**Iowa Department of Human Services**

**CHILD CARE CENTER COMPLAINT**

**Name of Center:** Yellow Brick Road ECDC - Norwalk **Enrollment:** 123 **License ID:** 51820

**Street:** 2201 Sunset DR **City:** Norwalk **IA** **Zip Code:** 50211 **County:** Warren

**Mailing Address:** 2201 Sunset DR

**Mailing City:** Norwalk **IA** **Zip Code:** 50211

**Director's Name:** Kacie Harms **Center Phone Number:** 515-981-0089

**On-Site Supervisors:** **E-Mail Address:** Kylie.Schrader@ybrecdc.org

**Date of Complaint:** 11-03-2023 **Date of Visit:** 11-03-2023

**[ ]** 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:**

A one year old child was left unsupervised on the center's playground for up to two minutes.

A two year old child was pulled by the arm by a staff member.

**Licensing Rules Relevant to the Complaint:**

109.6(5)b Signed statement indicating they have been informed of responsibilities as mandatory reporters.

109.9(1)d All files contain a pre-employment physical exam report completed within six months prior to hire and at least every three years. Physical exams shall be documented on form 470-5152, Child Care Provider Physical Examination Report.

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:**

11/3/23 Communication with HHS Hensley, who received complaint regarding concerns a year old child was left unsupervised on the playground for up to two minutes. He is going to visit the daycare center and will update this worker.

11/7/23 Email sent to Jennifer Villegas and Kacie Harms, asked for meeting. Email received from Jennifer Villegas and Kacie Harms.

11/17/23 Meeting with Jennifer Villegas and Kacie Harms. Discussed incident. Child was in the playground area, which is fenced. Parent was notified immediately. Video was watched. Staff noticed he was missing from classroom and went back outside immediately. One staff was terminated as she was involved in a previous incident where a child was unsupervised. Other staff will be involved in training and mentoring. Mandatory report wasn't made as the parent said they were calling DHS. Mandatory reporter responsibilities were discussed.

11/27/23 Unannounced visit to the daycare. This worker met with Jessica Lopez, director in training. Kacie Harms and Jennifer Villegas, Regional Directors.
Staff have reviewed video of the concern with staff grabbing the child's arm. The staff member involved, H.S. is not working today. Jessica called the staff, who is unable to come in today for an interview. The other staff who was on the playground is working today.

This worker viewed the video from 10/29/23. The video showed the daycare's playground. H.S. was observed grabbing the child's right arm and pulling him off a climbing structure. The child was laying on the ground. H.S. grabbed the child's left arm and pulled him when he was still on the ground. This occurred for a few seconds.

Staff stated H.S. was written up for the incident. She is not allowed to work in any classrooms by herself. She is not working in a classroom where that child is. She is participating in Yellow Brick Road's Mentorship Program. This worker stated a referral is being made to Child Care Resource and Referral. A training specifically for how to manage toddler, safely care for young children is being recommended. Yellow Brick Road is looking for a training on Nursemaid's Elbow also.

**Special Notes and Action Required:**

109.10(16)a
The center and supervisor shall ensure that staff knows names and number of children assigned. Staff shall provide careful supervision.
VIOLATION
A one year old child was left unsupervised on the center's playground. The child was placed at risk of harm by the staff's actions as a one year old has no ability to self supervise or protect oneself.

109.12(2)b
Punishment which is humiliating or frightening or causes pain or discomfort is not allowed.
VIOLATION
The staff grabbed the child's arm in a manner that caused discomfort and placed the child at risk of injury and harm.

109.9(1)d
All files contain a pre-employment physical exam report completed within six months prior to hire and at least every three years. Physical exams shall be documented on form 470-5152, Child Care Provider Physical Examination Report.
VIOLATION
The staff involved did not have a physical on file.

**Consultant's Signature:**

Melinda Larson, Child Care Licensing Consultant

**Date:**

12-08-2023