



ADMINISTRATION FOR
CHILDREN & FAMILIES

Office of Head Start | Region III | 150 S. Independence Mall West, Suite 864, Philadelphia, PA 19106 |
www.eclkc.ohs.acf.hhs.gov

August 12, 2016

Dr. Segun Eubanks
Board Chairperson
Prince George's County Board of Education
14201 School Lane, Room 121
Upper Marlboro, MD 20772

Re: Prince George's County Board of Education Head Start Program

NOTICE OF TERMINATION

Dear Dr. Eubanks:

This letter constitutes official notification to Prince George's County (PGC) Board of Education that, pursuant to Head Start Act Section 641A(e)(1)(C) (42 U.S.C. § 9836a(e)(1)(C)) and 45 C.F.R. § 1303.14(b)(4), PGC's designation as a Head Start grantee is terminated. Our decision results from your Head Start program's failure to timely correct the deficiency identified during the Office of Head Start (OHS) Monitoring Review conducted on February 22, 2016. Under 45 C.F.R. § 1304.60(f), a deficiency that is not timely corrected is a material failure of the grantee to comply with the terms and conditions of the Head Start grant award. The specific grounds as well as the specific finding underlying our determination to terminate federal financial assistance are summarized below and fully explained in the enclosed Follow-up Review Report Overview of Findings.

Background

The Administration for Children and Families (ACF) conducted a review of PGC's Head Start program on February 22, 2016. Based on the information gathered during our review, an area of immediate deficiency was identified that created serious concerns regarding program accountability and quality control for ensuring staff abided by the standards of conduct requiring them to use only positive methods of child guidance. The review found that a teacher humiliated a child and used a method of discipline denying him basic needs.

Specifics regarding the identified concern, and the timeframe within which the concern needed to be corrected, was provided in the February 29, 2016 Overview of Findings report that was received by PGC on March 1, 2016.

When a deficiency of this nature is identified, the ACF will direct the grantee to take immediate corrective actions to ensure that staff, consultants and volunteers abide by the program's standards of conduct and that only positive methods of child guidance are utilized as not to subject children to corporal punishment, emotional or physical abuse, humiliation, or denial of basic needs. PGC had until April 11, 2016 to correct this deficiency. Based on a follow-up

basic needs. PGC had until April 11, 2016 to correct this deficiency. Based on a follow-up review conducted April 12-14, 2016 and June 10-17, 2016, ACF determined that the deficiency had not been corrected. The review found that a teacher and an assistant teacher humiliated and used corporal punishment on two children as a method of discipline.

Findings that are the Basis of the Termination

I. Human Resources Management

PART 1304 - Program Performance Standards For Operation Of Head Start Programs By Grantees And Delegate Agencies

1304.52 Human Resources Management.

(i) Standards of conduct.

(1) Grantee and delegate agencies must ensure that all staff, consultants, and volunteers abide by the program's standards of conduct. These standards must specify that

(iv) They will use positive methods of child guidance and will not engage in corporal punishment, emotional or physical abuse, or humiliation. In addition, they will not employ methods of discipline that involve isolation, the use of food as punishment or reward, or the denial of basic needs.

The grantee did not ensure staff abided by the standards of conduct requiring them to use only positive methods of child guidance and not engage in corporal punishment, emotional or physical abuse, or humiliation or employ methods of discipline involving isolation, use of food as punishment or reward, or denial of basic needs. A teacher and assistant teacher humiliated and used corporal punishment on two children as a method of discipline.

Legal Basis for Termination of the Head Start Grant

The legal basis of this termination is 45 C.F.R. § 1303.14(b)(4), the failure to "timely correct one or more deficiencies as defined in 45 C.F.R. Part 1304." Pursuant to this regulation, and Section 641A(e)(1)(C) of the Head Start Act (42 U.S.C § 9836a(e)(1)(C)), ACF has concluded that PGC has failed to timely correct deficiencies for which it had been put on notice and has materially failed to comply with the terms and conditions of its Head Start grant award. Therefore, ACF terminates your Head Start grant funding.

