Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Hope Learning Center **Enrollment:** 103 **License ID:** 25991

Street: 1711 Osceola AVE **City:** Chariton **IA** **Zip Code:** 50049 **County:** Lucas

Mailing Address: 1711 Osceola AVE

Mailing City: Chariton **IA** **Zip Code:** 50049

Director's Name: Ashley Jeffers **Center Phone Number:** 641-774-0629

On-Site Supervisors: **E-Mail Address:** hopelearningcenter.ia@gmail.com

Date of Complaint: 06-26-2024 **Date of Visit:** 06-26-2024

[ ] 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:

Kenley D. & Caci G. (daycare staff) were not adequately supervising a 3 year old male and at least one other unknown child. One child had his penis exposed and at least one other daycare child was touching his penis.

Licensing Rules Relevant to the Complaint:

109.10(10) Recording incidents: Parents shall be notified on the day of the incident involving a child that includes:Minor injuries.Minor changes in health status.Minor behavioral concerns.Incidents resulting in injury to a child.Shall be verbally notified immediately when there is:A serious injury to a child.An incident resulting in significant change in health status.An incident includes child being involved in inappropriate, sexually acting out behavior.A WRITTEN report, fully documenting every incident, shall be provided to the parent or authorized person. This should be completed by staff that witnessed the incident and retained in child file.Serious injuries and deaths must be reported to the Department within 24 hours.

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

Inspection Findings:

The determination of this report was based on staff and administration statements and review of incident reports.

Other HHS personnel met with the known children and families. HHS visited the center on 6/26/24, 6/27/24 and 6/28/24. At least 20 staff/administration members were interviewed in person regarding supervision. No staff were asked directly about the allegations above. However, several staff reported things such as children are sexually acting out. The center Director was not present the date of the incident. Designated person in Charge Bobbi E. was lead in the building the date of the incident but was also not present at the time of the incident. Chelsey G. was designated person in charge. Staff came to Chelsey immediately and she indicated she told staff to inform parents of the incident.

Examples of concerns staff reported to both HHS personnel:

1. a child used a toy carrot to touch herself during nap time.

2. a male child took his penis out and rubbed it on another boy. They were sitting by each other. Staff indicated Bobbi was present and "acted like it was normal and there was no need to report it." Addie, Denise and Bobbi were the staff in the room when this happened.

3. children in the 3 year old room touch staff on the butt and make lewd comments.

4. children in the room have their pants down (multiple occasions) and exposed themselves or touch themselves (at least 3-4 children)

5. a child exposed himself and other children were touching his genitals. Staff indicated Bobbi E. told them not to report this incident. Kenley reported she was in the bathroom changing another child's diaper. She came out of the bathroom and saw his pants were down and other children were gathered around. She reported she immediately intervened and addressed the issue. Caci reported she was sitting on the floor with 6 or 7 of the kids in the room while they watched a movie on an iPad. Other kids were playing with toys. She said she heard one of the other kids say something like "Child's pants are down". Caci said she asked the other teacher, Kenley, to check on the situation and heard her say "Oh my God". Caci reported Kenley went right over when she saw what was happening and addressed the situation.

6. children were reading on a small couch and a girl had her legs up and boys were touching her. Staff reported she did have her pants on and they were touching her over the material. This happened a couple months ago. Staff was asked what they are supposed to do in these situations. She reported she moved the kids to different areas and talked to them. She was asked what they are trained to do in these situations. She reported they are supposed to call the office if behaviors are really bad. She does not think they have been told anything specifically related to sexualized behaviors.

Other HHS personnel concluded, "Several interviews were conducted over the course of the assessment. It is clear there was a situation on 06/18/2024 where a male child's pants were down and other children in the room were at least watching what happened. Some staff members report the other children were touching, poking or trying to do these things to the male child. The male child and the other children in the room are 3 years old and cannot provide detailed information about what happened, like what staff were doing, especially several days after the incident occurred."

Staff and administration have been aware that this classroom has a history of sexually inappropriate behavior, which should have triggered a response to increase supervision. Supervision should have been such that all children were being carefully observed and not had time to touch another child's genitalia.

Staff reported the room was rearranged to try to increase supervision. None of the incidents were reported to parents via incident reports. Administration indicates they have covered safe supervision techniques repeatedly with staff. They provided HHS Staff meeting notes from April 2024 in which supervision was addressed.

The program has video cameras. HHS requested video footage. The program indicated they were not able to give any type of recording or pictures to HHS, as they were not accessible.

Both staff completed Essentials training, CPR/1st Aid, Sing checks and fingerprints, Mandatory Reporter training.

1. 109.10(16)a The center and supervisor shall ensure that staff knows names and number of children assigned. Staff shall provide careful supervision. Staff supervising the child did not provide careful supervision when a three year old child was allowed to pull down his pants and other children were touching his genitalia. When the child pulled his pants down he should have been immediately redirected. Staff did not stop this behavior, which allowed time for other children to gather around the child and touch his genitalia. HHS and CCR&R have recommended several times that staff are assigned specific children in smaller groups so that careful supervision is easily achieved. All children should be supervised by sight at all times. This has not occurred. Other HHS personnel, also assessing the situation and her Supervisor communicated to licensing in a meeting to licensing and Child Care Bureau Chief Savage concerns with overall supervision at the center. They assess supervision issues are present overall in the program and that the lack of supervision was not due to failure on an individual. Staff and administration have been aware that this classroom has a history of sexually inappropriate behavior, which should have triggered a response to increase supervision. Supervision should have been such that all children were being carefully observed at all times. VIOLATION

2. 109.10(10) Recording incidents: Parents shall be notified on the day of the incident involving a

child that includes: Minor injuries. Minor changes in health status. Minor behavioral concerns. Incidents resulting in injury to a child.

Shall be verbally notified immediately when there is: A serious injury to a child. An incident resulting in significant change in health status. An incident includes child being involved in inappropriate, sexually acting out behavior. A WRITTEN report, fully documenting every incident, shall be provided to the parent or authorized person. This should be completed by staff that witnessed the incident and retained in child file.

Parents should have been immediately verbally notified EACH time a child was involved with inappropriate sexually acting out behavior. Staff did not complete incident reports and give to parents of the child the days of these incidents.

VIOLATION

Special Notes and Action Required:

Administration at the center is now certainly aware of these types of behaviors and should ensure their supervision prevents acts like this from occurring in the future. The center is meeting with IDPH Child Care Nurse Consultant Comer and CCR&R Consultant Karen Lauer on long term correction of the violations. They are specifically working on increasing supervision and altering the environment to keep children engaged in activities. The Board and Administration held and emergency staff meeting in regard to overall center functioning. The center has applied for a grant to get better a better camera system. The Director is frequently checking on staff in rooms to assure they are supervising specific children assigned to their care.

The center has met with CCNC Brenda Comer three times and Karen Lauer in July. They will continue to meet weekly.

Consultant's Signature:

Jill Seibert

Date:

07-26-2024