Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Muscatine Community Y Kids Club **Enrollment:** 134 **License ID:** 20297

Street: 1823 Logan St **City:** Muscatine **IA** **Zip Code:** 52761 **County:** Muscatine

Mailing Address: PO Box 978

Mailing City: Muscatine **IA** **Zip Code:** 52761

Director's Name: Amy Hessel **Center Phone Number:** 563-263-9996

On-Site Supervisors: Rachel Adams **E-Mail Address:** ahessel@muscatiney.org

Date of Complaint: 08-04-2023 **Date of Visit:** 09-15-2023

[ ] 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:

-Children behaviors are not handled the same consistently. Some children are sent home; others are not.
-Children are outside when the weather is not appropriate.
-Children are bullying other children. During this time staff are not providing careful supervision.
-Ratios are not maintained.
-Staff do not have record checks completed or required trainings.

Licensing Rules Relevant to the Complaint:

109.4(2)b Written policies on:<ul type="disc">
<li class="MsoNormal" style="line-height: normal;">Enrollment and discharge.<o:p></o:p>
<li class="MsoNormal" style="line-height: normal;"><span style="font-size:10.0pt;font-family:Roboto;mso-fareast-font-family:"Times New Roman";
mso-bidi-font-family:"Times New Roman"">Field trips and non-center activities.<o:p></o:p>
<li class="MsoNormal" style="line-height: normal;">Transportation. (if applicable)<o:p></o:p>
<li class="MsoNormal" style="line-height: normal;"><span style="font-size:10.0pt;font-family:Roboto;mso-fareast-font-family:"Times New Roman";
mso-bidi-font-family:"Times New Roman"">Discipline.<o:p></o:p>
<li class="MsoNormal" style="line-height: normal;"><span style="font-size:10.0pt;font-family:Roboto;mso-fareast-font-family:"Times New Roman";
mso-bidi-font-family:"Times New Roman"">Nutrition.<o:p></o:p>
<li class="MsoNormal" style="line-height: normal;">Health and safety policies<o:p></o:p>

109.7(1) All staff(within first 3 months of employment)Two hours of approved training FOR the mandatory reporting of child abuse.At least one hour of training regarding universal precautions and infectious disease control.Certification in American Red Cross, American Heart Association, American Safety and Health institute or MEDIC First Aid infant, child, and adult cardiopulmonary resuscitation (CPR) OR equivalent certification approved by the department. A valid certificate indicating the date of training and expiration date shall be maintained.Certification in infant, child, and adult first aid that uses a nationally recognized curriculum or is received from a nationally recognized training organization including the American Red Cross,American Heart Association, American Safety and Health Institute or MEDIC First Aid or an equivalent certification approved by the department.A valid certificate indicating the date of training and expiration date shall be maintained.Minimum health and safety trainings, approved by the Department. If significant changes occur to content, the Department may require the training be renewed.

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

109.9(1)b All files contain:A signed copy of DHS criminal history record check or any other permission form approved by the Department of public Safety for conducting an Iowa or national criminal history check. A copy of Request for Child Abuse Information.Copies of the results of Iowa records checks conducted.Copies of national criminal history check results.Any Department-issued documents sent to the center related to records check.

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.

Inspection Findings:

This worker arrived at the center. I observed the classroom, interactions between staff/children, reviewed staff files, reviewed child incident reports and reviewed the center's handbook.

109.4(2)b. Written policies on: Enrollment and discharge. Discipline. Health and safety policies. VIOLATED.
-The center does have a discharge policy that states, "Children can expect to: 1. Have a safe, supportive and consistent environment. 3. Have discipline that is fair and non-punitive. The center has another policy that states "Children can be discharged from the program when a child physically harms other children, staff or self. Parents will be notified and must set up a conference with the program director. At this time the director and parents/legal guardians will discuss the issues for possible discharge. Together they can create a plan of action with will outline the steps and process for correcting the problem. The Director will issue these plans to the parents/legal guardians in a written format."

