Mission: To promote high-quality school readiness, voluntary pre-kindergarten and after school programs, thus increasing all children’s chances of achieving future educational success and becoming productive members of society. The Coalition seeks to further the physical, social, emotional and intellectual needs of Miami-Dade and Monroe County children with a priority toward the ages before birth through age 5.

ELC Provider Services Committee Meeting
September 27, 2018, 2:00 p.m.
ELC Board Room

I. Welcome & Introductions          Rick Beasley

II. Approval of Minutes            Rick Beasley
   A. Motion to approve August 30, 2018 Minutes.

III. Sheyes of Miami #1             Bob de la Fuente

IV. Babyville Preschool Learning Center Bob de la Fuente

V. Rising Star Academy             Bob de la Fuente

VI. Business Leadership Institute  Robyn Perlman

VII. Provider Concerns              Isabel Perez

VIII. Public Comments               Rick Beasley

IX. Adjourn                        Rick Beasley
Provider Services Committee Meeting  
August 30, 2018; 2:00 PM 
ELC Board Room

Committee Attendees: Rick Beasley (via conference call); Loreen Chant, Abilio Rodriguez (via conference call)

Absent Committee Member: Shaleen Fagundo

Staff Attendees: Evelio Torres; Jackye Russell; Lisa Sanabria; Lisyey Badillo; Sandra Gonzalez; Miguel Alfonso; Vanessa Aguilar; Amy Tongson

General Attendees: Bob de la Fuente

I. Welcome and Introductions 
   Rick Beasley

II. Approval of Minutes 
    Rick Beasley
       o Motion to approve by A. Rodriguez.
       o Motion seconded by L. Chant.
       o Motion was unanimously passed.

III. Health and Safety & Monroe Exemption 
    Bob de la Fuente
      • V. Aguilera gave the following explanation:
        o 01/01/2017, a new Health and Safety requirement came into effect with Rule 6M-4.610. Along with that rule, we received guidance from an OEL Policy Analyst, which referred to application of the rule to New School Readiness providers or New license exempt providers. Therefore, we were under the impression that this applied to just New providers not existing. Later on, we also received guidance directly from Rodney stating it was ok to certify these providers for 2017-2018 because the DCF inspections were going to take place by September 30th. So we went ahead and certified these providers.

        o 8/9/2018, In our most recent OEL audit, we received one finding because one Monroe provider did not have their health and safety inspection from DCF. When OEL was looking into this file, OEL also found that this provider was exempt by the ELC based on our internal policy for Monroe providers that took place in 2011 (which Bob will explain in a moment).
Those decisions carried over throughout the years until now and we certified those providers. However, OEL instructed us to identify which other providers were under the same situation.

A total of 55 Miami-Dade and Monroe providers were identified and all these providers are either exempt (From DCF or ELC). Evelio shared this list with the Board a couple of weeks ago.

The status report on these 55 providers is as follow:

- # of Miami Dade- 45
- # of Monroe- 9
- # of MOCPS- 5
- # of MDCPS- 30
- 15 submitted SR10 Form from DCF to initiate inspection
- 14 passed H&S (3 prior to July 1, 2017) (11 after July 1, 2017)
- 1 have not submitted anything (SR10)- Plantation Key (Monroe County)

Originally, the instructions from OEL were to terminate these providers. However, after a couple of discussion it was decided a corrective action (withholding payments) was the best approach and we immediately started coordination with DCF and providers to try to get these inspections done asap. However, weeks have pasted and there has been little progress.

Since, we have to demonstrate to OEL that we are taking proper actions; the providers have been notified via a corrective action plan. We are also giving them 45 days to come into compliance. Unfortunately, if they do not come into compliance we will have to start the termination process.

We are working to assist the providers through this process, as we all want to do what is best thing for our children and community.

B. de la Fuente stated that some providers were exempted through ELC policy and not DCF and are now going through the DCF exemption. Miami-Dade has had to have licenses but Monroe County was exempted by ELC due to the challenges and cost.

Monroe County’s exemption policy will no longer be followed as it was never an official document/policy.

- The committee recommended to eliminate the current policy and authorize staff to comply with all new applicable rules and regulations.

Motion to eliminate the current policy and authorize ELC Staff to comply with all new applicable rules and regulations approve by L. Chant.

Motion seconded by A. Rodriguez.

Motion was unanimously passed.
IV. Miami Dade License Requirements

- B. de la Fuente stated the current Miami Dade License requirement allow more exemptions than the current ELC policy.

