



NC DEPARTMENT OF
**HEALTH AND
HUMAN SERVICES**
Division of Child Development and Early
Education

ROY COOPER • Governor
KODY H. KINSLEY • Secretary
CANDACE WITHERSPOON • Acting Director

December 18, 2024

Stephen B. Coble
Lee Christian School Inc.
3220 Keller Andrews Road
Sanford, NC 27330

HAND DELIVERY

Dear Mr. Coble:

Enclosed please find a **Notice of Administrative Action**. This action is taken by the Division of Child Development and Early Education against **Lee Christian School Inc.**, operator of **Lee Christian School K-4 Program, ID# 53000059**.

Immediately after this Notice of Administrative Action is received, you must post the administrative action and this cover letter in a location visible to parents and visitors near the entrance of the child care facility. This includes administrative actions that are appealed.

In addition, subsidized child care payments will end forty-five (45) days from receipt of this Notice of Administrative Action regardless of whether you appeal this administrative action.

This agency remains available to assist you upon request. If you have questions about this matter or need further assistance, you may contact Melissa Loehr, Southeastern Investigations Team Supervisor, at 919-819-9374.

Sincerely,

Tamara Barnes, Assistant Director
Regulatory Services Section

TB/ML/dh

Enclosures

cc: Turkeshia McCormick, Child Care Consultant
Jennifer Byrd, Investigations Consultant
Janet Edwards, Licensing Supervisor
Melissa Loehr, Southeastern Investigations Team Supervisor
Jeff Gaster, South Central Regional Manager
Jackie Kennedy, South Central Investigations Program Manager
Andrea Lewis, Regulatory Services Section Senior Manager
Kim Miller, Subsidy Services
Edward Mulnix, Lee County Department of Social Services
Paula Shemanski, Coalition for Families in Lee County
Amber Davis, Assistant Attorney General
Sarah Tackett, Assistant Attorney General
Patricia Fritts, Administrator, Lee Christian School K-4 Program

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF CHILD DEVELOPMENT AND EARLY EDUCATION

LOCATION: 333 East Six Forks Rd • Raleigh, NC 27609
MAILING ADDRESS: 2201 Mail Service Center, Raleigh, NC 27699-2200
www.ncdhhs.gov • TEL: 919-814-6300 • Fax: 919-715-1013

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December 18, 2024

NOTICE OF ADMINISTRATIVE ACTION

TYPE OF ACTION: ORDER TO CEASE OPERATION

ISSUED TO: Lee Christian School Inc.

**FACILITY: Lee Christian School K-4 Program
3220 Keller Andrews Road
Sanford, NC 27330
ID# 53000059**

The Division of Child Development and Early Education in the Department of Health and Human Services hereby issues an Order to Cease Operation to **Lee Christian School, Inc.**, operator of the above-named facility. Authority to take this action is provided by North Carolina General Statutes §§ 110-90(5), 110-98, 110-105.3(h), 110-106 and Child Care Rules 10A NCAC 09 .2201 and -.2209.

Immediately after receipt, this Notice of Administrative Action and this cover letter must be posted in a location visible to parents and visitors near the entrance of the child care facility, regardless of whether the Notice of Administrative Action is appealed.

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BASIS FOR ACTION

On May 21, 2024, an Investigations Consultant of the Division of Child Development and Early Education visited Lee Christian School K-4 Program regarding alleged violations of child care requirements. Based on information the Consultant obtained, the Division determined the following.

On May 16, 2024, a staff member took a toy from a two-year-old child and threw it, a violation of North Carolina General Statute § 110-91(10) regarding the care and treatment of children. The same staff member roughly grabbed two (2) two-year-old children, pulled a two-year-old child back into the staff member's lap when the child tried to get up and also prevented another two-year-old child from getting out a chair, violations of Child Care Rule 10A NCAC 09 .1803(a)(1) and Child Care Rule 10A NCAC 09 .1803(a)(10) regarding discipline. The following violations were also determined:

- A staff member failed to supervise two-year-old children when two (2) children were laying on the floor chewing on shoes, a violation of Child Care Rule 10A NCAC 09 .1801(a)(1-5) regarding supervision. The same staff member spent much of her time looking at her phone instead of supervising the children.
- A staff member left cleaning solution in a spray bottle within reach of two-year-old children, a violation of Child Care Rule 10A NCAC 09 .0601(a) regarding general safety.
- A staff member offered screen time to two-year-old children, a violation of Child Care Rule 10A NCAC 09 .0510(f) regarding developmentally appropriate activities.
- A staff member changed the diapers of seven (7) two-year-old children and served food to the children prior to washing her hands, a violation of Sanitation Rule 15A NCAC 18A .2803(a) regarding sanitation.
- A staff member failed to ensure seven (7) children washed their hands after having their diapers changed and prior to being served food, a violation of Sanitation Rule 15A NCAC 18A .2803(c)(2) regarding sanitation.
- A staff member changed the diapers of seven (7) two-year-old children and failed to sanitize the diaper changing table between the children, a violation of Sanitation Rule 15A NCAC 18A .2819(c) regarding sanitation.