I reviewed two children files. One child has hit, scratched, threw wooden blocks, kicked, punched and bit other children 10 times since 3/2023. This same child has hit, scratched (drew blood), attempted to bite, punched, pushed, threw wooden blocks and slapped staff 13 times. Another child has threw chairs/toys/shoe, hit, pushed a table, punched, hit and slapped other children 13 times since 2/2023. This same child has also ran
from staff, and threw toys/chairs 5 times. There were incident reports; however there was not a plan of action in the child's file.

Several staff also shared that the director does show favoritism to some children/parents and will not send them home when she sends other children home.

The director shared that she has sent children home, has had them complete a break period, and has also discharged children due to behaviors.

Several staff did share that they did not feel the director followed the weather watch to ensure appropriate temperatures outside for staff/children. The director must meet with the nurse consultant to review the
https://hhs.iowa.gov/sites/default/files/portals/1/userfiles/128/child%20care%20weather%20watch%20june%202020%20final.pdf

The director shared that she only allowed the children/staff to go outside in the morning on the extremely warm days.

109.8(2) Ratio maintained in center as required by age. NOT VIOLATED.

-Staff shared that to ensure ratio is maintained they can always pull in extra Y staff.

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.
-During my visit there was a child running on a table and kicking staff. During this time two staff were pulled away trying to get this child to comply leaving two staff trying to supervise the remainder of the group; even though ratio is maintained; it appeared that staff did struggle with providing careful supervision.
-This worker also reviewed files where other children's behaviors were challenging. This may have pulled staff from the children they are expected to supervise as well.

109.7(1) All staff(within first 3 months of employment) Two hours of approved training FOR the mandatory reporting of child abuse. At least one hour of training regarding universal precautions and infectious disease control. Certification in American Red Cross, American Heart Association, American Safety and Health institute or MEDIC First Aid infant, child, and adult cardiopulmonary resuscitation (CPR) OR equivalent certification approved by the department. A valid certificate indicating the date of training and expiration date shall be maintained. Certification in infant, child, and adult first aid that uses a nationally recognized curriculum or is received from a nationally recognized training organization including the American Red Cross, American Heart Association, American Safety and Health Institute or MEDIC First Aid or an equivalent certification approved by the department. A valid certificate indicating the date of training and expiration date shall be maintained. Minimum health and safety trainings, approved by the Department. If significant changes occur to content, the Department may require the training be renewed.
-When needed to maintain ratio the center may pull other Y staff in. Brandon, Mary, Chris, and Robin have not completed any training. All staff whether part time/full time must have the approved training completed within three months of hire.

109.9(1)b All files contain: A signed copy of DHS criminal history record check or any other permission form approved by the Department of public Safety for conducting an Iowa or national criminal history check. A copy of Request for Child Abuse Information. Copies of the results of Iowa records checks conducted. Copies of national criminal history check results. Any Department-issued documents sent to the center related to records check.
-2/11 employees needed Iowa SING checks completed.
-4/11 employees needed National FBI checks completed.

The director is working to ensure staff files are in full compliance.

Special Notes and Action Required:

The director and executive director will review the center's policy on discipline and discharge. This must be done to ensure the health, safety and well-being of children and staff at the center.

The director and executive director will review the children's files that are currently displaying challenging behaviors. They will review incident reports and will then set up meetings with the parents to complete a plan of action. The director and executive director will review if any children that have continued to exhibit persistent, severe challenging behavior that is unsafe to themselves, other children, or the staff need to be discharged from the program.

The director and all staff will keep the behavior log up to date so that they can see if there is a pattern of behaviors. This log is confidential and can only be shared with center staff, HHS and law enforcement (If Necessary).

The director and staff will ensure that behavior reports are completed, signed/dated and placed into the childs' file.

The director can print these off to share with their parents:
https://scottcountykids.org/wp-content/uploads/2014/11/Mental-Health-Resource-Guides.pdf
https://easterniowamhds.org/

The director will ensure that all staff full/part time have required record checks and trainings completed.

Consultant's Signature:

Heidi Brown

Date:

09-17-2023