

NEBRASKA

Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES



Pete Ricketts, Governor

May 27, 2020

Carl and Kelli Hansen
Rosewood Academy NW
5225 N 158th Ave.
Omaha, NE 68116

Dear Mr. and Mrs. Hansen:

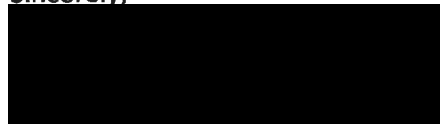
The Nebraska Department of Health and Human Services, Office of Children's Services Licensing received your Plan of Correction. The attached corrective action plan has been reviewed and approved effective 05-15-2020.

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, 5-15-20 to 11-15-20.

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 Tammy Reeves, Child Care Inspection Specialist at 402 616-0041 or me.

Sincerely,



Jo Pfeiffer, Child Care Licensing Supervisor
Office Children's Services Licensing
Nebraska Department of Health and Human Services
1313 Farnam, 3rd floor
Jo.pfeiffer@nebraska.gov, 402 595-3335

Cc: Tammy Reeves, Child Care Inspection Specialist
Resource Development/Dhhs.rdccsubsidy@nebraska.gov
Office of Children's Services Licensing, Central Office

May 15, 2020



Rosewood Academy
Childcare and Preschool

Plan of Correction

Previous Safety Policy:

- Management will count children in and out of the building- if a manager is alone in the evening or morning hours, staff will bring their classroom to the front office to be counted out and back in from our outdoor playground
- walking ropes will be utilized in our Older Infant and Toddler classrooms upon entering and exiting the building.
- Counting will occur at all checkpoints.
- Tadpoles will be utilized as another security checkpoint (use name to face tool with tadpoles app)

Additional Steps Added:

- NO Classroom can go outside when they are only at teacher to child ratio. Meaning if a staff member is alone because they are at ratio- their gym time will be indoors. If another teacher can go with them, they will be able to go outside because they have two teachers.
- NO classroom will go outside after 4:00pm because this is when there are less management in the building. All gym times after 4pm will be indoors until further notice.
- Walking ropes have been utilized in our Preschool classrooms as well.
- On our tadpoles app we have a Playground A and a Playground B classroom for our children to be added to when they are outside, then re-clocked back into their classroom upon arrival to their room.
- **We have also instituted a more in-depth Outdoor Play Policy (attached). Each staff member has read and signed this policy
- We held a MANDATORY all staff meeting this Wednesday to go over in length our outdoor policy. We shared again the repercussions of not following policy with our staff members.
- Management will continue to oversee these transitions to and from the playground
- Playground times have and will continue to be posted in the office. We have added an alarm to our computer for each classroom's playground start and end time. With a 3 minute buffer time to ensure we are catching staff before they head out and before they head back in.

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Rosewood Academy

Childcare and Preschool

Outside Play Policy

What to bring: iPad, classroom backpack (Emergency cards and First Aid kit Inside)

GOING OUT:

Before taking children to the playground, on a walk around the building or outside for any reason, teachers need to do the following:

1. **Line children up in your classroom before going to the back hallway.**
 - a. Count children
 - b. Have them line up on the rope if they are Older Infant-Preschool. (Sing a line up song.)
 - c. Walk (using great manners) to the back hallway, a child on each side of the rope, to the back hallway.
 - d. The 2nd teacher in your classroom sweeps your classroom to make certain there is no children left behind/unaccounted for.
2. **Have the children sit against the wall in the back hallway, and out of the way of traffic.**
 - a. Manually move each child on the iPad (using Tadpoles) from the classroom you are in to the correct outside playground/gym/walk (All "A" classrooms go to Play-ground A, All "B" classrooms go to Play-ground B), etc., until EVERY child is accounted for.
3. **Hold the back door open, while counting each child as they pass through to the outside playground, walk, etc. The 2nd teacher with you, brings up the end of your classroom, following the last child outside.**

(Older Infants through Preschool will line up on the "walking rope" in the classroom. All Pre K classrooms will walk without a rope, as they practice for Kindergarten.)

