Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Colts Corner Daycare Center **Enrollment:** 70 **License ID:** 51980

Street: 503 4th ST NE **City:** Belmond **IA** **Zip Code:** 50421 **County:** Wright

Mailing Address: 503 4th ST NE

Mailing City: Belmond **IA** **Zip Code:** 50421

Director's Name: Maya Varner **Center Phone Number:** 641-384-4499

On-Site Supervisors: **E-Mail Address:** ccdcbelmond@gmail.com

Date of Complaint: 08-24-2023 **Date of Visit:** 08-28-2023

[ ] 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 complaint was received that an employee of the Colts Corner Daycare grabbed a child by the arm in a harsh manner resulting in the child having bruising.

Licensing Rules Relevant to the Complaint:

109.12(2) Center shall have written policy on discipline of children which provides for positive guidance, with direction for resolving conflict and setting of limits.

Inspection Findings:

A call was received from the employee identified in the complaint who stated she had been working at the center but was no longer working there after it was reported she had been physically aggressive with a child. The employee stated that she was concerned about what was being said and had concerns about being arrested for abuse. It was reviewed that a licensing complaint is not a criminal or abuse investigation but rather a review to determine if Licensing Standards were not followed. The employee stated that she has never abused a child and acted in the same manner as other staff in the classroom.

An unannounced visit was made to the Colts Corner Daycare Center on 08-28-23 where I met with center director Maya Varner. Maya was informed of the complaint and stated she was aware of the situation. Maya stated that the center does have a video monitoring system and did have footage of the incident. I was able to review the video and Maya pointed out the employee, and child identified in the complaint. In watching the video it is noted that the child was sitting at a table with other children, with two teachers in the classroom sitting and watching the children. The video did not have audio. The employee identified in the complaint was observed to be gesturing to the child and appeared to be giving direction to which the child did not appear to be responding to. The employee was observed to get, take the child but the arm and in a rough manner lifting and pulling the child to a time out chair where the child was made to sit and face a corner. When lifting and pulling the child the force used was sufficient enough to cause the child's feet to leave the ground.

In addition to that incident Maya did show another interaction in which the same employee was supervising the same classroom and child during nap time. The child was observed to be on a cot but not laying down. The employee was observed to sit by the child, pull the child back onto the cot, and force the child's head down on to the pillow in an aggressive and forceful manner.

Footage of other random dates and staff were reviewed and specifically looking for incidents of discipline and nap routines. In watching the other staff the general responses of the use of time out, and requirement for children to nap appeared to be a consistent approach. It is noted that while the other teachers did use the same general interactions of leading by the hand and/or carrying to time out in a chair facing the corner, and making children lay down on a cot by pushing the children back on the cot, these actions were not done with the same level of force or aggression as that used by the employee identified in the complaint.

Based on the information obtained this complaint is SUBSTANTIATED for violation of Licensing Standard 109.12(2)a-d which requires that the center shall have written policy and practice on discipline of children which provides for positive guidance, and prohibits the use of corporal punishment, punishment which is humiliating or frightening or causes pain or discomfort, punishment or threat of punishment associated with illness, toilet training, food, rest, or the use of verbal abuse, threats, derogatory remarks about child or child’s family. While the center does have the required policies the practice in the center is not consistent with those policies. Several employees were observed to respond to child behavioral issues by placing children in time out, or making them lay down on cots for nap time. The employee identified in the complaint was observed to do this in a manner that appeared to be forceful and aggressive as evidenced by the employee lifting the child from the ground by the arm when taking the child to time out, and the manner in which the employee pushed the child's head down when the child was not wanting to take a nap.

Special Notes and Action Required:

This complaint is SUBSTANTIATED for the identified licensing standards. Maya did identify that the center does have plans to have all staff complete a PBIS training and to implement that approach on a center wide basis. The following actions are required and or recommended. A full license will remain in effect at this time.

REQUIRED:
None.

RECOMMENDED:
1. While the use of time out for limited periods of time is an acceptable consequence it is recommended that the center discontinue the practice of corner facing positioning when having children in time out.

2. It is recommended that the center review Licensing Standards and center policies regarding nap time. Licensing Standards do not require that children nap, only that they are provided the opportunity to do so if they wish. By having a policy or practice whereby children are required to nap or remain on a cot it does increase the likelihood of behavioral issues as children who do not want or need to nap seek to engage in other activities.

Consultant's Signature:

Ray Salsbury

Date:

09-08-2023