Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: YMCA IMV Davenport Early Learning Center **Enrollment:** 108 **License ID:** 45409

Street: 624 E 4th ST **City:** Davenport **IA** **Zip Code:** 52801 **County:** Scott

Mailing Address: 624 E 4th ST

Mailing City: Davenport **IA** **Zip Code:** 52801

Director's Name: Lindsay Wadsager **Center Phone Number:** 563-323-5770

On-Site Supervisors: Brent Ayers **E-Mail Address:** lwadsager@scottcountyfamilyy.org

Date of Complaint: 02-15-2024 **Date of Visit:** 02-21-2024

[ ] 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:

It is alleged that on 2/13/24 staff Lesly M. shoved a five year old child onto the child's cot causing the child to hit the child's head. The child threw up as a result of the incident. Supervisors at the center were notified of the incident shortly after it occurred. The staff person told the child's grandparent that the child slipped and fell. There are concerns that the child showed symptoms of a concussion from the incident.

It is alleged that on 2/14/24 staff Lesly M. left a four year old child alone in the classroom while the rest of the class was outside. The child was found by another staff member, who was taking a different child to the restroom.

Licensing Rules Relevant to the Complaint:

109.10(16)a The center and supervisor shall ensure that staff knows names and number of children assigned. Staff shall provide careful supervision.

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 center was visited unannounced on 2/21/24 by the licensing consultant and HHS worker Melissa Hounsinga to speak with the center supervisor, Brent Ayers, (Associate Executive Director of Child Care and Family Services at the YMCA IMV) and other staff about the incident. It is noted that HHS Housinga has also had contact with the child and family separate from this visit. HHS Housinga stated she attempted contact with the accused staff, Lesly M., who is no longer employed at the center, however, Lesly did not return phone calls.

109.10(16)a The center and supervisor shall ensure that staff knows names and number of children assigned. Staff shall provide careful supervision. VIOLATED
Information gathered indicates the incident happened as described above and that staff Lesly M. left the child inside the classroom unsupervised when the staff and other children went outside to play. The center supervisor and staff report that they do have procedures in place for staff to account for children, however, staff did not follow those procedures properly. The center is cited with regard to this portion of 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. VIOLATED
Information gathered suggests it is probable that staff Lesly M. caused injury to the child. The child was not cooperative with laying down on the cot for rest time. Lesly was observed to grab the child forcefully and slam the child down onto the cot causing the child to hit the child's head on the hard floor under the body of the cot. Staff stated they could hear the child's head hit the floor. Staff stated the child cried out and said, "My head, my head". Staff stated Lesly had a tendency to get physical with children but nothing to this extent previously. Brent stated he had spoken with Lesly in the past about her voice tone (she is a loud person), but that he had not had other concerns. Brent and staff stated a visible injury was not observed, however, the child was still crying and did vomit about an hour after the incident occurred, and that was the reason the child's grandparent was called to pick up the child. Brent stated it is the center's policy never to use force with a child. Brent provided a copy of the initial incident report prepared by Lesly which stated the child was "running around playing on the child's cot jumping, the child fell and smacked the child's head on the ground". Lesly's written statement prepared for the center states that the child "was jumping when the child went to jump off the cot and slid out from under the child's feet causing the child to hit the child's head on the floor". The center is cited with regard to this portion of the complaint. It is noted that discussion also occurred regarding the center's lack of evaluation of the child for possible concussion given the incident that occurred, the child's complaints of the child's head hurting, and then the child vomiting after the incident. This is an important consideration for future incidents where there is a possible head injury.

Special Notes and Action Required:

Brent states Lesley was terminated from employment at the center on 2/16/24 as a direct result of these two incidents. Brent states he plans to retrain all staff on the center's "face to name" procedures that are already in place. It will be important for the center administration to continue to monitor staff for compliance in all policies and procedures.

Consultant's Signature:

Heidi Hungate

Date:

03-18-2024