Termination Appeal Rights

You may appeal this decision in writing to the Departmental Appeals Board (DAB), in accordance with 45 C.F.R. §1303.14. You must submit an appeal within 30 days after receipt of the decision. The appeal must specifically identify what issues are disputed; identify any legal issues raised, including relevant citations; include an original and two copies of each document you believe is relevant and supportive of your position; and state whether you are requesting a hearing. If you wish to obtain any documents from ACF, your appeal must specifically identify the documents and include a statement of the relevance of the requested documents and a

statement that you have attempted informally to obtain the documents from ACF and were unable to do so. Please attach a copy of this decision to your appeal.

An appeal may be submitted to the DAB by mail or electronically using the DAB's electronic filing system (DAB E-File). Submissions are considered made on the date they are postmarked, sent by certified or registered mail, deposited with a commercial mail delivery service, or successfully submitted via DAB E-File. The DAB will notify you of further procedures.

If you mail your appeal, it should be addressed to:

Department of Health & Human Services
Departmental Appeals Board, MS6127
Appellate Division
330 Independence Ave., S.W. Cohen Building, Room G-644
Washington, D.C. 20201

To submit your notice of appeal using DAB E-File, you or your representative must first become a registered user by clicking "Register" at the bottom of the DAB E-File homepage, <https://dab.efile.hhs.gov/>; entering the information requested on the "Register New Account" form; and clicking the "Register Account" button. Once registered, you or your representative should login to DAB E-File using the e-mail address and the password provided during the registration; click "File New Appeal" on the menu; click the "Appellate" button; and provide and upload the requested information and documents on the "File New Appeal-Appellate Division" form. Detailed instructions can be found on the DAB E-File homepage.

If you mail your appeal to the DAB, you should also mail a copy to the Regional Program Manager for Region III and the Director of the Office of Head Start at the following addresses:

Brenda R. Hewitt, Regional Program Manager
Office of Head Start
Administration for Children and Families
Suite 864
150 S. Independence Mall West
Philadelphia, PA 19106

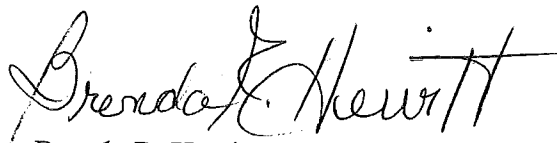
Dr. Blanca Enriquez, Director
Office of Head Start
Administration for Children and Families
1250 Maryland Avenue SW
Washington, D.C. 20024

Prince George's County Board of Education

03CH3454/2016

If you submit your appeal using DAB E-File, you also should mail a copy to Brenda R. Hewitt, Regional Program Manager. An electronic copy of your appeal will automatically be sent to the Administration for Children and Families.

Sincerely,

A handwritten signature in cursive script that reads "Brenda R. Hewitt". The signature is written in black ink and is positioned above the printed name and title.

Brenda R. Hewitt
Regional Program Manager

Enclosure: Overview of Findings



ADMINISTRATION FOR
CHILDREN & FAMILIES

Office of Head Start | 4th floor Switzer Memorial Building, 330 C Street SW, Washington DC | eclkc.ohs.acf.hhs.gov

To: Board Chairperson

Dr. Segun Eubanks
Board Chairperson
Prince George's County Board of Education
14201 School Lane, Room 121
Upper Marlboro, MD 20772

From: Responsible HHS Official

Dr. Blanca Enriquez
Director, Office of Head Start

Blanca E. Enriquez 8/10/16
Date

Overview of Findings

From 4/12/2016 to 4/14/2016 and from 6/10/16 to 6/17/16, the Administration for Children and Families (ACF) conducted monitoring reviews of the Prince George's County Board of Education Head Start program to determine whether the previously identified findings had been corrected. We wish to thank the governing body, Policy Council, staff, and parents of your program for their cooperation and assistance during the review. This Head Start Review Report is being issued to Dr. Segun Eubanks, Board Chairperson, as legal notice to your agency of the results of the program review.