Pattern of Non-Compliance and Failure to Comply

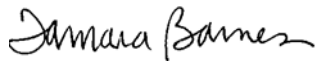
During the timeframe of September 14, 2023, to November 4, 2024, representatives from the Division have conducted fifteen (15) visits to monitor child care requirements and investigate allegations of violations of child care requirements. Twenty-nine (29) violations have been cited regarding staff/child ratios, supervision, discipline, safe environment, sanitation, criminal background checks, developmentally appropriate activities, staff records, program records, and children records, including multiple repeated violations. Technical assistance was provided during a minimum of twelve (12) visits. In addition, on January 12, 2023, a review of child care requirements was conducted with the entire staff, a stipulation of the Corrective Action Plan issued with the Probationary Notice of Compliance.

Violations of child care requirements have been willful, continual, and hazardous to the health and safety of children as evidenced by a pattern of non-compliance, the operator has not made efforts to correct repeated violations or is unable to comply, and the violations are hazardous to the health and safety of children, which constitutes an order to cease operation as defined by Child Care Rule 10A NCAC 09 .2209(3)(a) and (4).

A complete list of violations of child care requirements, including repeated violations, is attached and incorporated by reference in this Notice.

PRIOR NOTICE

In accordance with North Carolina General Statute § 150B-3(b), the Division of Child Development and Early Education notified Stephen B. Cole by certified mail, dated November 19, 2024, that an Order to Cease Operation was being considered. Mr. Cole was given the opportunity to provide information about why the action should not be taken. Patricia Fritts, director, subsequently submitted information that was considered by the Division of Child Development and Early Education. After considering that information, the Division of Child Development and Early Education decided to proceed with issuance of the Order to Cease Operation.



Tamara Barnes, Assistant Director
Regulatory Services Section

December 18, 2024

Date

VIOLATIONS LISTING

Visit Date: September 14, 2023

Visit Type: Unannounced

Requirement Not Met	Violation Text
GS 110-91(7);.0713(a-e)	Minimum staff/child ratios and group sizes for the number and ages of children in care were not met. In space 3B used by the three year old's, sixteen children were present with one staff member.
15A NCAC 18A .2803(c)	Children did not wash their hands upon arrival at the center, after each visit to the toilet, before eating, before and after water activity play, after outside play, and after handling animals or animal cages. An eleven month old in the space used by the infants did not have their hands washed prior to being given their lunch.
15A NCAC 18A .2803(a)	Staff did not wash their hands thoroughly before beginning work, before/after handling food, before bottle feeding or serving to other children, after toileting or handling body fluids, after diaper changing and after handling soiled items. A teacher in the space used by the infants did not wash their hands prior to preparing and feeding a child lunch.
15A NCAC 18A .2821(e)	Bed, cribs, playpens, cots or mats were not placed at least 18" apart or separated by partitions when in use. Sixteen cots in the space used by the three year olds were not spaced at least 18 inches apart or separated by barriers during naptime.
.0604(u);.0302(d)(8)	Shelter-in-place or lockdown drills were not practiced every three months and/or drill record was incomplete. A shelter-in-place/lockdown drill took place on 2/24/2023 and then again on 6/14/2023.

Visit Date: March 19, 2024

Visit Type: Unannounced

Requirement Not Met	Violation Text
.0802 (e)	Incident reports were not completed each time a child was injured, it did not include all the information required in rule, it was not signed by the parent and/or it was not maintained in the child's file. Three incident reports completed during November 2023 did not include the steps to prevent reoccurrence.
.0701(a)	On or before the first day of work, all staff, including the director and individuals who volunteer more than once per week did not provide results indicating that they were free of active TB and/or TB test or screening was older than 12 months. J. Abernathy, who began employment on 1/3/2024 had a TB test on file signed by a physician on 1/22/2024.
GS 110-91(1);.0302(d)(2); .0304(g)	Children's records that include an application for enrollment, medical and immunization records, and permission to seek emergency medical care was not on file for each child. A medical record was not on file for F. Hoffman.

