Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Color My World Child Care & Preschool **Enrollment:** 139 **License ID:** 27928

Street: 2900 Easter Lake DR **City:** Des Moines **IA** **Zip Code:** 50320 **County:** Polk

Mailing Address: 2900 Easter Lake DR

Mailing City: Des Moines **IA** **Zip Code:** 50320

Director's Name: Bobbie Gregory **Center Phone Number:** 515-256-7797

On-Site Supervisors: Amanda Crise **E-Mail Address:** cmw_bobbiestout@qwestoffice.net

Date of Complaint: 11-29-2023 **Date of Visit:** 11-30-2023

[ ] Scheduled **[X]** Unannounced **[ ]** NA

[X] Non-Compliance with Regulations Found **[ ]** Compliance with Regulations Found

RECOMMENDATION FOR LICENSE

[X] NO CHANGES to licensing status recommended

[ ] PROVISIONAL license from **to**

[ ] SUSPENSION of License

[ ] REVOCATION of License

Complaint Details:

Did this complaint result in a serious injury? ☐ Yes ☒ No

Did this complaint result in a death to a child? ☐ Yes ☒ No

Summary of Complaint:

Concerns reported that a staff member was grabbing and holding a five year old child around his neck area. The staff was forcefully holding the child and possibly choking him.

Licensing Rules Relevant to the Complaint:

109.12(2)b Punishment which is humiliating or frightening or causes pain or discomfort is not allowed. Mechanical restrains shall never be used. If part of a treatment plan for a child with a disability, staff shall receive training.

Inspection Findings:

This worker went to the center for an unannounced visit. Initially this worker met with Bobbie Gregory, director. Bobbie is aware of the concerns and gave this worker a copy of an incident report that was written by staff. There were two staff working in the classroom that day. A.V. and J.D. The child was reported to have been having some behavioral issues so the classroom staff contacted the mother to come pick the children up early. The mother called Bobbie, who was unaware staff had contacted the parent. Bobbie talked to A.V. about this not being the center's policy and that staff needed to talk with supervisors about this decision. She reviewed the video and met with A.V. She did not see anything occur that would cause an injury but she had concerns that A.V. was using interventions that were not necessary and were possibly making the child's behaviors escalate. There has been some concerns with the voice tone and responses that A.V. has with the children and they have been working on this with her. A.V. has also had issues with attendance. She isn't working today.

This worker viewed video footage. Some children in the classroom were playing with pom poms. Some boys were hitting each other with the pom poms, this child was one of them. A.V. took the pom poms away from A.V. The child laid on the ground. J.D. was talking to the child then pulled the child up from the carpet. The child laid back down and started playing. A.V. picked the child up underneath the arms and brought him to a chair. The child got up and A.V. pulled the child by one arm, moving the child back to the area of the chair. The child got up within a few minutes and A.V. picked the child up and carried him to the chair. A.V. held the child on her lap, holding him. The child appeared to be getting upset and A.V. continued to hold the child for several minutes.

This worker and Bobbie discussed the video and this worker pointed out some concerns observed. There were several kids using the pom poms to hit and this child was the only child who had pom poms taken. A.V. did not say anything to the child, she approached the child and took the pom poms away from him. When the child was lying down, he was not doing anything disruptive or aggressive. It was not necessary for J.D. to pull the child up from a laying position. A.V. grabbed and pulled the child by one arm. The child had not done anything behaviorally to have to go to a time out chair. The child's behavior escalated by being forced to sit on A.V.'s lap.

Bobbie stated she shared similar concerns. This worker recommended that A.V. and the classroom have support and training and that she contact Lisa Stocksleger, their Iowa AAEYC Consultant, to do some training in that classroom.

This worker spoke with A.V. After viewing the video, A.V. said she would have handled the situation differently. She wanted to move the child from the carpet but she thought the carpet might be wet from being cleaned. This worker stated her concerns with how staff handled that child the day of the reported concerns. A.V. said she would do things differently. She didn't know several kids were hitting with the pom poms.

Special Notes and Action Required:

109.12(2)b
Punishment which is humiliating or frightening or causes pain or discomfort is not allowed.
VIOLATION
Staff used discipline methods that were not positive or appropriate. The child could have been injured during the act of discipline. The child's behavior didn't warrant the level of intervention that staff used that day. Staff's actions appeared to escalate the child's behaviors.

This worker contacted Lisa Stocksleger, Consultant for Iowa Association for the Education of Young Children

Consultant's Signature:

Melinda Larson, Child Care Licensing Consultant

Date:

12-21-2023