Based on the information gathered during our review a determination has been made that Prince George's County Board of Education is a grantee with at least one uncorrected deficiency in its Head Start program. Furthermore, previously identified deficiency determinations which are uncorrected require we initiate termination proceedings under 42 U.S.C. §9836A (e)(1)(C) and 45 C.F.R. §1303.14 (b)(4). (Please see attached Notice of Termination.) The report provides you with detailed information in each area where program performance did not meet Head Start Program Performance Standards and applicable laws, regulations, and policy requirements. The ACF Regional Office will contact you soon to address any questions you may have concerning this report.

Distribution of the Head Start Review Report

Copies of this report will be distributed to the following recipients:

Ms. Brenda Hewitt, Regional Program Manager
Ms. Elizabeth Levy, Policy Council Chairperson
Dr. Kevin Maxwell, CEO/Executive Director
Mrs. Sandra Kee, Head Start Director

Overview Information

Review Type: *Desk/FTL Solo*
Organization: *Prince George's County Board of Education*
Program Type: *Head Start*
Field Lead: *Ms. Melissa Calhoun*
Funded Enrollment HS: *932*
Funded Enrollment EHS: *Not Applicable*

Glossary

A glossary of terms has been included to explain the various terms used throughout this report.

Term	Definition
Compliance Measure (CM)	The specific statements that collectively assess the level of program performance for each Key Indicator, focusing on one or more Federal regulations critical to the delivery of quality services and the development of strong management systems.
Strength	A new and/or unique way of reaching the community.
Compliant	No findings. Meets requirements of Compliance Measure.
Concern	An area or areas of performance which need improvement or technical assistance. These items should be discussed with the Regional Office and do not include a timeframe for correction.
Noncompliance	A finding that indicates the agency is out of compliance with Federal requirements (including, but not limited to, the Head Start Act or one or more of the performance standards) in an area or areas of program performance, but does not constitute a deficiency. Noncompliances require a written timeline of correction and possible technical assistance (TA) or guidance from their program specialist, and if not corrected within the specified timeline, can become a deficiency.
Deficiency	<p>An area or areas of performance in which an Early Head Start or Head Start grantee agency is not in compliance with State or Federal requirements (including but not limited to, the Head Start Act or one or more of the regulations) and which involves:</p> <p>(A) A threat to the health, safety, or civil rights of children or staff;</p> <p>(B) A denial to parents of the exercise of their full roles and responsibilities related to program governance;</p> <p>(C) A failure to perform substantially the requirements related to Early Childhood Development and Health Services, Family and Community Partnerships, or Program Design and Management; or</p> <p>(D) The misuse of Head Start grant funds.</p> <p>(ii) The loss of legal status or financial viability, as defined in part 1302 of this title, loss of permits, debarment from receiving Federal grants or contracts or the improper use of Federal funds; or</p> <p>(iii) Any other violation of Federal or State requirements including, but not limited to, the Head Start Act or one or more of the performance standards of this title, and which the grantee has shown an unwillingness or inability to correct within the period specified by the responsible HHS official, of which the responsible HHS official has given the grantee written notice of pursuant to section 1304.61.</p>

Summary of Findings

Finding Type	Applicable Standards	Program Type	Grant	Timeframe	Status
Record Keeping and Reporting	1304.51(h)(2)	HS	03CH3454	N/A	Corrected
Human Resources	1304.52(i)(1)(ii)	HS	03CH3454	N/A	Corrected
Safe Learning Environments	1304.52(i)(1)(iv)	HS	03CH3454	N/A	Not Corrected
Safe Learning Environments	1304.52(i)(1)(iii)	HS	03CH3454	30 days	Deficiency

Status of Previously Identified Deficiency Determinations

Finding	Status
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PART 1304 - Program Performance Standards For Operation Of Head Start Programs By Grantees And Delegate Agencies Corrected

1304.51 Management Systems and Procedures.

(h) Reporting systems. Grantee and delegate agencies must establish and maintain efficient and effective reporting systems that:

(2) Generate official reports for Federal, State, and local authorities, as required by applicable law.

Other-Offsite - 2/22/2016 - Deficiency

The grantee did not report incidents of child abuse and neglect to Federal, State and local authorities as required by applicable laws.

