Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Families First Child Care and Learning Center **Enrollment:** 106 **License ID:** 51155

Street: 1661 3rd St SW **City:** Waverly **IA** **Zip Code:** 50677 **County:** Bremer

Mailing Address: 1661 3rd ST SW

Mailing City: Waverly **IA** **Zip Code:** 50677

Director's Name: Beth Burrow **Center Phone Number:** 319-559-2450

On-Site Supervisors: Elizabeth Carolus **E-Mail Address:** familiesfirstiowa@gmail.com

Date of Complaint: 02-16-2023 **Date of Visit:** 02-24-2023

[X] Scheduled **[ ]** 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:

On 02/16/23 a concern was reported for an alleged incident at Families First Child Care and Learning Center in Waverly. It is alleged a staff member in the infant room hit a child on the head causing the child to cry and hold his head. There were no reported injuries.

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:

I was on vacation February 15-17, 2023 and did not receive the complaint until 02/20/23.

On 02/16/23 I received an email from Beth Burrow, the director and owner of Families First Child Care and Learning Center in Waverly. Ms. Burrow informed me of the reported incident prior to me receiving the complaint. Ms. Burrow stated, “As soon as we were notified, Ken and I quickly checked the child, there was no sign of physical harm, the child was playfully interacting with staff and other children and did not appear distressed. We then took written statements from everyone that works in the room and possibly could have seen any sign of trouble. We did place the teacher on paid leave and left a note in her file. During our investigation, other staff members said that she has not used best practices in discipling children. I have a call into ICCRR to see if there are additional trainings on safe and effective discipline methods to have ALL our staff undergo. We are also evaluating our procedures for supervision, giving enough breaks, etc.”

On 02/20/23 I emailed Beth Burrow and asked her to provide me copies of the written statements she gathered from staff members. Ms. Burrow sent me the written statements the same night I requested them.

On 02/21/23 I emailed Beth Burrow and made arrangements to visit the center on 02/24/23 to interview

staff members.

On 02/24/23 I made an announced visit to Families First Child Care and Learning Center in Waverly. I interviewed Beth and Ken Burrow, the owners of the center. Additionally, I interviewed Elizabeth C., Amanda M., Trinity M., and Maddie O.

Mr. Burrow states on 02/14/23 a staff member came to him visibly upset and wanted to talk in private. She reported an infant in the room went over to another infant and did something. She states a co-worker, Kelsie W., whacked the child on the head and it was really hard. She said the child tensed up and started to scream. Kelsie asked the child why he was crying when he was the one who hit the child and the other child was not crying. Mr. Burrow states he had to leave, but Mrs. Burrow came in and he informed her of what happened.

Mrs. Burrow states she spoke with Kelsie. She asked Kelsie if anything happened in the infant room, and she said no. Mrs. Burrow states she directly asked Kelsie if she hit the child on the head and she said no. She asked Kelsie if she was stressed. Kelsie denied everything and said everything was fine. She states they received written statements from all the staff members the following day. (I was emailed these statements on 02/20/23).

Mr. and Mrs. Burrow state the parents of the child who was hit on the head were notified. They checked back to see if they observed any concerns with the child after the incident and they had not. They appreciated being informed about the situation.

Elizabeth and Amanda did not report seeing anything concerning during their time working with Kelsie. Trinity and Maddie both reported seeing concerning behaviors while working with Kelsie. They observed things such as throwing balls or soft toys toward children who did not listen to her. They also observed her tap children on their head or hands. Trinity states she never saw children cry from this. Maddie states she did observe children cry from this.

The staff members did not observe concerns with any of the other staff members.

On 03/07/23 I made phone contacts with additional staff members from Families First Child Care and Learning Center in Waverly. I had phone interviews with McKenzie P., Ava F., Mallory R., Jacqueline S., Emily H., and Sarah H. Mallory and Jacqueline reported not seeing any concerning behavior in the infant room. Emily and Ava were not in the room the day of the reported incident. However, they have seen Kelsie act in a concerning manner in the infant room. Ava has observed her grab a child's hand and swipe it back for banging on a crib and then she flung the child back. She also observed her grab the cheeks and temples of infants to turn their heads when they did not want to take their bottles. She has also been observed throw or toss toys toward children to make them stop behaviors. Emily has observed Kelsie tap children on their hand or head to redirect them. No injuries were observed by either worker.

McKenzie and Sarah were working in the infant room the day of the reported incident. Both reported seeing Kelsie act in an aggressive manner toward a child. McKenzie said she saw Kelsie "smack" the child on the top of the center of the head. It was loud and sounded like a clap. His body shook toward the ground, and he started to cry. Kelsie then asked the child why he was crying he was not the one who got hit. She states she did this because he did something to another child. McKenzie stated she stayed by the child the rest of the day to check his eyes and make sure he was okay. She states the child was grabbing his head and crying for about 1.5 hours. She has previously seen Kelsie throw toys toward children to make them stop behaviors. She was frustrated when they cried and picked them up roughly. She never observed injuries.

Sarah states the child victim hit another child on the head with a toy. Kelsie told him "no" and struck the child on top of the head with her hand. The child started to cry, and Kelsie asked the child why he was crying when he was the one who just struck another child, and that child was not crying. She states the smack was loud and immediately made her feel uncomfortable. The hit seemed to take the child's breath away and he started to cry. The child was grabbing his head. She held the child more that day to keep an eye on him and make sure he did not have a serious injury. She states she has also observed Kelsie slam children in bouncy seats and push children's heads back aggressively if they sit up in the seats. She has pushed children down who stand by shelves and cribs. She has also witnessed her throw items toward the children. She never observed physical injuries.

On 03/13/23 I had a phone interview with Kelsie W. She is no longer employed by the center. Kelsie states the children were next to each other and the child in question was hitting another child on the head with a hard plastic toy. She had told him no a few times. Kelsie states she tapped the child on the head; not hard and not to hurt him. She could not remember if he cried. She states Beth talked to her that day and she did not remember anything happening right away but did later. She talked to Beth and Ken Burrow about it the next day. She states she did not think she hit the child hard on the head, but she could have because it made a loud noise. She admitted throwing a soft stuffed animal toward

children if they were banging on the cribs to distract them. She did not throw toys at them. She states there were no other times she laid her hands on children.

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. A staff member was observed hitting an infant child on top of the head to discipline them for hitting another child. The staff member is no longer employed at the center.

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:

03-17-2023