Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Iowa's Child Early Learning Community **Enrollment:** 217 **License ID:** 50547

Street: 135 E Douglas Ave **City:** Des Moines **IA** **Zip Code:** 50313 **County:** Polk

Mailing Address: 135 E Douglas Ave

Mailing City: Des Moines **IA** **Zip Code:** 50313

Director's Name: Tracey Bolin **Center Phone Number:** 515-282-1729

On-Site Supervisors: **E-Mail Address:** tbolin@iowaschildelc.com

Date of Complaint: 05-29-2024 **Date of Visit:** 05-31-2024

[ ] 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 May 29, 2024, staff (SI) at Iowa Child's Early Learning Community) forcefully grabbed the arm of a child age 3 and sat them on the ground. The child has a scratch, abrasion and bruise on the chest from landing on a wooden baseboard. Physical Abuse is Alleged.

Licensing Rules Relevant to the Complaint:

109.12(2)a Center does not use corporal punishment including spanking, shaking, or slapping.

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:

On 5/29/24 I was forwarded concerns along with information that a joint child protection assessment would be completed by Child Protection Worker (CPW) Callie Moore. CPW Moore and I discussed the concerns and agreed to meet at the center on 5/31/24.

On 5/31/24, CPW Moore and I made an unannounced visit to Iowa's Child Early Learning Center. We met with Tracey and Blaine Bolin. Tracey and Blaine own the center and Tracey is the center director. The center is equipped with video surveillance and had documented the incident to which we are addressing. Blaine queued the video so that CPW Moore and I could watch; there was not not audio, just video. The video depicts staff SI engaging with the child near a book case or shelf in the room; and then staff SI placing the child on the floor for a timeout. There is some physical interaction between the staff and the child. The child is believed to have hit his back on trim board on the wall.

CPW Moore interviewed the child while I was present at the center. The child, age 3 was observed to have 2-3 inch scratch and bruise on his left rib cage.

We requested that staff SI not have access nor work with the child until further notice; with which the director agreed to cooperate.

The director indicated that staff SI was "cautioned" (written warning) for the intervention being inappropriate. There was also coaching provided to staff SI to reach out to director and other staff for assistance with bathroom breaks (for the children done as a group) and maintaining ratio in the room. This staff has worked with the center for less than one year with no other concerns in her working habits per the director.

CPW Moore indicated that law enforcement would review this information as well. An interview of staff SI was set for several days later.

6/26/24 CPW Moore Met with staff SI at the DHHS office. CPW Moore notated the following information:

"CPW Moore met with SI at the DHHS office. SI reported she has been working at Iowa's Child for almost
1 years now. She reported she has had a couple write ups for being late and one no call/no show. She reported she was
conducting circle time when The child came into the room and began throwing a tantrum. The child ran out of the classroom and
another teacher had to step out and get the child. The child began messing with the book shelf. SI reported she asked
the child to take a minute and calm down when the child continued to mess with it. SI reported she felt the shelf was slipping
from her hand so she went to put the child in time out. SI stated he had a hold of her hand when she tried to put the child down
so, she was trying to get the child to let go of her. SI reported she did not intentionally mean to hurt him. She stated after
incidents she follows up with children but, was unable to do that with this incident because she was removed from the
room. She denied any knowledge of the child's injuries. She reported the child struggles with behaviors--has tried to bite, hit,
scratch, and pinch when redirected. The child likes to "throw themselves back" if they are being put in timeout. She shared the child
escalates when being deescalated. She reported the child is one of the more difficult children in the three-year-old room. The
daycare has tried to have the child in a smaller group and it's easier to get them calmed down. When he is in a room with a
larger group of children he becomes "more aggressive" and it is believed it is because he is not getting "as much
attention". SI reported she forgot to write an incident report and received internal discipline as a result. She
reported she had a migraine the day of the incident and was not feeling the greatest, so she was trying to get the kids
calmed down in a room by herself and was "out of ratio". She verbalized she did not know how "rough" she was or that
the child hit the wall. She reiterated she planned to reevaluate the situation and ask "why he did that and check on the child " but,
was moved to another classroom. During the incident she was not within ratio; she was trying to deescalate the child while
keeping the other children come. She confirmed she had no intention of hurting the child and it made her feel like a "crappy
person" when she learned of it. "....

6/26/24
I was notified by the director the staff involved is no longer working at the center.

8/8/24
I was notified the child protection assessment was not confirmed for physical abuse.

There is significant evidence that there was NON-COMPLIANCE with Iowa Administrative Code 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; as seen in the video and with the child having incurred injuries.

Special Notes and Action Required:

Non-compliance has been found with IAC 109.12(2)b Punishment which is humiliating or frightening or causes pain or discomfort is not allowed....

The staff involved was given a written warning; and further coaching and administrative assistance; and later terminated from employment.

There are no further actions required.

Consultant's Signature:

Maggie Gibson, SWIV

Date:

08-13-2024