A review of documents found, after a 3-year-old child had a bathroom accident during naptime December 17, 2015, a teacher at the H. Winship Wheatley Early Childhood Center forced him to mop up his urine in wet clothing. The teacher then proceeded to use her cell phone to take pictures of the child as he mopped and sent one of the pictures to his parent. The text caption accompanying the picture included statements describing the punishment given to the child and included the shorthand text "LOL," indicating the teacher's laughter as the child mopped in front of other students in his urine-stained clothing. The teacher also included a text message to the parent stating: "he worked that mop tho," and a further text message indicated the teacher felt her behavior was an appropriate form of discipline for the child. The intent of the discipline and the text messages to the parent were to humiliate the child, which is a form of emotional abuse.

A review of a signed complaint from the parent found she stated she was upset about the text messages and in an interview the parent stated she went to report the incident to the Family Services Worker (FSW) December 22, 2015. However, a review of the FSW's written statement found she likely discouraged the parent from making a report at the time, as she told the parent she would have to report it as a mandatory reporter. The parent then told the FSW she was afraid the teacher would be in trouble and did not report the incident immediately.

The parent eventually reported the incident to the FSW January 12, 2015; however, there was no evidence the FSW immediately reported the concern to the Maryland Department of Human Resources Child Protective Services (CPS) as required by State law. A review of the Maryland Code, Family Law Section 5-704 found it required educators to make an oral report of suspected child abuse by telephone as soon as possible and submit a written report no later than 48 hours after the telephone contact.

According to the grantee's documents, at the time of the incident, two assistants were assigned to the classroom and in addition to the teacher, were responsible for supervising children. The picture of the child mopping sent with the text message showed him cleaning up the urine in an open part of the room, visible to other adults. However, the two assistant teachers assigned to the room provided signed statements stating they did not see the incident occur; therefore, they did not report it. The grantee provided no further information related to its investigation of the issue, including the whereabouts of the assistants in the classroom at the time of the incident or their ability to see the teacher taking pictures of the child using her personal cell phone.

The Program Supervisor (Head Start Director) provided the Regional Office with documentation related to this incident on February 10, 2016 including a timeline of the incident written by the Area 1 Instructor and a Form PS-60-Child Abuse Neglect and Reporting, which was required by Maryland Department of Human Resources CPS. The PS-60 form, which was required to be submitted 48 hours after an oral report of an incident, was not submitted until January 20, 2016: 8 days after the parent reported the incident to the FSW at the program. On February 23, 2015, the Regional Office requested information from the grantee to allow it to determine whether the FSW made the required oral report to the State; however, the grantee refused to provide the information.

The grantee also did not report the incident to the Regional Office as recommended in Information Memorandum ACF-IM-HS-09-06-Child Health, Safety, and Supervision. Instead, the Regional Office was notified by the child's parent via a telephone call February 5, 2016: 24 days after the incident was reported to the grantee. The lack of program accountability and quality control related to reporting cases of suspected or known child abuse posed serious potential consequences for children in the classroom.

Multiple requests were made for additional documentation regarding the incident; however, the grantee did not provide the requested documentation, limiting the Administration for Children and Families' ability to perform its oversight responsibilities to ensure Federal requirements were met and children were provided safe and secure environments.

The grantee did not report incidents of child abuse and neglect to Federal, state and local authorities as required by applicable laws; therefore, putting children at significant risk for mistreatment and abuse.

Desk/FTL Solo (4/12/2016) - Corrected

The grantee reported incidents of child abuse and neglect to Federal, State, and local authorities as required by applicable laws. The grantee re-trained staff and revisited its policies and procedures to ensure no further incidents would occur.

A review of presentation materials, agendas, and sign-in sheets found Head Start staff received March 10, 2016 training on child abuse and neglect reporting, ACF-IM-HS-15-04: Mandated Reporting of Child Abuse and Neglect, the Prince George's County Public Schools Suspected Child Abuse and Neglect Administrative Procedure, and Form PS-60: Child Abuse Neglect and Reporting. The presentation materials also introduced the Weekly Teacher Update form for teachers to complete and submit weekly to the Head Start Program Supervisor and to be used for ongoing monitoring and to collect information on reported incidents of child abuse and neglect, completed PS-60 forms, injuries to Head Start children, and toileting accidents.