- The committee motioned to rescind policy and direct staff to follow all applicable rules and regulations
  - Motion to approve by A. Rodriguez.
  - Motion seconded by L. Chant.
  - Motion was unanimously passed.

V. Public Comments

VI. Adjourned
Action Requested: The Executive Leadership Team recommends termination of the School Readiness (SR) and Voluntary Pre-Kindergarten (VPK) Contract for the 2018-2019 FY and revocation of eligibility for a period of five (5) years subject to provider testimony and verification of supporting documentation submitted by provider.

Early Learning Coalition Review Hearing Committee

September 27, 2018

Sheyes of Miami – C11MD0069
6043 NW 6th Court, Miami, FL 33127

Background

Sheyes of Miami

- License Capacity: 62
- Care Level offered: Birth – School Age
- Children enrolled for SR: 64
- Children enrolled for VPK: 15
- Children enrolled for EHS: 32
- Number of providers within the same zip code offering the same services: 5
- Accreditations/Gold Seal: Yes
- Provider has been contracted with the ELC since: 2012

Issues

2 Class 1 Violations:

08/02/2018 - Non-Compliance Description
04-10 A child was left behind in a vehicle at the facility, on a field trip, or an activity away from the facility. CCF Handbook, Section 2.4.1, C (Section 5, numbers 1, 2, 4, 10, and 15) [SR]

08/02/2018 - Non-Compliance Description
05-06 Upon arrival at the destination, the driver of the vehicle and second adult failed to conduct a physical inspection and visual sweep of the vehicle to ensure that no child was left in the vehicle. CCF Handbook, Section 2.5.2, D-E

Comments:

- As per EHS contract the provider will ensure the teachers conduct a minimum of two annual home visits. However, the teachers in Classroom D duplicated the ‘Home Visit Report’ form due on August 3, 2018 from a previous submission of May 2018. EHS staff noticed the duplication with the crossed out dates and forged parental signatures.
- Provider previously received a Notice of Non-Compliance during an audit in 2015 for attendance sheets being incorrectly used. Provider marked children present, however there were no parental signatures matching the days for those children.
Action Requested: The Executive Leadership Team recommends termination of the School Readiness (SR) and Voluntary Pre-Kindergarten (VPK) Contract for the 2018-2019 FY and revocation of eligibility for a period of five (5) years subject to provider testimony and verification of supporting documentation submitted by provider.

Background

<table>
<thead>
<tr>
<th>Babyville Preschool Learning Center</th>
</tr>
</thead>
<tbody>
<tr>
<td>License Capacity: 61</td>
</tr>
<tr>
<td>Care Level offered: Infant Care- School Age</td>
</tr>
<tr>
<td>Children enrolled for SR: 58</td>
</tr>
<tr>
<td>Children enrolled for VPK: 0</td>
</tr>
<tr>
<td>Number of providers within the same zip code offering the same services: 1</td>
</tr>
<tr>
<td>Accreditations/Gold Seal: N/A</td>
</tr>
<tr>
<td>Provider has been contracted with the ELC since: 2015</td>
</tr>
<tr>
<td>2016-2017 reimbursements: $4,717.20</td>
</tr>
<tr>
<td>(Provider had 0 enrollments therefore $0 were paid for the 2017-2018 fiscal year).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Issues</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provider received 3 class 1 violations in different standards.</td>
</tr>
<tr>
<td>According to the ELC Broward, and our Broward crosswalk all 3 violations are considered class 1 violations for both counties.</td>
</tr>
<tr>
<td>Class 1 Violations: 05/23/2018</td>
</tr>
<tr>
<td>10-2 Discipline method Used was Cruel, Harsh, or Unusual.</td>
</tr>
<tr>
<td>12-4 Toxins/Chemicals/Cleaning Supplies-Child Interacted.</td>
</tr>
<tr>
<td>47-6 Licensed capacity Exceeded.</td>
</tr>
<tr>
<td>Comments:</td>
</tr>
<tr>
<td>Provider has a Probationary License valid 07/01/2018-12/31/2018</td>
</tr>
</tbody>
</table>

Please see attached comments.
Issues

Continuation to page 1:

