child Enrichment Center had in fact left the building. The first time he left the building and followed his mother back out to her car in the parking lot. Later in the day, the same child left the room he was assigned to. Facility staff found him before he could get outside of the building.

**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) 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. Copies of training certificates must be submitted to CCIS Richardson by June 30, 2010.
3. You will follow the plan you submit.

Please submit your written Corrective Action Plan to Diana Richardson, Child Care Inspection Specialist, Child Care Licensing Program, Regulation and Licensure, 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 questions regarding this letter, please contact Diana Richardson at 402.727.3231 or me at 402.471.9193.

Thank you.

Sincerely,



Rene' Tiedt  
Child Care Licensing Supervisor  
Child Care Licensing Program-Credentialing Division  
Regulation & Licensure  
P.O. Box 98933  
Lincoln, NE 68509

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