

Tuesday January 4, 2011

Burlington City Kids After School Program -J.J. Flynn School
645 Pine St
Suite B
Burlington , VT 05401

School-Age Program
Certificate #: 1237

Licensing Site Visit Field Form

Refer to regulations regarding posting requirements for this Site Visit Field Form (Section VI, Number 1; or Section M, Number 1, as appropriate for your program).

Your program was visited on 01/03/2011 by Judy D'Este and Nicole Thomas-Demeritt , Licensing Field Specialists. This visit was certified by Sarah Austin & Jeff Fournier on 01/03/2011.

Reg. No.: E9

Staffing patterns shall ensure that each child has a consistent primary caregiver in order to maintain continuity of care and the relationship between parent and facility for the purpose of establishing secure attachment.

The factual basis for the violation is:

During today's observation of the program children were observed being moved from one group to another. Staff were un-aware which children they were responsible for.

The following corrective action is due by 01/03/2011:

Assure that each child in care has a consistent, primary caregiver who is known to the child and their parents. Assure that staff are aware which children they are responsible for at all times.

Reg. No.: M4

No later than 15 days after employing a person, the Licensee or his/her designee shall furnish the Division with the name, birth date, place of birth and social security number of that person. No person can end probationary status until the Division has informed the Licensee that the staff person does not have an abuse or criminal history which would preclude his/her presence at an SAC.

The factual basis for the violation is:

Repeat violation, cited 11/16/10: Record check forms have not been submitted to the Division for review for staff persons Alisa F, Emma K, Valerie L, Rebecca T, Mary T, Peng W, and Sandra W.

The following corrective action is due by 01/03/2011:

Immediately submit the documents to the Division for review.

Reg. No.: E1

Each child shall be supervised at all times by staff.

The factual basis for the violation is:

During today's visit, there was a group of 14 children left in the multi-purpose room without a staff member present for 6 minutes, the staff member reappeared after 6 minutes with two basketballs, she states that she wasn't sure who was responsible for the children in this room. During this time when these 14 children were left unsupervised there were children present who were hitting, kicking and punching other children. The cook came out to assist these children once the noise level became so loud. At another time during today's visit, there was a child in the small gym area who left the gym and went down the hallway without a staff member even noticing that he was gone. There was a girl who left the gym area and went into the kitchen area, behind the curtain without staff noticing she had left the area. **This is a SERIOUS VIOLATION which warrants parental notification.**

The following corrective action is due by 01/17/2010:

All children shall be supervised at all times by the staff. Immediately assure that staff are aware of the need to supervise children at all times. **Follow the instructions on the Parental Notification Letter.**

Reg. No.: C17

There shall be on file at the facility (for staff, assisting parents, and volunteers) a written statement signed and dated, indicating that the individual was informed of the center's policies on abuse and neglect and that they are aware that the abuse and/or neglect of children is against the law, and prohibited by the program and reportable to the Department.

The factual basis for the violation is:

Repeat violation, cited 11/16/10: Staff files continue to lack signed statements of understanding regarding the reporting of child abuse and neglect.

The following corrective action is due by 01/03/2011:

Immediately review with staff the statement, obtain signatures and file in individual staff files.

Reg. No.: D1

Children shall be provided developmentally appropriate care in a group setting subject to the following descriptions and limitations and ratio of staff to children. Age- Infants: 6 Weeks Through 16 months, Maximum in Group 8, Staff/Child Ratio 1:4; Age- Toddlers: 17 Months Through 23 Months, Maximum in Group 8, Staff/Child Ratio 1:4; Age- 24 Months Through 35 Months, Maximum in Group 10, Staff/Child Ratio 1:5; Age- 3 Years Through Kindergarten, Maximum in Group 20, Staff/Child Ratio 1:10; Age- First Grade Through 15 Years, Maximum in Group No Maximum, Staff/Child Ratio 1:13.

The factual basis for the violation is:

There was a group of 14 children in the multi-purpose classroom with one staff member for 15 minutes.

The following corrective action is due by 01/03/2011:

Assure that staff: child ratios and group sizes are maintained in accordance with the School Age Licensing Regulations at all times.

Reg. No.: C11c

Written records for each staff person shall be maintained at the facility and shall include: three positive references.

The factual basis for the violation is:

Repeat violation, cited 11/16/10: Three positive references were not present in individual staff files.

The following corrective action is due by 01/03/2011:

Upon hire obtain references and place documentation within individual staff files.

Reg. No.: C11d

Written records for each staff person shall be maintained at the facility and shall include: signed statement(s) indicating that the employee has read and understands the Licensing Regulations for SAC and the center's policy manual.

The factual basis for the violation is:

Repeat violation, cited 11/16/10: Signed statements indicating the staff person has read and understands the Licensing regulations are not present in staff files.

The following corrective action is due by 01/17/2011:

Have staff review the regulations, assure understanding and place written documentation attesting to this in individual files.

Reg. No.: C19

All staff counted in the ratio except recreation aides shall be competent in administering basic first aid. At least one staff person shall be present at the program who is certified in basic first aid and CPR.

The factual basis for the violation is:

Documentation attesting to Basic First Aid Training and CPR was not present in any of the staff files.

The following corrective action is due by 01/10/2011:

Obtain documentation and place in individual files.