Visit Date: April 26, 2024

Visit Type: Unannounced

Requirement Not Met	Violation Text
.1801(a)(1-5)	Children were not adequately supervised at all times. During a recorded instance on 3/25/2024, two children in space 1A are seen on two instances standing on top of two shelves while the teachers in that space look on without addressing them.
.1803(a)(1)	Child was handled roughly. A teacher in space 1B was seen on recorded video dated 4/15/2024 abruptly picking up a one year old by the biceps and placing them in a feeding chair.
.1803(a)(10)	A child was restrained as a form of discipline and the child's safety or the safety of others was not at risk. On a recorded video dated 4/15/2024, a child was seen seated a feeding table for a total of twenty two minutes after biting a child.

Visit Date: May 21, 2024

Visit Type: Unannounced

Requirement Not Met	Violation Text
.1801(a)(1-5)	Children were not adequately supervised at all times. On May 16, 2024, a staff member failed to supervise two-year-old children when two children were laying on the floor chewing on shoes. Also, the staff member spent much of her time looking at her phone instead of the children. Repeated.
15A NCAC 18A .2803(a)	All staff did not wash their hands thoroughly after diapering each child. On May 16, 2024, a staff member changed the diapers of seven child and served snack and did not wash her hands.
15A NCAC 18A .2803(c)(2)	A child's hands were not washed after each diaper change. On May 16, 2024, a staff member changed the diapers of seven two-year-old children and did not assist the children in washing their hands. The children went from their diaper being changed to eating snack.
.0510(f)	Screen time was offered to children under three years of age. On May 16, 2024, the caregiver for two-year-old children turned on the tablet and the children spent at least ten minutes watching it on two different occasions.
15A NCAC 18A .2819(c)	Diaper changing surfaces were not cleaned with a detergent solution and disinfected after each use. On May 16, 2024, a staff member changed the diapers of seven two-year-old children and did not clean the diaper changing surface between diaper changes.
10A NCAC 09 .0601(a)	A safe indoor and outdoor environment was not provided for the children. On May 16, 2024, a staff member left cleaning solution in a spray bottle within reach of two-year-old children.
G.S. 110-91(10)	Each child was not attended to in a nurturing and appropriate manner, or in keeping with the child's developmental needs. On May 16, 2024, a staff member took a toy from a two-year-old child and threw it.

.1803(a)(1)	Child was handled roughly. On May 16, 2024, a staff member roughly grabbed two two-year-old children. Repeated.
.1803(a)(10)	A child was restrained as a form of discipline and the child's safety or the safety of others was not at risk. On May 16, 2024, a staff member pulled a child back into the staff member's lap when child tried to get up. The staff member also prevented another two-year old child from getting out of a chair. Repeated.

Visit Date: October 2, 2024

Visit Type: Unannounced

Requirement Not Met	Violation Text
G.S. 110-90.2(b) & .2703(n)&(o)	Prior to the expiration date of the qualification letter, the child care provider did not complete and submit required forms to complete a criminal background check (a qualification letter is valid for a maximum of five years for the date of issuance). T. Lippert's qualification letter expired on 9/1/2024. I. McAllister's qualification letter expired on 9/11/2024 and was not renewed until 9/13/2024.
.0608(d)(1-4)	The Prevention of Shaken Baby Syndrome and Abusive Head Trauma policy was not reviewed with new staff prior to providing care with children and/or a signed acknowledgement with all the required information was not maintained in the staff person's file. One employee who began employment on 5/13/2024, did not sign the statement until 5/29/2024.
.1102(g)	The child care administrator and all staff did not complete the Recognizing and Responding to Suspicions of Child Maltreatment training within 90 days of employment. Two employees hired in May and June 2024 have not completed the training.
	A violation was found for which there is no item number. The teacher in the space used by 1B, sprayed the diaper changing mat with both solutions at the same time and let them air dry.

Visit Date: October 21, 2024

Visit Type: Unannounced

Requirement Not Met	Violation Text
GS 110-91(7);.0713(a-e)	Minimum staff/child ratios and group sizes for the number and ages of children in care were not met. During a recording dated 10/16/24, one staff member is seen in space 4A after naptime with twenty children, the youngest being three years of age. The director also reported that during the morning on that same day in that same space, there were twenty three children with the youngest being three with two teachers. Repeated.
15A NCAC 18A .2821(e)	Bed, cribs, playpens, cots or mats were not placed at least 18" apart or separated by partitions when in use. In space 2B, four cots were lined up heel to head while the children were asleep. In space 4A during nap, three cots were eight (8) inches apart. Repeated.

Visit Date: October 30, 2024

Visit Type: Unannounced

Requirement Not Met	Violation Text
	A violation was found for which there is no item number. In space 2B, there was a black substance on the wall. Rule reference 18A 2825.
	A violation was found for which there is no item number. On the window seals on the windows on the playground, there was green moss. Rule Reference 18A 2832.