In interviews, teachers and Head Start coordinators confirmed staff received training on child abuse and neglect and completed Weekly Self-Regulation and Assessment forms. In addition to the Head Start training, the Prince George's County Public Schools provided child abuse and neglect training to all staff. In an interview, a teacher stated she received the training four times in the current year: once each in the beginning of the year by Head Start and the school district and re-trainings by Head Start and the school district. The Head Start Program Supervisor stated the grantee would continue to provide ongoing training to staff, parents, and volunteers.

In an interview, the Head Start Program Supervisor stated she created the Child Abuse and Neglect Follow-Up form to track the progress of each case of suspected child abuse and neglect and ensure the policies were followed and timelines were met. The Program Supervisor further stated the Head Start Procedures were revised to include mandatory notification of the Program Supervisor. A review of the Head Start Procedure for Reporting Suspected Child Abuse and Neglect--Procedure Number H020--confirmed it was revised to include notification of the Head Start Program Supervisor when the building Principal was notified.

Since the submission of the initial report, additional instances of suspected abuse by a staff member occurred. The first case occurred March 3, 2016 and was reported to Head Start the evening of March 3, 2016. A review of the Child Abuse and Neglect Follow-Up form and the PS-60 form found oral and written reports were made to Child Protective Services (CPS) the morning of March 4, 2016. A second suspected case was reported March 15, 2016 for an event occurring March 2, 2016. A review of the Child Abuse and Neglect Follow-Up form and the PS-60 form found the oral and written reports were made on the day received: March 15, 2016. The Regional Office was notified timely of

each report.

In an interview, the Head Start Program Supervisor stated the second case was reported after a staff member attended the Child Abuse and Neglect training and wanted to report previously observed behavior after learning more at the training.

A review of the March 16, 2016 Policy Council meeting minutes and an interview with a governing board member found the Head Start Program Supervisor informed the Policy Council and the Board about the Office of Head Start's final report on the immediate deficiencies and the grantee's plan for correction. The Board member stated Prince George's County Public Schools was committed to ensuring the safety of all children, took the initiative to retrain all employees across the school district, and was currently waiting for findings from the new Student Safety Taskforce. The Board member further stated Head Start already implemented key policy changes and said the taskforce findings would only support and enhance Head Start's work to ensure proper child abuse and neglect reporting occurred. The grantee also demonstrated responsiveness to the Regional Office, providing all previously requested documents and working closely with the assigned Program Specialist and the Training and Technical Assistance system for support.

The grantee reported incidents of child abuse and neglect to Federal, State, and local authorities as required by applicable laws. This area of noncompliance is corrected.

PART 1304 - Program Performance Standards For Operation Of Head Start Programs By Grantees And Delegate Agencies **Corrected**
1304.52 Human Resources Management.

(i) Standards of conduct.

(1) Grantee and delegate agencies must ensure that all staff, consultants, and volunteers abide by the program's standards of conduct. These standards must specify that

(ii) They will follow program confidentiality policies concerning information about children, families, and other staff members;

Other-Offsite - 2/22/2016 - Deficiency

The grantee did not ensure all staff and volunteers maintained confidentiality of information regarding children and families.

Teachers and volunteers used personal cell phones to take pictures of children in the program which is a violation of confidentiality, security, and protected sources of child information. Serious reports were made regarding individuals--both working for the Head Start program and regularly volunteering for the larger school district--taking inappropriate pictures of children. A review of photographs and text messages found pictures of children taken by staff members were used to humiliate and emotionally abuse children in the Head Start program. In addition, although not directly related to the Head Start program, pending allegations existed in other parts of the school district regarding pictures taken on personal cell phones being used as child pornography by a volunteer who regularly worked with children.

On February 23, 2016, the Regional Office requested the grantee's policies and procedures related to taking pictures of children in the program, and the grantee refused to provide the policy. There was no indication the program prohibited staff taking photographs of children with their personal cell phones, nor was there any indication the program did not allow staff to take pictures of children for personal use.

