Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Warrior Early Learning Center **Enrollment:** 50 **License ID:** 51072

Street: 80 2nd ST **City:** Calamus **IA** **Zip Code:** 52729 **County:** Clinton

Mailing Address: PO Box 158

Mailing City: Calamus **IA** **Zip Code:** 52729

Director's Name: Jessica Esbaum **Center Phone Number:** 563-246-2553

On-Site Supervisors: **E-Mail Address:** jesbaum@cal-wheat.net

Date of Complaint: 07-21-2023 **Date of Visit:** 07-24-2023

[ ] 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:

On 7/20/2023, it is alleged staff Juliann B. grabbed a seven year old child by the arm resulting in scratch marks.

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:

The licensing consultant and HHS worker Jennie Clemens visited the center unannounced to discuss the reported concerns. The center director, Jessica Esbaum, and other staff, including the accused staff person, Juliann B., were interviewed. All were familiar with the reported concerns. It is noted that DHS Clemens has visited the child and family and has observed scratch marks on the inside of the child's left elbow. The licensing consultant was able to view photos of the injury. HHS Clemens stated the child said that they had been lining up in the room to go to the gym when the child and a friend wanted the same spot in the line. HHS Clemens stated she was told that staff Jules came over and asked why the friend was crying and then grabbed the child to move the child. HHS Clemens stated the child said Jules grabbed the child and the child pulled to run away and that is how the child was scratched. HHS Clemens stated the child ran off to the coat room (adjacent to the classroom). HHS Clemens stated the child said the child told another child and Miss Sara what happened. HHS Clemens stated the child named three other children that Miss Jules has grabbed before as well. HHS Clemens stated she also spoke to the child's sibling who reported witnessing the incident and described it the same as above.

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Jessica stated she was at the center on 7/20/23 and no staff reported the incident to her. Jessica stated she learned of the concerns via email on 7/20/23 and viewed the injury and spoke with the child on 7/21/23. Jessica stated the child said Miss Jules (staff Julianna B.) had scratched the child. Jessica stated when she asked Juliann what happened, Juliann said that she moved the child from the line and demonstrated putting her hand on the back of the child's shoulder. Jessica stated Juliann denied causing any injury.

Staff Sara F. stated she did not actually see Juliann grab the child, however, the children were having problems in the line, and it startled her when she heard Juliann yell, "I've had enough of you today". Sara stated she then saw the child run off to the coat room, and Juliann followed. Sara stated she was dealing with another child at the time. Sara stated also that Juliann was "kind of off" last week so much so that Sara asked Juliann about it. Sara stated Juliann just stated she had a lot going on. Sara stated the child did not say anything to her about an injury nor did she notice an injury that day. Sara stated she and Juliann have different styles. Sara stated she is more calm and soft spoken where Juliann is louder and uses sharper tones. Sara stated she had not ever seen Juliann grab a child other than her own child.

Staff Juliann stated the child had been having a rough day that day (being mean to friends, pushing, shoving, and being "handsy"). Juliann stated the child was in line pushing friends and she asked the child to go to the end of the line. Juliann stated the child pushed another friend so Juliann put her hand on the child's shoulder to assist the child to the end of the line. Juliann stated this is when the child ran away to the coat room. Juliann stated she followed the child, and the child had gone under the sensory table in the coat room, but the child came out willingly. Juliann demonstrated the incident in the room with the licensing consultant and HHS Clemens. Juliann denied that she ever grabbed the child's arm or that she caused any injury. Juliann stated the child did not complain of anything or say the child was hurt. Juliann stated she did not see any injury. Juliann also denied that she has had to grab other kids, but stated she has had to guide them with her hand behind their shoulder. Juliann became tearful during the conversation when asked about her co-worker's assessment that she seemed "off" last week and described several personal matters that are causing her stress. Juliann offered that she loves her job and the kids and that she knows when she needs to take a break, and she tells Sara when she needs a break. Juliann was observed to have quite long fingernails.

Jessica stated Juliann has been with the center since 9/1/22. Jessica has heard and witnessed Jules to be a little harsh with the children. Jessica stated Jules has a louder, more firm tone with the children. This was confirmed by the other staff interviewed as well. Jessica and the staff have not had concerns that Jules has been physically aggressive with children. Jessica stated other concerns with Juliann involve attendance.

The center is cited with regard to this report. There does appear to be sufficient evidence to suggest that Juliann caused the injury to the child by grabbing the child by the arm to move the child.

Special Notes and Action Required:

There is not further action required by the center with regard to this report, however, the center administration should continue to monitor the situation. The center is cautioned to consider whenever staff put their hands on children to physically move them from one place to another their is a heightened risk of injury. The center should consider additional training opportunities for staff in the area of behavior intervention strategies.

Consultant's Signature:

Heidi Hungate

Date:

07-26-2023