Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Kids Corral Inc **Enrollment:** 60 **License ID:** 39488

Street: 1509 E Washington ST STE 3 **City:** Washington **IA** **Zip Code:** 52353 **County:** Washington

Mailing Address: 1509 E Washington ST STE 3

Mailing City: Washington **IA** **Zip Code:** 52353

Director's Name: Desirae Hesseltine **Center Phone Number:** 319-591-8028

On-Site Supervisors: Kylie Leeman **E-Mail Address:** kidscorral8028@gmail.com

Date of Complaint: 09-11-2023 **Date of Visit:** 09-11-2023

[ ] Scheduled **[ ]** Unannounced **[X]** 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:

The caller stated supervision is a big issue at the center. This morning staff were eating on the floor and while on the phone. No one was watching the infants and a child fell. On 7/17/2023 a child fell, name Maxwell, and received a black eye. Child is 1-yr old. Outside staff are seated on the curb, verses supervising children. The Director is always gone getting her nails and hair done. Unfortunately, the staff have no idea what to do regarding paperwork parents are turning in. Causing frustration for both staff and parents. Desirae is allowing staff to bring their sick children to work, but parents are not allowed to bring sick children or the siblings of sick children. One parent had a child with Hand Foot and Mouth. Dr. cleared the child to return, but the parent was told to pick up child due to a "wet spot" in the child's mouth. Parent was frustrated, because the DR cleared the child. The belief is the child was sent home due to staffing. Lastly OJT student, Emalaine, was rocking a baby when a window fell out of the wall and onto Emalaine's head. The baby was sheltered by Emalaine, but Emalaine was injured. DeDesirae Hesseltine would not allow Emalaine to leave. Her parents found out, and were very upset. Emalaine was taken to the ER and had a concussion.

Licensing Rules Relevant to the Complaint:

109.6(2) Director or on-site supervisor on-site during the hours of operation or a minimum of six hours of center's hours of operation.
Information on on-site supervisor's qualifications is submitted to the consultant prior to employment and is sufficient to make a determination.
On-site supervisor meets qualifications or is "qualifiable" with a plan established to meet qualifications.

109.8(2) Ratio maintained in center as required by age.

109.10 Center shall establish health policies, including criteria for excluding a sick child. Policies shall be consistent with the recommendations of the National Health and Safety Performance Standards.

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.

109.11(3)a Center shall ensure that: Facility and premises are sanitary, safe, and hazard free. Adequate indoor and outdoor space is provided. The outdoor area shall include safe play equipment and area of shade. Sufficient space provided for dining. Sufficient lighting shall be provided. Sufficient ventilation. Sufficient heating. sufficient cooling. Sufficient bathroom and diapering facilities. Equipment, including kitchen appliances, are maintained so as not to result in burns, shock, or injury to children. Sanitation and safety procedures for the center are developed and implemented to reduce risk or injury or harm to children and reduce transmission of disease.

109.8(1)e Staff persons under age 18 who are not under supervision of adult shall only provide care to school aged children

Inspection Findings:

The determination of this report was based on a review of incident reports and an interview with the Center Director and other staff. HHS was not able to contact the reporter, as no contact information was given.

HHS questioned the Director about outside staff being seated on the curb, verses supervising children. She indicated this was the case in the past, but this staff member is no longer employed at the center. We discussed allegations that a child (Maxwell) was not being supervised and fell in the infant room receiving two black eyes on 7/17. The Director sent this worker the incident report on the fall from 7/17/23. The report indicated the child was attempting to walk down the slide and fell injuring the side of his face on a handrail.

Due to supervision and scheduling concerns the Director asked for help in these areas. She indicated PBIS Coaches are present every week especially in the 3-5 year old room due to the Director already identifying supervision as in issue. The program has had multiple meetings with CCR&R Consultant Tabitha Copeland regarding PBIS, handouts on supervision, activist, curriculum, etc... 8/2/23 was the last visit made by Consultant Copeland.

We discussed the incident alleging a window fell on staff while rocking a baby. The Director indicated no children were injured or hit when a window not properly installed on the track fell out hitting an employee. She sent an injury report on 9/13/23 indicating a child was on a cot nearby and was not injured when the window fell. Emmalaine (staff member) was seen and treated for the incident. Emmalaine no longer works in the center. The Director indicated attorneys and workman's comp are involved. She stated, "I would also like to note that the window from the incident with the staff has been replaced (picture attached) and is no longer as large as the previous. We also opted for vertical sliding windows instead of the previous horizontal so that way we can open the top half and the children will not push on the screen. Additionally, our attorney and workman's comp have already closed the claim as it was many months ago. No children were harmed as a result of this window."

I attempted to phone Emmalaine. I left a voice mail message on 9/13/23. I also attempted to phone her mother, since she was a minor at the time of the incident and left a message. Emmalaine phoned me back on 9/13/23 and stated she was patting a child's back laying on the cot. She indicated "The window fell out and landed on her and the child's legs causing the child to cry." She stated the force of the window pushed her onto the child so that she was laying on top of the child and the window was on top of both of them. She indicated the child's mother worked in the building and came over to check the status of the child. She indicated she was left alone in the room with twelve two-year-old children when this occurred because staff was on a restroom break. She indicated staff often leave ratio to go talk to other staff members. This is not allowable.

