Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Sunshine Learning Center **Enrollment:** 92 **License ID:** 19109

Street: 101 Creslane DR **City:** Maquoketa **IA** **Zip Code:** 52060 **County:** Jackson

Mailing Address: 101 Creslane DR

Mailing City: Maquoketa **IA** **Zip Code:** 52060

Director's Name: MacKie Duhme **Center Phone Number:** 563-652-2847

On-Site Supervisors: **E-Mail Address:** amanda@sunshinemaquoketa.org

Date of Complaint: 03-06-2024 **Date of Visit:** 03-20-2024

[ ] 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:

An infant was given the wrong bottle and another infant was given that infant's breast milk in the infant room. The center director attributed the mix up to a staff member working in the room who typically did not work in the room.

Staff Kathilene H. tied a two year old child's shoes too tightly resulting in "indentations, redness, and swelling for four days" on the child's feet. The center reported the child's "Heydude" shoes were too loose and caused a tripping hazard for the child and that the shoes could be slid on and off and the child did not complain.

A three year old child received a black eye at the center, and staff had no explanation for how this occurred other than the child fell on the tile floor.

Staff Kathilene H. was witnessed grabbing a two year old child, pull the child off of a table (feet off the floor), and setting the child roughly on the floor in time out. The center director was immediately notified.

A nine month old child did not receive adequate food while at the center after the center stated that per CACFP requirements the center would not be able to feed the child table food and regular snacks as requested by the parent. This is not correct information as CACFP states at six months of age solid foods can be started. The child was dehydrated and lost one pound in a week due to not receiving the nutrition needed.

An infant had been exposed to bleach which caused a rash because the center stores infant car seats near toxic chemicals in the center.

Licensing Rules Relevant to the Complaint:

109.10(10) Recording incidents: Parents shall be notified on the day of the incident involving a child that includes:Minor injuries.Minor changes in health status.Minor behavioral concerns.Incidents resulting in injury to a child.Shall be verbally notified immediately when there is:A serious injury to a child.An incident resulting in significant change in health status.An incident includes child being involved in inappropriate, sexually acting out behavior.A WRITTEN report, fully documenting every incident, shall be provided to the parent or authorized person. This should be completed by staff that witnessed the incident and retained in child file.Serious injuries and deaths must be reported to the Department within 24 hours.

109.10(16)a The center and supervisor shall ensure that staff knows names and number of children assigned. Staff shall provide careful supervision.

109.11(3)a Center shall ensure that: Facility and premises are sanitary, safe, and hazard free. Adequate indoor and outdoor space is provided. The outdoor area shall include safe play equipment and area of shade. Sufficient space provided for dining. Sufficient lighting shall be provided. Sufficient ventilation. Sufficient heating. sufficient cooling. Sufficient bathroom and diapering facilities. Equipment, including kitchen appliances, are maintained so as not to result in burns, shock, or injury to children. Sanitation and safety procedures for the center are developed and implemented to reduce risk or injury or harm to children and reduce transmission of disease.

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.

109.15(3)a Children under 12 months fed on demand, unless other written instructions from parent.Infant CACFP menu patterns followed and appropriate to the infant's nutritional requirements and eating abilities.Menu patterns modified only upon written instruction of parent, physician, or health care provider.Special formulas given to child with feeding problem if prescribed by physician.

Inspection Findings:

The center was visited unannounced on 3/20/24 to discuss the reported concerns. The center director MacKie Duhme and her assistant Amanda Burken were spoken with along with several other staff. MacKie and Amanda were familiar with the reported concerns. MacKie and Amanda stated there has been much turmoil recently at the center involving what they described as conflict amongst former staff and former and current families of the center. MacKie and Amanda discussed concerns of social media accounts and postings that have continued to feed the frenzy of complaints. MacKie stated the center's board is highly involved, and the board president put out a statement on the center's Facebook page yesterday addressing the situation. MacKie stated the board vice president also met with a parent yesterday. The following is a summary of information gathered.

109.10(16)a The center and supervisor shall ensure that staff knows names and number of children assigned. Staff shall provide careful supervision. VIOLATED
With regard to the concern of the infants being given the wrong bottles, the center is cited. MacKie acknowledged the incident did occur even though it was accidental. MacKie provided a copy of the written statement of the staff who prepared the bottles. The staff stated the child had less than an ounce of the wrong bottle when she realized it was the wrong bottle. MacKie outlined the center's practices for bottle feeding in the infant room which appear to be quite thorough. MacKie stated the incident occurred because one of the staff involved was a newer staff who she described as not very attentive. MacKie stated the staff person no longer works at the center. It is noted that MacKie stated the center has now also added photos of each child posted on their cubby space in the infant room to further assist with identifying the children. The specific information for feeding each child is also posted at each cubby.