Before you (as the teacher) join the children on the playground, you **MUST** make certain each child from your class is moved and accounted for, using Tadpoles and also individually counting your children yourself.

Teachers are to NEVER stand in one spot but constantly roam the playground and engage in play with the children.

COMING IN:

1. **Line the children up on the OUTSIDE wall (on the playground) before coming in.**
 - a. Count children
 - b. Have them line up on the rope if they are Older Infant-Preschool. (Sing a line up song.)
 - c. The 2nd teacher in your classroom sweeps the playground, making certain there are no children still outside.
2. **Holding the door open to the building, count each child as they go right inside and have them sit on the same inside wall (inside the door), as they did before going outside.**
 - a. Manually move each child on the iPad (using Tadpoles) from the playground to the classroom you are heading back to, until EVERY child is accounted for.
 - b. The 2nd teacher in your classroom sweeps the playground, making certain there are no children still outside.
3. **While your children are walking through the classroom door you will need to do a headcount again, making certain your children are all accounted for.**

This is not the time to allow any child to get a drink, go to the bathroom, etc. Until your ENTIRE class is back in your classroom with you.

Please ask a member of management what the policy is for sunscreen and cold weather, before taking a class outside.

I understand and will follow this Outside Policy whenever leaving the building with children at any time.

Signature

Date

By Signing Below, I certify that I attended a meeting at Rosewood Academy, where the Director Emly Bentzinger, went into detail about our infraction. We also discussed at length the new additions to our outdoor policy. The meeting took place on 5/13/2020.

Employee Print Name	Employee Signature
	5/13/20



May 7, 2020

CERTIFIED MAIL

ROSEWOOD ACADEMY
owned by ROSEWOOD ACADEMY INC
5225 NORTH 158th AVE
Omaha, NE 68116

Dear Carl and Kelli Hansen:

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 the 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:

On 4-30-20, the director phoned Children's Services Licensing with a self-report that a three year old child was left on the playground unsupervised for three minutes. The child was observed by a parent who notified staff that the child was unattended on the playground. Staff was not aware the child was missing until the parent notified them. Violations of the below listed regulations were substantiated.

HISTORY:

On 6-13-19 and 7-10-19, two similar incidents occurred at Rosewood Academy, violating 3-006.19 Supervision of Children and 3-002 Child Care Centers Definitions, where children were left on the playground unsupervised for a period of minutes. Based on those violations, the licensees signed a Licensing Agreement on 9-18-19, which was effective until 3-18-20.

REGULATORY BASIS:

391 NAC 3-006.19 Supervision of Children (page 34):

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 3-002 Definitions- Adequate and appropriate supervision includes (page 3):

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.

391 NAC 3-003.05B, Corrective Action Status (page 11):

The Department may place a provisional or operating license on corrective action status for up to six months if:

1. The licensee is unable to comply with all licensure requirements and standards or has a history of noncompliance;
2. The effect of noncompliance with any rule of regulation does not present an unreasonable risk to the health, safety, or well-being of children or staff; and
3. 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 license on Corrective Action Status for a period of 6 months. 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 following items must be included in your written Plan of Correction:

1. Identification of issue(s) 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 Tammy Reeves, Child Care Inspection Specialist, Nebraska Department of Health and Human Services, Office of Children's Services Licensing, 1313 Farnam St., 3rd 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 on the effective date of the finding of the 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 Child Care Inspection Specialist, Tammy Reeves, 402-616-0041 or Child Care Licensing Supervisor, Jo Pfeiffer, 402-595-3335.

Sincerely,

[Redacted Signature]

Jo Pfeiffer, Child Care Licensing Supervisor
Nebraska Department of Health and Human Services
Office of Children's Services Licensing
1313 Farnam St, 3rd Floor
Omaha, NE 68102

cc: Tammy Reeves, Child Care Inspection Specialist
Resource Development/Dhhs.rdccsubsidy@nebraska.gov
Office of Children's Services Licensing, Central Office