I contacted the Director on 9/14/23 reporting staff Emmalaine indicated the window did fall on the child and asked if an incident report had been written. She stated it had not and that the window did not fall on the child to her knowledge. We discussed this is why an incident report should have been completed by staff in the room.

I asked the Director for contact information for mother of the child that the window fell on, who worked in the center on 9/14/23 at 5:35 pm. Director Hesseltine stated the employee no longer worked there, moved to Illinois and she did not know if she had the employee's contact information.

I obtained contact information on mother of the child from another source. I spoke with Kristen B., the mother of the two-year child that the window fell on. She also works in the center. She indicated she had concerns about the facility and voiced these to the Director on 9/13/23. The concern was that a staff member smacked a child in the mouth in the one-year-old room (Rhett M.) She indicated she was still employed at the center but had received bullying text messages from other staff members influencing her not to report the slapping incident and telling her she was being dramatic.

She indicated staff were told not to open a window in the two year old room because it was "wobbly". She indicated she was working in another room at the time. She indicated she believed the window was loose and fell out on her son and the Emmalaine. She indicated she immediately went to the room when she heard the crash so she went in the two year old room. She stated she stated she looked at his legs and did not see marks, cuts or bruises of any kind.

I spoke to a board member for this facility who indicated the board has repeatedly sent information to the building owner indicating the window should be fixed or replaced for the past five years.

Kristen B. indicated Emmalaine was alone in the room with approximately 12 two year olds and the staff was either in the restroom or baby room. She indicated staff often take breaks and no one is there to cover. She indicated breaks are often up to 30 minutes during nap time, however, ratio must be maintained in the one year old room and staff under 18 years old. She indicated staff often leave ratio to go talk to other staff members. She indicated 9/13/23 she was left alone from 730 am to 830 am with 15- 18 children ages three under. She reported Elliana C. and Kylie L. (OSS) were supposed to be working with her. She stated Kylie L. left to transport children to school and Elliana was in the kitchen. She indicated the center is often out of ratio at nap time and when children are outdoors between 730 top 9 and 10 to 1130 and 4.

Kristen B. indicated staff often bring their children to care ill. She indicated one of the staff's children initially had Hand, Foot and Mouth and was left in care spreading the illness to others in the room.

I phoned CCNC Krana regarding the complaint. She stated, "I will address this; I have a visit set up on 9/15/23 with them. They did have a Health and Safety assessment done 10/18/22 which we did talk about the windows as they open more than 4 inches and had no guards on them, at that time Desirae had told us that they were going to be getting new windows for the center, she said that it was going to be a while as they were having to wait for the windows to be available and installed and it was back logged. Toni Krana RN, CCNC

She indicated she has witnessed staff seated on the curb not supervising children (being on their phones, etc...) She indicated shot records or food program records, or payments are dropped off and staff are not aware of what to do with these items.

9/18/23 12:35 pm Alex G. stated staff frequently leave the rooms leaving the rooms out of ratio for 20 minutes at a time to go to the kitchen, going to other rooms talking to other staff members. She stated she was told to bring her sick child to work because they were short staffed. She indicated he had a fever and she had to give him Tylenol throughout her entire shift. She indicated at times they will not send sick children home due to not wanting to upset parents. She indicated the hand, foot and mouth outbreak was caused by a staff's child. The child's mother did not want to come to work but was told she had to come in due to no staff coverage.

I talked to a parent of a child. She stated she walked in one day and a staff member in the one year old room was asleep on the floor.

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. The Director provided an incident report which indicated the child was on a slide and fell off. NO VIOLATION

Staff have been observed sitting on the curb and talking on their phones not actively supervising children. VIOLATION

2. 109.6(2) Director or on-site supervisor on-site during the hours of operation or a minimum of six hours of center's hours of operation. Information on on-site supervisor's qualifications is submitted to the consultant prior to employment and is sufficient to make a determination. On-site supervisor meets qualifications or is "qualifiable" with a plan established to meet qualifications.

The Director is absent on Mondays and sometimes throughout the day but an OSS (either Kylie Leeman or Kaylie McDowell). If all three of these women are absent other designated persons in charge are elected. Emmalaine indicated an OSS was always present if the Director was not present. NO

VIOLATION

3. 109.10 Center shall establish health policies, including criteria for excluding a sick child. Policies shall be consistent with the recommendations of the National Health and Safety Performance Standards. The Director admitted that at times children with fever's are allowed to stay in care until Dr. appointments are made. She indicated at times children were left in care because if they were sent home this would cause a ratio violation when the parent of the child (staff member) had to leave as well. Staff members indicated staff were told they could not take time off and staff brought ill children to the center which made other children ill. VIOLATION

4. 109.11(3)a Center shall ensure that: Facility and premises are sanitary, safe, and hazard free. Equipment, including kitchen appliances, are maintained so as not to result in burns, shock, or injury to children. Staff were told not to open a window in the two year old room due to it being loose.