Reg. No.: F1

Staff shall use positive methods of guidance/discipline which encourage self-control, self-direction, self-esteem and cooperation. Guidance/discipline shall be designed to meet the individual needs of each child.

The factual basis for the violation is:

There were 14 children in the multi-purpose room with two staff members, the staff initiated a ball game with the children, numerous children were not interested in the teacher initiated game, the staff member stated to the children "Fine, if you don't want to play, go on the other side of the gym." Nine of the children moved to the back side of the gym, three of the children engaged in the game with the two staff and two children sat at a table. During this 20 minute observation, the nine children who were not engaged in the game were observed to be chasing each other, physically hurting each other by punching, hitting, stepping on each other, pulling each others pants down, taking hats off their peers and running away with them, climbing on the tables which were stacked on the edge of the gym area, the staff did not try to intervene with this aggressive behavior and children were not being protected from the harmful acts of other children. This is a SERIOUS VIOLATION which warrants parental notification.

The following corrective action is due by 01/17/2011:

Immediately assure that the staff working with the children are trained and practicing positive discipline techniques at all times. Children shall be protected from the harmful acts of other children.

Follow the instructions on the Parental Notification Letter by 1/17/2011

Reg. No.: C11a

Written records for each staff person shall be maintained at the facility and shall include: job descriptions.

The factual basis for the violation is:

Repeat violation, cited 11/16/10: Job descriptions continue to be missing from individual staff files.

The following corrective action is due by 01/03/2011:

Assure that all staff files contain job descriptions within individual files.

During a visit on 01/03/2011, the following observations were made by Judy D'Este and Nicole Thomas-Demeritt, Licensing Field Specialists:

Regulation: M3

The Licensee shall notify the parent of each enrolled child, by mail, of a serious violation. In the case where the child's parents are separated or divorced, a copy shall be mailed to each parent if both are known and the SAC has a relationship with both parents.

It was noted that:

A serious violation has occurred requiring a Parental Notification Letter to be sent to all parents of children enrolled in this program.

It is required that:

The Parental Notification Letter shall be sent to parents no later than 1/26/11.

Regulation: E1

Each child shall be supervised at all times by staff.

It was noted that:

A concern reported to the Division was discussed today with Sarah. The concern reported on 12/16/10 alleged a lack of supervision for an individual child who had been removed from the large group for disciplinary action. Sarah reported her account of the incident. It is the decision of the Division representative that the allegation of this specific incident is concluded with a "unable to determine" outcome.

Regulation: E7

Staff shall plan and implement realistic curriculum goals for children based on the children's individual needs and interests.

It was noted that:

Observed today was a mixed age group of 20 children dressed in outer wear lined up against the wall waiting to go on a field trip to the Teddy Bear Factory in Shelburne. Children stood in this line for 18 minutes until it was related from one staff person to another that the bus driver for the field trip was unaware he was supposed to pick up the children for the trip. When Tim and Dale received this information it was decided to take the children for a run around the playground until the bus arrived.

It is required that:

As discussed during our meeting you may wish to re-evaluate the type of Mystery Trip to assess relevance and incorporation into curriculum.

Regulation: C11b

Written records for each staff person shall be maintained at the facility and shall include: records of employment history, training, education and experience.

It was noted that:

Work history's and educational backgrounds with supporting documentation were not present in all staff files reviewed during this visit.

It is required that:

Obtain this documentation and place in individual staff files no later than 1/17/11.

Regulation: C4

The person (Director and Head Teacher) responsible for developing and implementing the program in a facility of sixty (60) or more children shall have at least a: BA/BS in Early Childhood or Human/Child Development, Elementary Education or Recreation and two (2) years of successful experience relative to the population to be served, or BA/BS and four (4) higher education courses successfully completed in early childhood, elementary education or recreation related topics and three (3) years successful experience relative to the population to be served, or Associates Degree and four (4) higher education courses successfully completed in early childhood, elementary education or recreation related topics and four (4) years of successful experience relative to the population to be served. Course work requirements shall be completed within one (1) year of employment.

It was noted that:

The Program Improvement Plan submitted to the Division as required by the site visit of 11/16/10 stated that an Assistant Director had been built into the program. This person was identified today to Division representatives as Maisie Wormser. In reviewing Maisie's resume it does not appear she meets the requirements of a Director. No transcript was present for review.

It is required that:

A college transcript for Maisie shall be available for review no later than 1/17/11.

Please sign this copy once all required corrective action has been completed by the date(s) indicated above and return it to the Division.

By signing below I certify that all required corrective action has been completed as required.

Signed: _____ Date: _____

Provider/Director

Please retain a copy of this letter for your records

You have the right to appeal, within 30 days, the Department's determination of violations and other regulatory related decisions, such as limits or conditions or the requirement that you complete a corrective action plan. See 3 V.S.A. §3091. You must file your appeal in writing to the Division at the address listed above. For more information about your rights and responsibilities consult the regulations that apply to your program as these are outlined in the regulations section that describes the relationship between a licensee and the Child Development Division.

Filing an appeal does not keep the violation or related determination out of the public record. If an appeal is successful; then those violation(s) or determination(s) will be taken out of the public record at the end of the process.

If you have questions about your appeal rights or the public record, contact a licensing field specialist at 800-649-2642.