With regard to the concern about the two year old child's shoes being tied too tightly, MacKie stated the Heydude shoes kept slipping off the toddler's feet and were a tripping hazard. Staff Kathilene tied the shoes tighter to avoid them slipping off. MacKie stated the child did not complain and the shoes seemed to come off fine while at the center. MacKie provided the staff's written statement regarding the incident which indicated the same. It is noted that photos of a child's feet were provided to HHS where red marks could be seen, however staff's statement also indicated that she looked at the child's feet the following day and did not see any marks on the child's feet. MacKie stated she spoke with the parent who was very upset that marks were left on the child's feet. MacKie stated the center continues to communicate with this parent to find resolution, and the parent has attended a board meeting and plans to attend another board meeting. The center is not cited with regard to this portion of the complaint as there does not appear to be a specific licensing rule violation. It is recommended that the center and the parent continue to work at resolution.

109.10(10) Recording incidents: Parents shall be notified on the day of the incident involving a child that includes: Minor injuries. Minor changes in health status. Minor behavioral concerns. Incidents resulting in injury to a child. Shall be verbally notified immediately when there is:

A serious injury to a child. An incident resulting in significant change in health status. An incident includes child being involved in inappropriate, sexually acting out behavior. A WRITTEN report, fully documenting every incident, shall be provided to the parent or authorized person. This should be completed by staff that witnessed the incident and retained in child file. Serious injuries and deaths must be reported to the Department within 24 hours. VIOLATED
With regard to the concern about the three year old child receiving a black eye while at the center, MacKie stated the child is actually two years old. MacKie stated when she became aware of the concern, she asked staff what had happened. She stated staff were not aware of anything specific but did remember seeing the child fall down on the tile floor in the ball room. MacKie stated staff stated the child did not cry and did not hit anything when falling that they could recall. Several staff were spoken to during this visit, and there was some variance in reporting as to whether or not the child may have landed on a block on the floor when the child fell. MacKie stated the child had a noticeable red mark when the parent picked up that day (Friday) and by Monday when MacKie saw the child it was black and blue. MacKie stated the staff should have written an incident report when the child fell, and she addressed this with staff at the staff meeting that Monday evening.

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. NOT VIOLATED
With regard to the concern about staff Kathilene grabbing a two year old child forcefully, MacKie stated she became aware of the concern immediately after it happened. MacKie stated she spoke to the parent and staff Kathilene together at the time. MacKie stated the parent had been a former staff who had worked with Kathilene and that the two did not have a good relationship. Staff Kathilene was also spoken to during this visit. Kathilene stated she was about to begin changing the diaper of another child when this child was seen across the room to shove another child causing that child to fall. While still holding the child in her arms, Kathilene assisted the child by the wrist and guided the child to the time out area firmly telling the child this was not acceptable behavior. She stated the child did cry then when she said that in a loud voice but not in response to her assisting the child by the wrist. Kathilene denied that she hurt the child and stated her response was only in urgency of the child shoving the other child down. Kathilene stated she does feel the parent has issues with her but denied that she has any issues with the parent or this child. Kathilene stated she tends to have good relationships with the parents of the children in her room. Consultation was provided with regard to the incident noting the heightened risk of injury to a child, even if not intentional, when staff place their hands on a child to physically restrain or move the child and that much caution is advised. In this instance, it might have been better to first put the child down that Kathilene had in her arms before intervening with the other child. Then staff could have used both of her hands to more carefully guide the child. It is risky to take a child by one arm regardless of the situation. The center is not cited with regard to this incident as there is not definitive evidence to suggest a licensing violation.

109.15(3)a Children under 12 months fed on demand, unless other written instructions from parent. Infant CACFP menu patterns followed and appropriate to the infant's nutritional requirements and eating abilities. Menu patterns modified only upon written instruction of parent, physician, or health care provider. Special formulas given to child with feeding problem if prescribed by physician. VIOLATED
With regard to the concern of the nine month old child's feeding instructions, the center is cited. MacKie acknowledged that the center made an error in their understanding of CACFP requirements. MacKie stated subsequent the concern being brought to her attention, she reached out to the center's CACFP consultant and found out that they could have fed the child solid foods as was requested by the parent and therefore could have avoided the incident.

109.11(3)a Center shall ensure that: Facility and premises are sanitary, safe, and hazard free. NOT VIOLATED
With regard to the concern of children being exposed to chemicals at the center, MacKie stated car seats were stored in the laundry room, however, MacKie stated there had not been any infant who had a rash at the center. MacKie stated there was a two year old child who had a rash with an unknown cause, however, that child did not have a car seat stored at the center. MacKie stated the center no longer uses bleach at all in the center and has switched to vinegar. The center is not cited with regard to this portion of the complaint as there is not sufficient evidence of a licensing rule violation.

Special Notes and Action Required:

There is nothing further requested of the center at this time other than what they state they are already doing to address the turmoil currently being experienced at the center. It is important that the center administration and board work together to resolve and address whatever are the contributing issues and to communicate effectively with families.

Consultant's Signature:

Heidi Hungate

Date:

04-01-2024