The Director indicated no children were injured when a window not properly installed on the track fell out hitting an employee. She sent an injury report on 9/13/23 indicating a child was on a cot nearby and was not injured when the window fell. Emmalaine was seen and treated for the incident. Emmalaine no longer works in the center. Emmaliane and mother of the child indicated the window fell on both Emmalaine and the child hitting the child's legs. Emmalaine shielded the child and took most of the impact of the fallen window, which caused a concussion. The Director indicated attorneys and workman's comp are involved.

A window did fall on a two year old child in the center. The window fell out, struck the staff first causing a concussion and then hit the child's legs. The center board and Director were both aware the window needed repair and had reported this issue to the building owner for five years. It was also listed in a health and safety review by IDPH as a safety issue.
VIOLATION

5. 109.8(1)e Staff persons under age 18 who are not under supervision of adult shall only provide care to school aged children. Emmalaine stated she was 17 years old. She indicated she was alone with children ages 3 to 5 years old on nearly a daily basis. She stated people go to the kitchen to get food or talk with other staff and are gone for up to twenty minutes at a time. She was left alone with the two year old children when the window fell out onto her and a child. She had difficulty removing the window from her back as she was trying to shield the child and no other staff members were in the room.
VIOLATION

6. 109.8(2) Ratio maintained in center as required by age. Two staff reported the center was often out of ratio because staff would leave the room for up to a half hour at a time. They indicated the Director was aware of this and told them if they needed assistance she would be in her office. VIOLATION

7. 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 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. Incident reports were not completed by staff when a window fell on a child. VIOLATION

Special Notes and Action Required:

The Director should ensure a schedule is in place for all rooms so that all children are not together all day long in the same area. Prior to this report she was already working with CCR&R and PBIS to assist her with scheduling, curriculum, routine in the rooms.

The Director supplied HHS with the center schedule and other requested documents on 9/13/23. She stated, "Here are the requested documents as well as photos of the child sent home who came with a Dr. note for HFM & the parents responses to the termination email. I have also attached our childcare policy regarding illnesses. Please let me know if you need any other documentation or have any other questions. She further sent a copy of a termination letter recently given to parents for parents not following center policies on exclusion of a sick child.

PBIS has been working closely with Kids Corral since March of 2023. Jacki McCraken has mainly been working with Elieanna in the 3-5's room.Their main focus has been on how they can break the daily schedule into shorter, more frequent activities to keep the children engaged. They have also been trying different room arrangements to see what works best, since the layout in that room is a little difficult. (I have attached some of Jacki's notes so you can review them)

Dawn Leo from PBIS has been mainly working with Desiree in the 2's room on getting the soon to be 3's ready to transition and working on similar expectations as in the 3's room. She has also shadowed in the Tot and Infant room.

Along with PBIS, CCR&R Tabitha Copeland has made frequent visits/checks in regularly, most recently on 8/2/23. Nurse Consultant Toni Krana also makes frequent visits/checks in regularly. Most recently on 9/14/23.

Thank You."

The following was sent in a letter from PBIS Coach, "Southeast Iowa EC-PBIS has been working with Kids Corral Inc. to address social-emotional wellbeing and reduce challenging behaviors they encounter in their program. Some topics that we've worked on with the 3's and 4's age group include:
• Active Supervision by adults withing the classroom and outside play areas; this includes managing an unusual classroom layout to maximize visual supervision
• Identifying, creating and teaching procedures for routines, schedules and routines- within-routines, i.e. hand washing, lining up, cleaning up, etc.
• Creating and implementing schedules, including the use of a visual schedule, at the child's eye level and using it as a tool to revisit during the day to let children know what will happen throughout the day
• Implementing "attention getters" or "call outs" to utilize before transitions or when giving directions to the whole group
• Structuring transitions to promote active engagement and less wait time
• Creating appropriate designated play areas, group areas, quiet or calming corner/area, and play based centers
• Pre-correction and how reminding students of expectations can decrease unwanted behaviors
• Developing and managing age-appropriate expectations for behaviors, during wait time during/before/after activities
• Using Positive Descriptive Feedback (sharing with kids the things they do well, offering appropriate praise) to reinforce positive behavior or choices
• Utilizing positive language, telling kids what to do, instead of what not to do
• Increasing engagement in large or small group activities to decrease negative behaviors
• How planning and organization can increase engagement and reduce wait time during daily activities
If you have questions or need further details, please don't hesitate to contact me at:
Jackimcc@iastate.edu or by phone at 319-931-0127.

Jacki McCracken, EC-PBIS Coach/Consultant
SE Iowa Early Childhood PBIS Project"

The Director is no longer employed at the center. A new Director has been appointed. The new Director and Board is accessing CCR&R and IDPH for assistance to address all issues noted above.

Consultant's Signature: **Date:**

Jill Seibert 10-24-2023