Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Garnavillo Community Day Care **Enrollment:** 84 **License ID:** 19202

Street: 205 W Watson St **City:** Garnavillo **IA** **Zip Code:** 52049 **County:** Clayton

Mailing Address: PO Box 58

Mailing City: Garnavillo **IA** **Zip Code:** 52049

Director's Name: Amanda Drapper **Center Phone Number:** 563-964-9333

On-Site Supervisors: Samantha Johnson, Ashley Corlett & Chloe Freeman **E-Mail Address:** amandagcdc@alpinecom.net

Date of Complaint: 11-15-2023 **Date of Visit:** 11-17-2023

[ ] 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:

On 11/15/23 a concern was reported regarding Garnavillo Community Day Care. It was reported that one to two months ago Jane R., a staff member, dragged a child by one arm from the gym to his classroom. She lifted him by one arm and dropped him to the floor and he hit his head on the floor causing a goose egg. It is alleged on 11/14/23 two children in the toddler room were fighting over an item and Jane R hit one child on the forehead with her hand and left a red mark. The mark was gone an hour later. Jane kicked the other child hard in the stomach to separate the children. Jane yells, swears and makes racist comments toward the children. Jane R. works in the one year old room.

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)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 11/15/23 I made a collateral phone contact with John Ellingson from the Department of Health and Human Services. He informed me he was visiting the center on this date. I was unable to join him.

Mr. Ellingson called me later in the afternoon. He states he sent an email to Amanda Drapper telling her that Jane R. could not be at the center while the concerns are being investigated. He stated he interviewed several employees at the center. He was told that Jane hit a child on the forehead and left a red mark that went away the same day. The same child received a goose egg that lasted two days sometime in September or October from Jane dragging him by one arm and throwing him into the classroom where he landed on the floor hard. The child was 17 months old when it happened. Staff members reported Jane being mad all the time and yelling at the children frequently. She has used obscene language while caring for children, such as, “Fuck you” and “Fuck you little fuckers”. She has also used racist terms and uses the “N” word. She told a Hispanic child she would be a bean picker. Staff members hear Jane yelling all the way down the hallway. Another child in the room had her child’s elbow dislocated by Jane. Jane was told not to grab the child by the arm again because of the dislocation but Jane did it again yesterday.

Mr. Ellingson states he is meeting with the family soon. The parents have told him they did not receive incident reports for the reported concerns. They were told the child received the goose egg was from playing and hitting his head on a bookshelf. The parents do have pictures of the goose egg.

On 11/17/23 I made a collateral phone contact with Amanda Drapper, the director at Garnavillo Community Day Care. Ms. Drapper states that Bill and Lisa Robinson are members of the child care board and they sent a text giving their resignation from the board. They are done at the end of 2023.

Ms. Drapper states she has received complaints about Jane R. for being loud, cussing in the room and bottles being too hot for children. Ms. Drapper has heard Lisa Robinson, an on-site supervisor, tell Jane multiple times that she cannot talk that way in the center. She has not heard anything about her using racist comments. Ms. Drapper does not recall a bump on the child’s head.

On 11/29/23 I had a phone interview with Makenna S. Makenna states she is rarely in the one year old room. Makenna states her daughter is in the one year old room. She had previously dislocated her elbow that occurred at daycare. She states she knows this can occur easily and was not concerned, but she told Jane not to grab the child by the arm. She had heard from another employee that the same week Mr. Ellingson came to the center Jane had grabbed her child by one arm again. Makenna states she did not personally witness this.

Makenna states she works in the room across from Jane and she frequently hears her swear and use the “F” word. She will tell the children to stop f’n crying. Several staff members have asked her to stop talking that way.

On 11/29/23 I made a collateral phone contact with Ashley C. Ashley states that Jane R. is always loud. She has heard Jane in the hallway saying “F” bombs multiple times. She does not think it was directed at a child, but the word is often used. She states Jane would not listen to parent requests. For example, if the parent wanted to ween the child off their pacifier Jane would still give it. Ashley states she has never witnessed Jane being physical.

On 11/29/23 I made a collateral phone contact with Autumn S. Autumn states she is typically in the preschool room but has been working in the one year old room in the morning lately. Autumn states that Bill and Lisa Robinson are on the board and they are basically in charge at the center. She states Amanda Drapper is the director but is not really allowed to do much. Autumn states a parent complained about Jane in the past because she wants her child’s bottle at a certain temperature and she wanted her child wiped differently during diaper changes. She also complained about Jane giving the child a pacifier.

Autumn states she was working in the room when the child received the goose egg. There were eight children in the room and Jane R. took four of the children to the gym. Autumn stayed with the four younger children in the room. Autumn states she could hear Jane yelling and cussing in the hallway because a child did not want to leave the gym. Jane had the child by one arm and his feet were off the ground. She” threw” the child into the room by one arm and he landed on his head and bounced his head off the cement.- Jane made the comment, “Jesus f’n Christ this is ridiculous” and rolled her eyes. The child was on the ground crying. Autumn states she then went to get the other three children from the gym. Autumn states she thinks the child were left alone in the gym.

More recently she was in the one year old room and Jane was feeding a child and another child grabbed a burp rag from the child. The same child who hit his head on the ground went over to grab the burp rag from the child and they had a squabble. Jane said “Jesus f’n Christ” and got up and kicked the child who took the burp rag in the gut and he fell backwards and she “smacked” the child she previously threw to the ground on the forehead/eye area with an open palm. She states the child had a red mark on his forehead. She does not think the other child had any injuries.

