

# NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

May 19, 2017

WESTSIDE EARLY CHILDHOOD/  
SWANSON BEFORE & AFTER SCHOOL PROGRAM  
The Westside Community Schools Foundation, Inc., Owner  
Rachel Storer, Director  
8601 Harney Street  
Omaha, NE 68114

Dear Ms. Storer:

In accordance with the letter written by Jo Pfeiffer, Child Care Licensing Supervisor, on May 17, 2017, the original License of Westside Early Childhood-Swanson Before & After School Program to operate as a School Age Only 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 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 Child Care Center.

At this time we ask that you submit the current license of Westside Early Childhood-Swanson Before & After School Program 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 **School Age Only Child Care Center**  
located at: **8601 HARNEY ST Omaha NE 68114**

A maximum of **90** children in ages **4 YRS** to **13 YRS** may be in attendance at any one time during the hours of **0630** to **1800** on **MTWTFH**.

**WESTSIDE EARLY CHILDHOOD - SWANSON BEFORE & AFTER PROGRAM** owned by **THE WESTSIDE COMMUNITY SCHOOLS FOUNDATION INC** is hereby issued License No. **SAOC8652** 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 <sup>MD</sup> 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/  
Swanson Before and After School Program  
8601 Harney Street  
Omaha, NE. 68114

Dear Rachel Storer, 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, 

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

Swanson Before and After School Care Program  
DHHS Corrective Action Plan

*Issue of concern:*

On March 9<sup>th</sup>, 2017, a school-age child was left for a minimum of 3 minutes unsupervised on the outside playground, with no knowledge by any staff that the child was unaccounted for.

*Violated Regulations:*

**391 NAC 4-006.01 Licensee Requirements:**

Ensure the center is administered and managed appropriately.

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

**391 NAC 4-006.02 Director Requirements:**

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

**391 NAC 4-006.14B Staffing Requirements:**

Each room where children are receiving care must have a teacher who is involved in the direct care of children.

**391 NAC 4-006.18 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.

*Provisions for how we will correct and maintain compliance:*

- Rachel Storer (Site Director of Swanson Club 66) will receive the Nebraska's Department of Education's training on "Supervision of Children" on Friday, April 28<sup>th</sup>, 2017. (This is the soonest I could provide Rachel with this training because NDE must have 30 days to process the training request.)
- Rachel Storer (Site Director of Swanson Club 66) will complete the Child Care Management training on April 19<sup>th</sup>, 2017.
- Julie Oelke (Program Director for Westside Early Childhood Centers) will provide documentation of the completed Child Care Management training to Dawn Kozak.
- Julie Oelke (Program Director for Westside Early Childhood Centers) has created additional coaching sessions for Rachel Storer (Site Director of Swanson Club 66). The coaching sessions will consist of 4 modules and will meet every two weeks with Rachel Storer (Site Director of Swanson Club 66) to discuss the topic, set goals, and reflect on her weekly progress. The 4 modules will be based on the following topics:
  - o Supervision - week of April 3<sup>rd</sup>
  - o DHHS regulations - week of April 17<sup>th</sup>
  - o Staff Management - week of May 1<sup>st</sup>
  - o Leadership - week of May 15<sup>th</sup>

- Julie Oelke (Program Director for Westside Early Childhood Centers) will provide Dawn Kozak documentation of these coaching sessions after each session.
- The following procedures for transitioning children outside once the whole group has gone to the playground was implemented on March 13<sup>th</sup>, 2017:
  - o Students will be lined up and documented on a transition sheet for going outside. Once all students are marked down, and the teachers are handed walky-talkies, the teachers will recount all student. After recounting all students a second time, teachers will walk students up to the restroom. Once bathroom breaks are finished, teachers will recount students again. Then, teachers will walk all students outside through the North doorway by the 6<sup>th</sup> grade classrooms. If a child needs to come back inside for any reason while outside (to go to the restroom, or parent pick up), a staff member will accompany them at ALL times. Students coming down from homework club or art club on Tuesday's or Thursday's will report to the stage. At this time if a student wants to join the rest of the group outside, the teacher will add the student to the transition sheet, walky-talky to confirm the group is still on the playground and then walk the child all the way to the playground. Teachers who are outside on the playground will communicate with the teachers who are inside when they are leaving the playground via walk-talkies.
  - o Quality assurance checks will be made randomly 4 times during the next 2 months by Julie Oelke (Program Director for Westside Early Childhood Centers) to ensure the above procedure is being followed.
  - o Julie Oelke (Program Director for Westside Early Childhood Centers) will provide Dawn Kozak documentation of the quality assurance checks.

  
 \_\_\_\_\_  
 Signature Date  
 Program Director 3-30-17

  
 \_\_\_\_\_  
 Signature Date  
 Site Director 3-30-17

March 22, 2017

Certified Mail and Regular Mail

Westside Early Childhood/  
Swanson Before & After School Program  
8601 Harney Street  
Omaha, NE. 68114

Dear Rachel Storer / 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 3-09-17, a school-age child was left for a minimum of 3 minutes unsupervised on the outside playground, with no knowledge by any staff that the child was unaccounted for.

**REGULATORY BASES:**

**391 NAC 4-006.01 Licensee Requirements:**

Ensure the center is administered and managed appropriately.

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

**391 NAC 4-006.02 Director Requirements**

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

**391 NAC 4-006.14B Staffing Requirements**

Each room where children are receiving care must have a teacher who is involved in the direct care of children

**391 NAC 4-006.18 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