



April 4, 2022

By Hand Delivery

Elisabeth Hollingsworth, Director
Vestry of Chevy Chase Parish All Saints Church
All Saints Preschool
3 Chevy Chase Circle
Chevy Chase, MD 20815

Re: Emergency Suspension of Child
Child Care License

Dear Ms. Hollingsworth:

The child care center license to operate All Saints Preschool, located at 3 Chevy Chase Circle, Chevy Chase, MD 20815, is suspended on an emergency basis. The emergency suspension is effective immediately upon delivery of the notice. You must surrender your license and cease operation.

This emergency action is taken by the authority of the Education Article, § 9.5-411, Annotated Code of Maryland, and the Code of Maryland Regulations (COMAR) 13A.16.17.06A.

Section 9.5-411(d) of the Education Article states in pertinent part:

(d) Emergency suspensions. —

(1)(i) The State Superintendent may suspend the license or letter of compliance to operate a child care center on an emergency basis when the State Superintendent determines that this action is required to protect the health, safety, or welfare of a child in the child care center.

(ii) When the State Superintendent suspends a license or letter of compliance on an emergency basis, the State Superintendent shall deliver written notice of the suspension to the licensee stating the regulatory basis for the suspension.

(2)(i) Upon delivery of the emergency suspension notice, the licensee or letter holder shall cease immediately operation of the child care center.

COMAR 13A.16.17.06A states:

A. The office may suspend an operator's license on an emergency basis if it is determined that this action is required to protect the health, safety, or welfare of a child in the center.

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This action is also taken under the authority of the Education Article, §9.5-102, Annotated Code of Maryland, which states:

- (a) *Legislative intent.* — The General Assembly declares that:
 - (1) Minor children are not capable of protecting themselves; and
 - (2) When a parent has relinquished the care of the parent's minor child to others, there is a possibility of certain risks to the child that require compensating measures.
- (b) *State policy.* — It is the policy of the State:
 - (1) To protect minor children whose care has been relinquished to others by the child's parent;
 - (2) To resolve doubts in favor of the child when there is a conflict between the interests of a minor child and the interests of an adult; and
 - (3) To encourage the development of child care services for minor children in a safe, healthy, and home-like environment.

This emergency suspension is further based on the following:

On June 18, 2010, the OCC issued the Center an initial child care center license to operate All Saints Preschool located at 3 Chevy Chase Circle, Chevy Chase, MD 20815. The current capacity of the Center is a maximum of 80 children, including six (6) infants between the ages of 12 months through 17 months; six (6) toddlers between the ages of 18 months to 23 months; and 68 children between the ages of two (2) years and five (5) years of age. The Center's days and hours of operation are Monday through Friday, 8:00 a.m. to 2:45 p.m.

On March 28, 2022, and March 29, 2022, OCC Licensing Specialist Gertrude Tetteh conducted an unannounced full inspection at the Center. This inspection took place over the course of two days. During the inspection dates, fifty-seven (57) children were present at the Center.

On or about March 3, 2021, the Center requested that the OCC measure the square footage of three (3) rooms, including, but not limited to, Room 7 and Room 8. The Center identified the proposed effective date of opening these rooms was to be September 2021. Room 7 was opened on or about December 21, 2021.

On December 15, 2021, the Center requested to operate Room 8, which had not been approved because the Center did not have a qualified infant and toddler teacher for this room. The Center then revised its staffing pattern for Room 8 to reflect you as the qualified infant/ toddler teacher. You advised the OCC that you would be the qualified staff in the Room 8 until a qualified infant /toddler teacher was hired. Based on this information, the Center's changes were approved on December 21, 2021.

During the inspection, on March 29, 2022, when Ms. Tetteh entered Room 8, she was advised by Alexandra Richardson, the staff person observed in this room, that she was the lead teacher. Ms. Richardson, Christine Hettipola, and Mason Meredith (an Aide) were observed in Room 8 providing care to the children. Upon further discussion with Ms. Richardson, she advised that she had been acting as the lead teacher at the Center since August 2021. However, according to the staffing pattern that the Center had submitted to the OCC on or about December 13, 2021, you were identified as the qualified toddler teacher for Room 8. To date, the OCC has not received any documentation from the Center indicating that Ms. Richardson meets the qualifications to be an infant/toddler teacher. At this time, Ms. Richardson is only approved to be an Aide.

Ms. Tetteh further observed that throughout the Center, only Room 6 had a posted staffing pattern that meets the requirements of the COMAR 13A.16 regulations. Ms. Tetteh further observed that children present in both Room 7 and 8 had diaper rash creams. However, this information was not noted in the children's records. Ms. Tetteh further observed that there were no written individual activity plans for any of the infants and toddlers in Room 7 or Room 8. The individual activity plans are required to monitor and record in writing what the toddlers eat and drink as well as any diapering done throughout the day.

During the inspection, Ms. Tetteh became aware that the Center had hired two staff, Arlene Ng and Victoria Campuzano, in August of 2021. The Center neither notified the OCC that these individuals had been hired nor submitted the required documentation for these individuals. The required documents include, but are not limited to, evidence of criminal background checks and signed notarized Release of Information forms that permit the OCC to examine records to determine if employees are responsible for prior abuse or neglect of children and adults. In addition to failing to notify the OCC of new employees, the Center was also required to notify the OCC that two staff members were no longer employed at the Center. One staff member's employment ended on July 30, 2021, and the other staff person's employment ended on August 30, 2021.

