Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Hancock County Learning Center **Enrollment:** 53 **License ID:** 51393

Street: 110 5th St NW **City:** Britt **IA** **Zip Code:** 50423 **County:** Hancock

Mailing Address: 110 5th ST NW

Mailing City: Britt **IA** **Zip Code:** 50423

Director's Name: Brenda Smith **Center Phone Number:** 641-843-0166

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

Date of Complaint: 11-09-2023 **Date of Visit:** 11-17-2023

[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:

A complaint was received that an employee of Hancock County Learning Center had forcibly grabbed a child by the arm pushed the child into a wall, and then forced the child to the floor. There were no injuries reported

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 scheduled visit was made to the Hancock County Learning Center where DHS co-worker, Jennifer Hitchcock, and I met with Brenda Smith. Brenda was informed of the complaint and was aware of the concern. Brenda stated that the parent of the child identified in the complaint had spoken with her about the employee (JN) identified in the complaint having grabbed the child by the arm in an aggressive manner. Brenda stated that she spoke with JN who stated that the child had a toileting accident and when the child was directed to the restroom the child refused. Brenda stated that JN said that she tried to take the child to the restroom but the child dropped to the floor, JN attempted to lift the child by the upper arms but the child flopped back to the floor and had a tantrum. Brenda stated that she has not had any concerns regarding JN in the past. Brenda was able to provide the names of the other staff, and a parent who had been present at the time. Brenda did state that one of the employees was no longer working at the center but did provide contact information.

Jennifer and I were able to speak with the other staff identified as having been present at the time of the complaint. One employee (LD) stated she did not observe the interactions but did hear JN yell at the child, "You don't get to tell me no". LD stated that she was in another classroom at the time when she heard JN yelling. Another employee (AM) stated she had been in another classroom when JN asked if she could bring the child in to that employees room. AM stated that JN was holding the child by the arm when entering the room, sat the child down by the wall, and returned to her room. AM stated that after about 5 minutes she asked the child if they were ready to go back, the child said yes, and returned to the classroom. AM stated that when JN brought the child in she was forceful but the child was walking on their own and was not being dragged. AM stated that when JN had the child sit on the floor JN did have her hands under the child's armpits and sat the child down. AM stated that JN did not push the child into the wall or onto the floor in an inappropriate manner. AM stated that she did not know why the child was given "calm down time" for. AM stated the child did not have any behavior problems when in calm down time. AM stated she has not had any concerns regarding JN or any other co-worker in the past.

Jennifer and I did meet with JN who was informed of the complaint and asked if she could tell us what had occured. JN stated that she was working with the child identified in the complaint and trying to get the child to go into the bathroom. JN stated that the child does have a history of not wanting to go to the bathroom and having tantrums. JN stated that the child refused to go to the bathroom and began screaming, and hitting and kicking out. JN stated that the hitting and kicking was in a more general manner rather than targeted at anyone. JN stated that she took the child by the arm, demonstrating holding the the child by the wrist. JN stated she was not mad or aggressive with the child but did acknowledge being frustrated. JN stated that she finally got the child to the bathroom and changed the child's pull-up. JN denied that she pushed the child into a wall or to the floor. JN stated that she thought she tried to lift the child one time and demonstrated an approach of "hooking" her arms under the child's arms at the arm pits. JN stated that the child does frequently have behavioral issues like this and normally she is just able to ignore the behavior or walk away and re-approach the child.

Additional information was received on 11-29-23 from Jennifer Hitchcock that she had spoken with the employee (SE) who had left employment with the center, and the parent who had been identified as having been present at the time of the incident. SE had told Jennifer that she did hear JN yelling at the child and then saw JN take the child by the wrist and "drag" the child into the other room pulling the child behind her and the child was not walking freely. SE said JN yells a lot at the kids, so she wasn't sure what was going on. Jennifer identified that she did speak to the other parent who had been present at the center and that parent state that she didn't see JN grab the child, but she saw JN walking with the child by the wrist and forcefully put the child to the ground to sit down in the other room. She said that she didn't see the child yell or throw a tantrum, but she heard JN say about he did. She stated JN had the child's hand and just forcefully put in on the floor like by pushing the child down. She said she has seen JN get rough with the kids before. She did not think JN did anything that hurt the child, did not see the child hit their head or anything.

Based on the information obtained this complaint is SUBSTANTIATED for violation of Licensing Standard 109.12(2)a-d which among other things prohibits the use of punishment which is humiliating, frightening, causes pain or discomfort, or punishment or threat of punishment associated with illness, toilet training, or food or rest. The employee who was identified in the complaint, (JN), confirmed that there was a situation in which a child had toileting accident and refused to comply with direction to go to the bathroom to be changed. This escalated into a situation of JN attempting to get the child to the restroom, and eventually giving having the child sit in another classroom by a wall for "calm down time" in response to the child's behavior. Credible information was provided by other employees and witnesses who confirmed that JN was frustrated and forceful with the child and was heard to be yelling at the child. The use of the calm down time does appear to be a consequence in response to the child's behavior which was associated with the toileting incident and the staff response of yelling and being forceful with the child would reasonably be assumed to result in fear.

Special Notes and Action Required:

Iowa Department of Human Services

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This complaint is SUBSTANTIATED for the cited Licensing Standard(s). The following actions are required and/or recommended. A full license will remain in effect at this time.

REQUIRED:
1. A service referral will be made to Child Care Resource and Referral to provide assistance in developing toileting routines, and responding to child behavioral concerns.

Consultant's Signature:

Ray Salsbury

Date:

11-30-2023