A review of a photograph and text messages from a teacher to a parent found the teacher took photographs of a child on her personal phone during work hours and sent confidential information to the parent in an unsecured manner. She also sent confidential information about another child in the classroom to the parent, who was not the parent of the second child, meaning the teacher shared confidential information about a child with someone who was not authorized by the child's parent to receive the information.

The grantee did not ensure all staff maintained confidentiality of information regarding children and families; therefore, it was not in compliance with the regulation.

Desk/FTL Solo (4/12/2016) - Corrected

The grantee ensured all staff and volunteers maintained confidentiality of information regarding children and families. The grantee removed the previously identified teacher from Head Start, re-

trained staff, and revisited its policies and procedures to ensure no further incidents would occur.

The Head Start Program Supervisor stated the teacher identified in the initial report was transferred out of the Head Start program. A review of payroll documentation confirmed the teacher's last day with Head Start was February 19, 2016.

A review of presentation materials, agendas, and sign-in sheets found Head Start staff received March 10, 2016 training on confidentiality and the Confidentiality Policy. In addition, a review of signed statements found staff signed a form confirming they received the Confidentiality Policy and were responsible for implementing the requirements. The presentation materials also introduced a revised Cell Phone Policy and a new Weekly Self-Regulation and Assessment form requiring teachers to reflect on whether they adhered to the Confidentiality Policy. A review of revised Procedure Number E006 found it stated personal electronic devices such as cell phones were not to be used during school hours while working with children without special permission from the administration, and violation of the policy would make the employee subject to disciplinary actions.

Interviews with teachers and the Head Start coordinators confirmed staff received training on confidentiality and the new Cell Phone Policy, and teachers completed the Weekly Self-Regulation and Assessment forms. Observations at the H. Winship Wheatley, Cool Spring, and William Paca Centers found signs were posted stating cell phones were not allowed in the classrooms, and teachers were observed interacting with children and not using personal electronic devices.

In an interview, the Head Start coordinators stated teachers adjusted to the Cell Phone Policy and said the coordinators would also look for unauthorized cell phones as part of their informal observations. If a teacher was observed with a cell phone, it would be noted on the new Monitoring form to be provided to the Principal after an observation visit and would initiate disciplinary action for the teacher. In an interview, the Head Start Program Supervisor stated the grantee would continue to revisit confidentiality as part of regular staff trainings and were securing a contract for specific training focused on professionalism in the workplace, communication, and proper boundaries with families.

A review of the March 16, 2016 Policy Council meeting minutes and an interview with a governing board member found the Head Start Program Supervisor informed the Policy Council and the Board about the Office of Head Start's final report on the immediate deficiencies and the grantee's plan for correction. During the interview, the Board member stated Prince George's County Public Schools was committed to ensuring the safety of all children and was currently waiting for the findings of the new Student Safety Taskforce initiated in response to the pending allegations against the volunteer cited in the initial report. The Board member further stated Head Start already implemented key policy changes and said the taskforce findings would only support and enhance Head Start's work to ensure confidentiality is maintained.

The grantee ensured all staff and volunteers maintained confidentiality of information regarding children and families. This area of noncompliance is corrected.

PART 1304 - Program Performance Standards For Operation Of Head Start Programs By Grantees And Delegate Agencies

Not Corrected

1304.52 Human Resources Management.

(i) Standards of conduct.

(I) Grantee and delegate agencies must ensure that all staff, consultants, and volunteers abide by the program's standards of conduct. These standards must specify that

(iv) They will use positive methods of child guidance and will not engage in corporal punishment, emotional or physical abuse, or humiliation. In addition, they will not employ methods of discipline that involve isolation, the use of food as punishment or reward, or the denial of basic needs.

Other-Offsite - 2/22/2016 - Deficiency

The grantee did not ensure staff abided by the standards of conduct requiring them to use only positive methods of child guidance and not engage in corporal punishment, emotional or physical abuse, or humiliation or employ methods of discipline involving isolation, use of food as punishment or reward, or denial of basic needs. A teacher humiliated a child and used a method of discipline denying him basic needs.