Autumn states she witnessed Jane yank a child’s arm the same day as the burp rag incident. This child had previously dislocated her elbow and was not supposed to be grabbed. Jane grabbed the child’s

arm and threw her on the carpet.

Autum states that Jane has told children she was going to beat their “ass”. She has heard Jane use racial slurs, such as the “N word with a hard R”. She calls the children stupid and tells them she hates them.

On 11/29/23 I made a collateral phone contact with Chloe F. Chloe states she has heard verbal insults. She heard Jane tell a child that she could not believe the child’s parents have not strangled the child yet. She told a “mixed” child that she should go be a bean picker and called her the N word. She states Jane cussing and yelling is a daily occurrence at the center. Chloe states she works in the one year old room and heard the comments first hand. Chloe states that Jane slams children on the ground and yells at them. She has not seen injuries. She has seen Jane drag more than one child by their arms.

On 11/20/23 I made a collateral phone contact with Alexa S. Alexa states she did not like how Jane treated children. She pushed a child back and he fell and hit his head. She has seen children standing on buckets and Jane will pull the buckets out from under them. She cusses all the time. It is a daily occurrence. She swears around the children and at the children. Alexa states she worked in the one year old room when she started but now works in the preschool room. One of the children ran over to the preschool room once and Jane picked him up by one arm and dragged him back to her room and his feet were dangling.

I attempted a phone contact with Ryleigh G. but she never returned my call.

On 12/07/23 there was an administrative staff meeting regarding this case. John Ellingson states he interviewed Ryleigh G. and she was purposefully vague and gave statements not consistent with the other staff members because she is friends with Jane.

On 12/13/23 I had a collateral phone contact with John Ellingson from the Department of Health and Human Services. Mr. Ellingson informed me had interviewed Jane r. on 12/12/23. He states Jane was vague. She said she did not remember slapping a child. She made the comment that one year old children fight all the time. She did not know anything about a child being tossed into a room and getting a goose egg. She admitted her mouth gets her in trouble and she has been disciplined. She minimalized parent complaints about her.

Mr. Ellingson states he also interviewed Ryleigh G. again and she was still vague and said she did not remember a lot.

On 12/18/23 I had a phone interview with Jane R. Jane states she does not have anything different to say than what she told John Ellingson. She states she honestly does not remember particular incidents. She states in the one year old room it is a daily occurrence for children to fight over toys and she must break it up.

Jane states Mr. Ellingson told her that she was holding a child while assisting another child back to the room from the gym. Jane states it is a common occurrence that the child does not want to leave the gym. She states she would assist the child back to the room by holding his arm if she was carrying another child. She states she holds the upper arm so she does not injure the child because she knows they can easily dislocate elbows. Jane states transitions are hard for all children.

Jane states she does not recall the two children fighting over a toy. She states she may have pushed the child’s face out of the way because the other child has a history of biting and she wanted to protect him from that. Jane states Mr. Ellingson did not mention the allegation of her kicking a child in the stomach. She does not recall that.

Jane states she does not have a comment on using bad language. She states it was taken out of context. She has occasionally used bad words in the room. A while ago she was talking with a co-worker while all the children were napping and she used a bad word. A parent walked in and heard it and Jane was reprimanded by Amanda Drapper. She does not recall making any racist comments toward a child.

Jane apologized for everything that happened. She seemed upset while talking with me.

Special Notes and Action Required:

109.12(2)a-d. Discipline does not allow for corporal punishment; punishment that causes humiliation, fear, pain or discomfort. Discipline does not allow for punishment or threat of punishment associated with a child's illness, lack of progress in toilet training, or in connection with food or rest. Punishment which is humiliating or frightening or causes pain or discomfort is not allowed. VIOLATED. Several staff members had consistent accounts about witnessing Jane R. being physical with children when she was frustrated with their behaviors. Staff members reported her grabbing children by the arm and one staff member witnessed her "smack" a child on the forehead. Staff members reported Jane throwing children to the ground. Any type of physical discipline is not allowed in childcare.

109.10 (16)a. Supervision. The center director and on-site supervisor shall ensure that each staff member, substitute, or volunteer knows the number and names of children assigned to that staff member, substitute, or volunteer for care. Assigned staff, substitutes, and volunteers shall provide careful supervision. VAIOLATED. Several staff were interviewed. The staff members provided consistent accounts about Jane using foul language in the classroom around children and toward children. This is not in the guidelines for providing careful supervision.

109.10(10). Policies and procedures for incidents involving minor injuries, minor changes in health status, or behavioral concerns are reported to parent on day of incident. A written report, fully documenting every incident, shall be provided to the parent or person authorized to remove the child from the center. The written report shall be prepared by the staff member who observed the incident and a copy shall be retained in the child's file. VIOLATED. The parents of the child who received the goose egg and was hit on the forehead did not receive incident/accident reports for these specific situations. As a reminder, an accident or incident report must be completed every time a child receives an injury, there is a change in health status and behavioral concerns.

Jane R. is no longer employed at the center so there is no need for corrective action.

Currently, the status of the center's license is unchanged. If you would like to respond to this report, please do so in writing and I will include the information in the licensing file.

Consultant's Signature:

Rebecca Frost

Date:

12-18-2023