Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Iowa's Child Early Learning Community **Enrollment:** 230 **License ID:** 50547

Street: 135 E Douglas Ave **City:** Des Moines **IA** **Zip Code:** 50313 **County:** Polk

Mailing Address: 135 E Douglas Ave

Mailing City: Des Moines **IA** **Zip Code:** 50313

Director's Name: Tracey Bolin **Center Phone Number:** 515-282-1729

On-Site Supervisors: N/A **E-Mail Address:** iowaschildearlylearning@gmail.com

Date of Complaint: 04-28-2023 **Date of Visit:** 05-03-2023

[ ] 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:

It was alleged that staff members AB and BB (initials) were involved with improper discipline resulting in injury to a 9 year old child.

Licensing Rules Relevant to the Complaint:

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:

On 5/3/23, this consultant along with HHS worker, Sarah Slominski, made an unannounced visit to the center and explained the concerns to Tracey Bolin in Tracey's office. This consultant arrived a little after HHS worker, Slominski, started the interview.

In total, several staff members were interviewed who had witnessed or were aware of the child having a meltdown that started on the playground. The child was attempting to hit staff and also calling them names. The child became upset on the playground when redirected by staff. AB and BB were also interviewed. AB brought the child into the director's office when the child was having a meltdown outside. The director's office is the closest office from the playground. Per staff interviewed, AB interviewed, and the video observed, there is not sufficient evidence that AB used in appropriate discipline with the child. From interviewing BB and then later observing video of the incident, BB remains calm throughout the situation as the child is yelling and swearing and throwing objects. The child is heard telling BB to just back away from him. It was noted that there was some discussion that this child is autistic, but there wasn't anything concrete in the child's file about this diagnosis as far as a plan of action to take when the child acts out based on this diagnosis.

In the video with BB, BB does use some restraint with the child to prevent the child from kicking and hitting him. However, it does not appear that BB used de-escalation practices and positive guidance and redirection. Instead, by getting closer to the child and then restraining the child by physically picking the child up off of a chair and putting him to the ground in a sitting position, this only escalated the child's behaviors more. In this consultant's professional opinion, physically picking the child up off the chair and then holding him on the floor was not necessary and somewhat excessive given the situation.

Per Comm. 204 Licensing Standards and Procedures for child care centers: You should have written discipline policies that include all the interventions that will be used in the center and that can be shared with parents and staff. All staff should have the tools and resources to manage difficult behaviors so they don’t resort to inappropriate, including physical, discipline. Placing hands on children in response to managing behaviors is a last resort and highly discouraged. The policies should outline the positive guidance and interventions that will be used for discipline relative to the ages or special needs of the children, as well as policies for responding to difficult and common behaviors of preschoolers, such as biting and hitting.

Because of the physical restraint used by BB and the lack of positive guidance and redirection used in situation, the center is FOUND TO BE IN NON-COMPLIANCE WITH LICENSING RGULATION 109.12(2)B.

Special Notes and Action Required:

The center is already working with CCR&R, but a referral was made again specifically related to this complaint.

The center director should look into discipline trainings that may be available in the training registry. PBIS training is one the center was previously engaged in until Covid became an issue in 2020. Again, CCR&R can assist with this process and this consultant has reached out to the center's CCR&R consultant.

If you are the Child Care Center Director and you feel something is unclear or unjustly cited, please contact your consultant at 515-362-7832 or email nkneppe@dhs.state.ia.us so that we may discuss the issue. You may also send a letter that will be included in your licensing file noting any disagreement you may have with this report.
*Note: If you are a member of the general public, there may be additional information contained in the public file. You may contact the DHS Licensing Consultant to inquire.

Consultant's Signature:

Nathan Knepper

Date:

06-02-2023