A parent filed a complaint against a teacher at the H. Winship Wheatley Early Childhood Center related to mistreatment of children. An interview with the parent and a review of December 17, 2015

text-message communications between the parent and the teacher found the teacher made a child mop the floor where he urinated during nap time in view of the class. The teacher photographed him performing the task to document the humiliating task and further used the picture as a tool of abuse. The teacher also did not put the child in clean clothes before having him perform the task and gave the child a yellow behavior notice for wetting his pants.

The text-message communication included a picture of the child wearing wet pants and mopping the floor and described how the teacher punished and humiliated him, stating the child "got a yellow for it too because I woke him and he refused to get up so he was awake when he peed himself! He was dry when I went to him twice and when I asked him if he just laid there and wet he said yea. So I let him be the one to mop the floor too. He had the nerve to smile about mopping too. Lol. He worked that mop tho!"

A review of a written statement by the teacher determined she saw her actions as proper treatment of the child because she wanted him to understand how hard a custodian's job might be, so she made him assist in cleaning up his own urine. Not only did the teacher's actions humiliate the child, but it was possible children who witnessed the incident were negatively impacted after observing the improper punishment of their peer. During an interview, the Program Supervisor stated no mental health interventions were provided to the child involved in the incident or to his family or peers because she was not aware such an action needed to occur after such an incident.

A review of the Area 1 Instructional Director's February 9, 2016 email timeline found it stated: "February 5: [Instructional Director] called to inform mom the teacher would be returning" and February 8: [the teacher] should have returned to work because CPS case not opened"; however, the parent filed a Peace Order to keep the teacher from entering the building. It was unclear whether the teacher would have been allowed to return to the classroom in spite of the code of conduct violation if the parent did not intervene with the legal action.

The employment status of the teacher was unknown at the time of the initial notification of the incident. In a subsequent interview on February 17, 2016, the Program Supervisor (Head Start Director) stated the teacher in question was no longer working in a Head Start classroom or paid with Head Start funds.

The grantee did not ensure staff abided by the standards of conduct requiring them to use only positive methods of child guidance and not engage in corporal punishment, emotional or physical abuse, or humiliation or employ methods of discipline involving isolation, use of food as punishment or reward, or denial of basic needs; therefore, it was not in compliance with the regulation.

Desk/FTL Solo (4/12/2016) - Not Corrected

The grantee did not ensure staff abided by the standards of conduct requiring them to use only positive methods of child guidance and not engage in corporal punishment, emotional or physical abuse, or humiliation or employ methods of discipline involving isolation, use of food as punishment or reward, or denial of basic needs. A teacher and assistant teacher humiliated and used corporal punishment on two children as a method of discipline.

Although the grantee made some administrative efforts to ensure staff followed its standards of conduct, they were not effective. On June 15, 2016, a teacher and an assistant teacher at the James Ryder Randall Elementary School Head Start Center forced two children to stand in the Head Start classroom holding objects over their heads for an extended period of time as a physical punishment for their behavior during nap time. A review of the Prince George's County Public Schools (PGCPS) Child Abuse and Neglect Reporting form--Form PS-60--found it included a signed statement from a witness who observed the two distraught children holding objects on top of their heads under the instruction of their Head Start teacher. The first child was crying and calling the teacher's name, and the teacher yelled at the child and instructed her to continue to hold the object. The second child accidentally dropped the object and was also yelled at and instructed to continue to hold the object. It was further stated the witness immediately went to report the incident and later asked the Head Start teacher how many minutes the children were given. The teacher replied, "Oh, probably like 5 minutes. Then they went back to their cots."

Child statements were taken by the Assistant Principal the day of the incident. A review of the PGCPS Statement form for the first child found she stated, "I wasn't listening to the teacher [assistant teachers' names]. [The assistant teacher] wanted me to go to timeout for being bad. She told me to sleep, but it was too hot. [The assistant teacher] wanted me to hold boxes in the air. I couldn't

breathe. When [the teacher] came in, she made me hold more books my arms melted. I cried because my arms hurt so much. I had to stand for two minutes or so. [The other child] had to stand too. She was being bad. I had to stand for ten minutes. [The teacher] kept saying ten minutes and I couldn't do anything."

