Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Community Childcare Center **Enrollment:** 60 **License ID:** 23197

Street: 611 W Jackson AVE **City:** Fairfield **IA** **Zip Code:** 52556 **County:** Jefferson

Mailing Address: 611 W Jackson AVE

Mailing City: Fairfield **IA** **Zip Code:** 52556

Director's Name: Colleen Bates **Center Phone Number:** 641-472-9629

On-Site Supervisors: Renee Letts **E-Mail Address:** commcc@iowatelecom.net

Date of Complaint: 05-02-2023 **Date of Visit:** 05-03-2023

[ ] 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:

Whitney S. was a teacher at the daycare and used marijuana prior to caring for the kids. Whitney appeared to be under the influence of marijuana when worker reported this to administration. Whitney walked out when she got in trouble for sleeping during nap time when she was the only caregiver in the two year old room. Reporter was hoping the directors would do something about this, but they have not. One of the teachers is abusing and neglecting them.

Kennedy LNU is one of the kids. Age 1, Rosie Hyde is another child. Age 2. Missy C. is the teacher. The reporter heard from another person Missy C. spanked and slapped children. Further allegations are that Missy C. grabbed a child from a step stool and told a child to shut up. This was reported to administration.

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.

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 determination of this report was based on in person staff and administration interviews, interviews with former staff and center records such as training requirements and background checks. I made an unannounced visit to the center on 5/3/23. Other DHS personnel visited the center in mid May. She also interviewed relevant parties.

A former staff reported Kennedy was spanked by Missy. Other allegations were that Missy has smacked mouths of children. . I phoned the staff that reported this incident to another staff. I left messages on 5/2/23 and 5/3/23. She never returned phone calls. I interviewed all staff members in person in the building about this as well. No staff person in the building observed this. Two staff indicated a former staff reported this to them, but they did not observe it directly. Director Colleen Bates and OSS Renee Letts indicated this was reported to them several weeks ago. Director Colleen and OSS Renee reported camera footage was watched in response to the allegations and they did not see Missy mishandling, slapping or spanking a child The staff accused of mishandling the children (Missy) is no longer employed at the center as of 5/31/23.

When I interviewed staff in the building It was reported Missy yanked Rosie down off of the step stool. The child reportedly went over to another staff in the room crying, and Missy said “oh you’re find, knock it off.” The other staff in the room didn’t see anything wrong with the child's arm, but she got her an ice pack. The staff that witnessed this stated they reported this to administration but no consequences were given to Missy. Two staff affirmed this in an in person interview to the center. No information was given that Missy has caused any injuries to any of the kids. The Director and OSS watched cameras again regarding all these incidents and did not see any concerns.

I interviewed staff about allegations regarding another employee at the center who was reportedly under the influence of marijuana while working. Staff reported they did report concerns about this to OSS Letts and a week after this was reported to administration the staff fell asleep while caring for children. I spoke with the Director Colleen Bates about this as well as OSS Letts. Director Bates stated she took snack into Whitney S. room and realized she had fallen asleep. Director Bates stated she yelled her name three times and yelled, "Get up." It was reported to administration in the week prior to her falling asleep that other staff suspected Whitney S. was using marijuana and was under the influence at work. Administration admitted this was true and stated they were not able to address this concern as both the OSS and Director were in ratio most of the week. Director Bates stated she went back later to ensure Whitney was feeding the children snack and talked with her about sleeping while in ratio. She indicated Whiteny S. walked out the door and quit employment.

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. Sleeping while supervising any child is not reasonable. It was reported staff was using marijuana and administration did not address this allegation with staff. A short time later staff fell asleep while supervising a room of two year old children. 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.

No incidents were recorded on any incidents reported by staff or administration. VIOLATION

3. 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. Staff reporting inappropriate discipline did not complete incident reports. They reported concerns to administration who did not observe inappropriate discipline after reviewing hours of camera footage. Administration watched several hours of camera footage and did not see Missy slap, spank, or grab any child. Missy is no longer employed at the center as of 5/31/23. NO VIOLATION

Special Notes and Action Required:

DHS made a referral to Child Care Resource & Referral to assist the program with policies to address staff issues as well as incident reporting. I contacted Child Care Nurse Consultant Mandi Lauderman and she also visited the program with CCR&R on 5/4/23. The facility had a staff meeting and training over policies and procedure including incident reports, mandatory reporting, proper supervision and discipline on 5/8/23. Consultant Love made a visit to the center the last week of May to observe the classrooms and make recommendations. The center is on a Corrective Action Plan until these issues are resolved. The Director reported on 5/30/23 the new policies are working well.

Both staff in the allegations are no longer employed at the center. DHS is working with administration on time management, addressing staff concerns and complaints and policy development. If the center administration is not able to address employees using illegal substances while supervising children the center capacity should be decreased.

Consultant's Signature:

Jill Seibert

Date:

05-30-2023