Visit Date: November 4, 2024

Visit Type: Unannounced

Requirement Not Met	Violation Text
.1801(a)(1-5)	Children were not adequately supervised at all times. Three children in space 4B used by the four and five year olds were seen on video at 8:43AM on 10/30/2024 entering the classroom alone while the teacher stood on the outside of the classroom while the rest of the class was on the playground. One child went to the bathroom for two minutes. Repeated.

HOW TO APPEAL AN ADMINISTRATIVE ACTION

To appeal an Administrative Action, you must file a Petition for a Contested Case Hearing in accordance with Chapter 150B, Article 3, and Chapter 110, Article 7 of the North Carolina General Statutes by following the directions below:

STEP 1 – Request the Petition Form:

Contact the Office of Administrative Hearings (OAH) at (984) 236-1850 to request a form Petition or download a copy of the form Petition online by going to <https://oah.nc.gov> and selecting “H-06 General Petition Form”. The form should come with instructions. **If it does not, you should contact OAH.**

STEP 2 – Fill Out the Petition Form: (Refer to OAH instructions)

Once you receive the Petition and instructions, read the instructions carefully and complete the entire form, including the Certificate of Service (see Step #4 for the address for the Registered Agent for the Department of Health and Human Services (DHHS)).

STEP 3 – Submit the Copies and Filing Fee to OAH: (Refer to OAH instructions)

Two (2) copies (**ORIGINAL PLUS ONE (1) COPY**) of the Petition, filing fee, and Certificate of Service **must be received by OAH within thirty (30) calendar days of the date on the Notice of Administrative Action.**

Mail or hand-deliver to:

OFFICE OF ADMINISTRATIVE HEARINGS

Mailing Address: 6714 Mail Service Center, Raleigh, NC 27699-6700

Physical Address: 1711 New Hope Church Road, Raleigh, NC 27609-6285

STEP 4 – Serve the Registered Agent for DHHS:

A copy of the completed Petition and Certificate of Service must also be mailed, delivered, or faxed to the **Registered Agent for DHHS.**

Mail, fax, or hand deliver to:

Ms. Julie Cronin, General Counsel (Line 11 on Petition)

Department of Health and Human Services

Office of Legal Affairs

Mailing Address: 2001 Mail Service Center, Raleigh, NC 27699-2001

Physical Address: Adams Building, 101 Blair Drive, Raleigh, NC 27603

Fax No: (919) 733-3854

IMPORTANT: The Office of Administrative Hearings (OAH) charges a filing fee of \$20.00 to file a petition. Payments must be in cash, money order, certified check, or check drawn on an attorney's trust or operating account. Money orders and checks must be made payable to OAH. Please contact OAH at (984) 236-1850 to obtain additional information regarding the amount of the filing fee and accepted forms of payment.

If you do not pay the filing fee within the specified timeframe, you may lose your right to appeal. You must also properly file and serve your petition, as described in Step #3 and Step #4, or your appeal may be dismissed. If you lost your right to appeal or your appeal is dismissed, the administrative action explained in this Notice will become effective.

INFORMAL MEETING WITH THE DIVISION

Regardless of whether or not you appeal, the Division of Child Development and Early Education offers an informal meeting process where providers can speak to Division staff regarding administrative actions in accordance with North Carolina General Statute § 150B-22. To arrange an informal meeting, please contact the Division of Child Development and Early Education at (919) 814-6300 or 1-800-859-0829.

The informal meeting does not extend the thirty (30) calendar days allowed to file for a contested case hearing as explained above or take the place of an appeal in OAH.



HAND DELIVERY FORM

Facility Owner: Lee Christian School Inc.
Facility Name: Lee Christian School K-4 Program
ID#: 53000059

The following information, dated _____, was hand delivered to the above-named operator on _____.

(Initial all that apply)

- | | |
|--|--|
| <input type="checkbox"/> PN Cover Letter | <input type="checkbox"/> License |
| <input type="checkbox"/> FN Cover Letter | <input type="checkbox"/> Civil Penalty Invoice |
| <input type="checkbox"/> Notice of Administrative Action | <input type="checkbox"/> Summary suspension delivery information |
| <input type="checkbox"/> Appeal Information | <input type="checkbox"/> Revocation/denial delivery information |
| <input type="checkbox"/> Definition of Child Care | |

Other: _____

The information was delivered by _____, a representative of the Division of Child Development and Early Education. On _____, the person accepting delivery of the information had the opportunity to ask questions regarding all documents.

 Signature of Operator/Facility Representative

 Printed Name of Operator/Facility Representative

 Signature and Title of DCDEE Representative(s)

 Printed Name and Title of DCDEE Representative(s)



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Other: _____

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 Printed Name of Operator/Facility Representative

 Signature and Title of DCDEE Representative(s)

 Printed Name and Title of DCDEE Representative(s)

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