Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: KinderCare Learning Center - Ankeny **Enrollment:** 105 **License ID:** 50489

Street: 3055 N Ankeny Blvd **City:** Ankeny **IA** **Zip Code:** 50021 **County:** Polk

Mailing Address: 3055 N Ankeny BlvdLegal Name: REE Midwest Inc.

Mailing City: Ankeny **IA** **Zip Code:** 50021

Director's Name: Brianne Watson **Center Phone Number:** 515-964-0688

On-Site Supervisors: Taylor Proctor **E-Mail Address:** ankeny@kindercare.com

Date of Complaint: 12-01-2023 **Date of Visit:** 12-05-2023

[ ] Scheduled **[X]** Unannounced **[ ]** NA

[X] Non-Compliance with Regulations Found **[ ]** Compliance with Regulations Found

RECOMMENDATION FOR LICENSE

[ ] NO CHANGES to licensing status recommended

[X] PROVISIONAL license from 12-01-2023 **to** 12-01-2024

[ ] 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:

It is alleged that staff at Kindercare Learning Center failed to provide adequate supervision of a one year old, resulting in the toddler being bitten numerous times by other children at the daycare. On 11/30/23 the toddler was bitten again, resulting in the toddler sustaining eight bite marks on her back and three of the bite marks bled. The toddler received medical attention and was prescribed an oral and topical antibiotic.

The staff that were providing supervision didn't have complete staff files.

Licensing Rules Relevant to the Complaint:

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.

109.9(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(5) Environment for children under age two protects from harm but does not unduly restrict development.

Inspection Findings:

12/1/23 This worker and HHS Willkie discussed the concerns reported.

12/5/23 HHS Willkie updated this worker. HHS Willkie has met with the family and observed the injuries on the child.

12/5/23 This worker and HHS Willkie went to the daycare and initially met with Brianne Watson, director, and Taylor Proctor, assistant director. The purpose of the visit was explained. Staffs' information was provided who work in the classroom of the child who was bitten. Incident reports were provided related to the incident.

Brianne stated there has been a lot of biting going on in this child's classroom for a few months. There are two biters in that classroom. They've had a speech therapist come assess and the therapist didn't think this was a speech issue. She believed it is more about the child not knowing how to express feelings. They have snacks and teethers in the classroom to give children. She also tells staff to have more eyes on children, like if one staff is changing diapers the other staff needs to be watching the other children. She found a chart to help with biting in classrooms. It's called an ABC chart. She just found this today. The child who bit this child hasn't been known to bite. She hasn't talked with Rachel, her district leader. She also didn't know CCR&R could be a support to come out and help the center. She estimates children are being bitten a few times a week in this class. They talked with the staff working at the time of the biting incident, which occurred around 4:15 on 11/30/23. The staff were T.S. and S.F. Those staff reported being in the gym and returning to the classroom. Multiple children were upset and crying. T.S. was cleaning up a corner of the room. S.F. was filling out the CSR form when the biting occurred. S.F. the child was one of the children crying but she noticed the crying sounded differently and that's when she saw the child being bitten.

This worker and HHS Willkie met with staff S.F. She started working at the daycare in October 2023. She believes she's been trained well. The curriculum at KinderCare can be challenging. She generally doesn't work in the classroom this child is in. The day of the incident two classrooms were combined. The classrooms were in the gym together. Children were taken back to the classroom because they were getting upset when parents started picking their own children up for the day. She and T.S. were working in Toddler 1. She was trying to fill out the CSR form and she had picked up that child. She put the child down to finish filling out the form and turned back and she noticed the child's cry changed in pitch. She looked and noticed another child was on top of her. This child isn't known to be a biter in the room. She looked at the child's back and saw the injuries. T.S. was cleaning up the room and putting toys away in buckets. This isn't abnormal for T.S. to be cleaning up when children are crying. She did a count of the children when they first got to the classroom. This worker and HHS Willkie discussed the concern with the staffs' choices to be doing other duties rather than supervising and interacting with the children. Neither staff were supervising the children at the time of the biting incident. S.F said she could have done the CSR at a later time. She was not aware the child who had bitten tried to bite earlier in the day. She did not fill out the incident report. This worker showed S.F. the incident report and S.F. said she did not author the incident report although her name was on it. They do keep a close eye on one child who is known to bite a lot.

This worker and HHS Willkie met with staff T.C. She started working at the daycare in September 2023. She worked at a different KinderCare and other daycares. She's been working in this child's classroom since September. She is the lead teacher. She thinks this child has been bitten approximately ten times prior to the incident on 11/30/23 and it's mainly been by the same peer. She and S.F. had been in the gym together and they took children to the classroom. She started cleaning up when they had six or seven children. S.F. was writing the CSR. S.R. had completed a name to face count when they got into the room. They are trained to begin the closing CSR form so nothing gets lost in transition. The form takes about three minutes to complete. The room was pretty loud and chaotic at the time. This worker and HHS expressed concerns that the focus should have been caring and supervising the toddlers rather than both staff doing other duties, especially since it was reported several children were crying and upset. Neither staff were supervising the children at the time of the biting incident and the child was bitten repeatedly. T.S. said the Bri (director) has had conversations about staff having their eyes on the children if the other staff is completing the CSR form. They have also talked about keeping documentation of biting.

This worker and HHS Willkie met with staff L.D. She started working at KinderCare this September. She works part time and is a floater. She works in this child's classroom sometimes and did on 11/30/23. She didn't see the child being bit on that date. If biting occurs, they are trained to move that child and talk to the child about not biting and offer teethers. Children who are biters are supervised closer. They complete incident reports for children who get bit and for children who bites. There is one child in Toddler 2 who bites a lot. This child bites when he gets upset.

This worker and HHS Willkie met with Brianne and Taylor. The concerns of this complaint were discussed, including lack of supervision, providing a safe environment for the toddlers and staff not having complete files. The significance amount of negative activity over the past year was discussed. The center's license is going to be a provisional license. The center will get a Corrective Action Plan. HHS Willkie discussed his concerns with the staff needing to be focused on the children versus cleaning up and completing forms, especially during times the children are upset and during transition times.

Special Notes and Action Required:

109.10(16)a
Staff shall provide careful supervision.
VIOLATION
Staff failed to provide adequate supervision. The child was bitten excessively by a peer due to the staff not supervising the children adequately. During one incident, this child was sustained several bites marks along her back, torso and right shoulder. Skin was broke on her lower back and torso.

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.
Copies of national criminal history check results.
One of the staff who work in Toddler B doesn't have a federal record check on file.

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.
Two of the staff who work in Toddler B don't have physicals on file.

Consultant's Signature:

Melinda Larson, Child Care Licensing Consultant

Date:

01-03-2024