A review of the PGCPS Statement form for the second child found she stated, "We had to carry boxes with books in them. [The assistant teacher] told us to because her and [the other child] were playing when we supposed to be sleeping. She told me to hold a box in both hands for a few minutes then my arms started to hurt. Then I stood for one minute. [The teacher] put books inside the box and hold it up until five minutes. [The other child] cried. I dropped it twice because it was heavy. The books fell out. [The teacher] said if you drop the books more times [the teacher] will reset the time."

A review of the PGCPS Statement form from the assistant teacher identified by the children found she confirmed the two children were initially asked to hold empty folder boxes for jumping on each other's cots and stated the Head Start teacher added heavier items to the folder box and then added time to the children's punishment if they moved or dropped the items. In an interview, the Program Supervisor--Head Start Director--confirmed the events occurred and stated they were reported to Child Protective Services.

The grantee did not ensure staff abided by the standards of conduct requiring them to use only positive methods of child guidance and not engage in corporal punishment, emotional or physical abuse, or humiliation or employ methods of discipline involving isolation, use of food as punishment or reward, or denial of basic needs. This area of deficiency remains uncorrected.

New Deficiency Determination

Finding	Status
<p>PART 1304 - Program Performance Standards For Operation Of Head Start Programs By Grantees And Delegate Agencies 1304.52 Human Resources Management. (i) Standards of conduct. (1) Grantee and delegate agencies must ensure that all staff, consultants, and volunteers abide by the program's standards of conduct. These standards must specify that (iii) No child will be left alone or unsupervised while under their care; and</p> <p><u>Desk/FTL Solo (4/12/2016)</u></p> <p>The grantee did not ensure no child was left unsupervised while under its care. On June 9, 2016, a 5-year-old child left the Langley Park McCormick Elementary School Head Start Center and walked home.</p> <p>A review of the Child Abuse and Neglect Reporting form PS-60 submitted to Child Protective Services June 10, 2016 and the Incident Report statements found a child was released from the School Nurse's office at approximately 8:45 a.m. and instructed to return to her classroom. However, the child's classroom was empty because the teachers and other children were on the playground at the time. The child told her mother after she went to her empty classroom, she returned to the Nurse's office but was unable to open the door, so she left the school building. The surveillance video showed the child near the front lobby door of the school at approximately 9:00 a.m.; however, during this period, staff were not aware the child was missing.</p> <p>At approximately 9:15 a.m., the child's class returned from the playground and called the Nurse's office to check on the child's status. At this point, the staff realized the child was missing and conducted a search for her. She was ultimately found by staff at her home at approximately 10:00 a.m. A review of the Incident Report statements and the Head Start Program Supervisor's email timeline found the child's aunt found the child outside the apartment door, crying and visibly upset, at approximately 9:35 a.m. The child was unsupervised for approximately 50 minutes, and the Head Start Program did not know where she was for approximately 75 minutes. A review of an area map determined the child needed to cross at least one street to reach her home.</p> <p>The Program Supervisor--the Head Start Director--reported the incident to the Regional Office the</p>	<p>Deficiency</p>

day it occurred. In an interview, the Program Supervisor stated the School Principal issued a new policy addressing unsupervised children moving through the school. A review of a June 9, 2016 school memorandum found it contained new, specific procedures for Head Start children traveling between the office, Nurse's office, and classroom, as well as Nurse's office procedures and instructions for staff regarding unattended children. However, there was no policy in place when the incident occurred.

A review of the School Nurse's statement she was not given a Prince George's County Public Schools or Head Start policy or procedure stating children needed to be accompanied to and from classrooms. The Head Start Program Supervisor confirmed prior to the incident, there were no specific policies at the school for the School Nurse to follow regarding the supervision of Head Start children.

The grantee did not ensure no child was left unsupervised while under its care; therefore, it was not in compliance with the regulation.

Timeframe for correction: 30 days

This finding constitutes a deficiency as defined under Sec. 637(2)(A)(i) of the Head Start Act as a systematic or substantial material failure in the area of performance that the Secretary determines involves a threat to the health, safety, or civil rights of children and staff.

— END OF REPORT —