10-2 Discipline method Used was Cruel, Harsh, or Unusual:
10-02 2.8(A) and (F)(1-9), Handbook: The child care facility shall adopt a discipline policy consistent with Section 402.305(12), F.S., including standards that prohibit children from being subjected to discipline which is severe, humiliating, frightening, or associated with food, rest, or toileting. Spanking or any other form of physical punishment is prohibited. The following discipline techniques shall be prohibited in the child care facility: the use of corporal punishment/including, but not limited to: hitting, spanking, shaking, slapping, twisting, pulling, squeezing, or biting; demanding excessive physical exercise, excessive rest, or strenuous or bizarre postures; compelling a child to eat or have in his/her mouth soap, food, spices, or foreign substances; exposing a child to extremes temperature; rough or harsh handling of children, including but not limited to: lifting or jerking by one or both arms; pushing; forcing or restricting movement; lifting or moving by grasping clothing; covering a child’s head; isolating a child in an adjacent room, hallway, closet, darkened area, play area, or any other area where the child cannot be seen or supervised; binding, tying or restrict movement, or tapping the mouth; using or withholding food or beverages as a punishment; toilet learning/training methods that punish, demean, or humiliate a child; any form of emotional abuse, including rejecting, terrorizing, extended ignoring, isolating, or corrupting a child; any abuse or maltreatment of a child; abusive, profane, or sarcastic language or verbal abuse, threats, or derogatory remarks in front of the child or about the child or child’s family; placing a child in a crib/portable crib for a time-out or for disciplinary reasons. A method of discipline was used that was cruel, harsh or unusual. (Section 9, number 6) [SR]

Comment from DCF: A teacher was seen on video pointing her finger in a child’s face then picking the same child up by the shirt and tossing her to the ground away from the dining table. The teacher was also seen picking the child back up and carrying her by the front of her shirt and then hitting the child with an open hand prior to tossing the child down her cot. The video shows the teacher bending over and swinging her hand at the child’s face again. This standard is being marked as completed at the time of inspection in that staff member in question is no longer working at the facility.

12-4 Toxins/Chemicals/Cleaning Supplies-Child Interacted:
12-04 Sec. 7-5.01(f), Ordinance: Medicines, cleaning supplies, flammables, and other potentially poisonous supplies shall be stored and locked in a place out of a child’s reach and in such a manner as to ensure the safety of the children. All surfaces or items accessible to children shall be free of toxic materials, and pose no threat to the health and safety of the children or personnel. Lead-based paints are prohibited. 3.2(A), Handbook: All areas and surfaces accessible to children must be free from toxic substances, bio contaminants, and hazardous materials/equipment/tools, including power tools, plastic bags, matches, candles, lighters, etc. A child/children was in physical possession of [blankets and cots that an injured child had just bled on], which presents an immediate danger to the child(ren) in care that could or does cause serious physical or emotional harm. (Section 10, number 4) [SR]

Comment from DCF: Children were observed on video playing with the blanket, sheet, and cot of an injured child who had been bleeding on the materials just moments prior. One child was throwing the blanket in the air and spinning it in circles over and on other children, one child was seen touching the sheet and cot and another child was observed putting the cot on top of his body. The teacher did not interact with the children during this time. This standard is being marked as completed at the time of inspection in that the teacher is no longer working for the provider.
Continuation to page 2:

**47-6 Licensed capacity Exceeded:** 47-06 Sec. 7-11.01(f), Ordinance: The child care facility and its programs shall not exceed the licensed capacity designated on the license at any given time, including any before- and after-school programs offered by the facility. 3.4.1(C), Handbook: The total number of children in care on-site and while on field trips may never exceed the facility’s licensed capacity. The facility has exceeded the capacity designated on the license. (Section 1, number 2) [SR]

**Comment from DCF:** On day 3 of the inspection, Licensing observed 62 children and the facility is only licensed for 61. Several other children also left the school prior to the final count. This standard is being marked as completed at the time of inspection in that it was the end of the day and children were steadily being picked up by their parents while Licensing was present.
## Background

**The Bright Stars Academy Corp.**
- License Capacity: 71
- Care Level offered: Infant – School Age
- Children enrolled for SR: 56
- Children enrolled for VPK: N/A
- Number of providers within the same zip code offering the same services: 34
- Accreditations/Gold Seal: No
- Provider has been contracted with the ELC since: 2016
- 2017-2018 reimbursements: Approximately $203,108.71

## Issues

Provider is currently on a Corrective Action Plan (CAP), and has received a class 2 Violation in the same standards.

- **07/16/18 Class 2 Violation: Non-Compliance Description**
  04-01 A ratio of [1] staff for [6] children is required. There were [1] staff for [8] children observed. (Section 3, numbers 1 – 9) [SR]
- This is the 4 violation in standard 4 as the provider was previously placed on a CAP last fiscal year for received 3 Class 2 Violations in the same standard.

**Comments:**
- Please see the attached Notice of CAP letter and CAP received from the provider.