Upon Ms. Tetteh's review of children's records at the Center, she observed that at least ten (10) children in the Center were missing important information on the emergency cards. Two children's files were missing important forms related to the children's specific health conditions. One child was missing an allergy action plan which is used to determine what should occur if a child develops an allergic reaction and how to specifically address the child's allergic reaction. The Center had an Epi-Pen for a child that had expired February 28, 2022. The Center was also missing the required medication authorization form for the Epi-Pen. Another child's file was missing the Allergy and Asthma Action Plan that is used to address how to handle the child's allergies and asthma in an emergency situation.

In Room 3 and Room 4, where preschoolers were actively learning, Ms. Tetteh observed that there were electrical outlets that were not capped. Diapering creams were accessible to children and

were observed to be stored in changing tables in Rooms 6, 7, and 8. Ms. Tetteh observed that there was no written record of the Center having practiced emergency and disaster plan drills for the current year or previous years.

Ms. Tetteh observed that the majority of the child care staff did not have their completed training documented on the professional development plan on the first day of the inspection on March 28, 2022. Regarding the training hours, Ms. Tetteh did not observe any evidence of two (2) aides completing at least six (6) hours per full year of employment. In addition to this lack of training, three (3) aides were missing the required Basic Health and Safety training. Ms. Tetteh also did not observe any evidence of the Center maintaining records for at least four (4) staff members that includes initial and yearly basic health and safety training. It was observed that one (1) preschool teacher did not complete her continued training hours and three (3) teachers did not have any completed training hours documented on a professional development plan form. Ms. Tetteh further observed that there were three (3) staff members who did not have their staff orientation completed.

Ms. Tetteh observed that Room 3 and Room 6 did not have thermometers in their refrigerators which is required to ensure that perishable items are kept within appropriate temperatures to avoid food contamination.

Based on the information gathered during the full child care center inspection on March 28, 2022, and March 29, 2022, the Center was found to be in violation of the following COMAR 13A.16 regulations:

- .03.03B(4) Program Records
- .03.04C,E,K Child Records
- .03.05B,C Staff Records
- .03.06A(1),(2), B Notifications
- .06.02 Staff Orientation
- .06.04A(1) Staff Health
- .06.05C(2) Director of all Child Care Centers-General Requirements
- .06.09C Child Care Teachers in Preschool Centers
- .06.12A(3) Aides
- .06.12B(1),(2),(3) Aides
- .08.02A Supervision by Qualified Staff
- .09.02B, C Activity Plans for Infants and Toddlers
- .09.02B(1),(2),(3),(4) Activity Plans for Infants and Toddlers
- .08.02A, B Supervision by Qualified Staff
- .10.01A(3)(c) Emergency Safety Requirements
- .10.04A,F Potentially Hazardous Items
- .11.04A(1)(a),(b) Medication Administration and Storage
- .11.04C, D Medication Administration and Storage

- .11.04E(1)(c) Medication Administration and Storage
- .12.04F(3) Food Storage and Preparation
- .12.05C(3) Food Preparation Area and Equipment
- .16.06E(1) Personnel Qualifications

See Attachment A – Inspection Report dated March 28, 2022.

The OCC has evaluated this information and determined that this emergency suspension is required to protect the health, safety, or welfare of children in your care.

According to COMAR 13A.16.18.03A, you have the right to appeal this action. Pursuant to COMAR 13A.16.18.03C(1), you must forward your request for a hearing within thirty (30) days of the date of this letter to the Office of Child Care, ATTN: Office of the Attorney General, Maryland State Department of Education, 200 W. Baltimore Street, 10th Floor, Baltimore, Maryland 21201, or occappeals.msde@maryland.gov.

Pursuant to COMAR 13A.16.18.03C(3), a hearing request shall not stay an emergency action. You must immediately cease providing care upon delivery of this notice. This suspension may lead to a revocation action.

If you request an appeal hearing, the Office of Administrative Hearings will hold a hearing on this matter within seven (7) calendar days of the date of your request and render a final decision within seven (7) calendar days after the hearing is held. If this emergency suspension action is upheld, you must cease operations until it is determined that the health, safety, or welfare of the children or a child in the center is no longer threatened. Pursuant to the Education Article §9.5-106, Annotated Code of Maryland, the OCC may suspend the Center's license for a period not exceeding one (1) year.

At the hearing, if the Center is a corporate entity, the Center must be represented by a lawyer. The Center has the right to be represented by a lawyer, the right to present documents and witnesses, and the right to have subpoenas issued on the Center's behalf. If the decision does not uphold the emergency suspension, the Center may resume providing child care. Regulations and "Information on Appealing" documents with instructions for filing an appeal are enclosed.

If you have any questions or need assistance in completing the enclosed form, you may contact the Office at 240-314-1400.

Sincerely,

A handwritten signature in cursive script, appearing to read "Laurie Moran".

Laurie Moran, M.Ed.
Regional Manager
MSDE Office of Child Care

Enclosures

cc: S. Monica Mitzel, Office of the Attorney General
Louis A. Valenti, Jr., Chief – Licensing Branch