Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Sheryl K Johnson Child Care Center **Enrollment:** 88 **License ID:** 18160

Street: 400 Gleason Avenue **City:** Council Bluffs **IA** **Zip Code:** 51503 **County:** Pottawattamie

Mailing Address: 400 Gleason Ave

Mailing City: Council Bluffs **IA** **Zip Code:** 51503

Director's Name: Don George **Center Phone Number:** 712-323-3703

On-Site Supervisors: **E-Mail Address:** georged@saintalbertschools.org

Date of Complaint: 02-15-2023 **Date of Visit:** 03-17-2023

[ ] 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:

Four complaints were received.
1. A two or three year old Child was being secluded in bathroom alone with the door shut, because child was crying and kicking. Child was throwing things in the bathroom and at one point the child was taken to the directors office. There is a calm down area in the room, it is unknown why that area wasn't used.
2. LS, and ZK Staff are flicking a two or three year old child as a form of punishment. A staff took off her shoe and threw it at a child.
3. The same two staff LS and ZK have hit children with a yardstick or ruler when they are not dancing. Hitting children on ankles with a ruler. Put a child in the bathroom closing the door and the child was unable to get out of the bathroom and evoking fear.
A previous teacher refused to feed and change a child's diaper.

Licensing Rules Relevant to the Complaint:

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)a Center does not use corporal punishment including spanking, shaking, or slapping.

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:

CHILD CARE CENTER COMPLAINT

An unannounced visit was made to Sheryl K Johnson on 3-17-2023 to discuss the complaints the director Don George. I also met with the two staff that the complaints were about. I also talked with other staff.
Staff LS stated they have a quiet area in the room. She said a child will scream throw shoes and has done this in front of his mom. They have put a child in the bathroom before. She said they no longer place children in the bathroom, as of one month ago. She said if the door was shut it was shut by the child and a staff would open the door but maybe not immediately. She said the duration of placing a child in the bathroom may have been for up to 10 minutes in the bathroom. She denied tapping children on their ankles with a ruler. She said a child was moved to the other two year old room. She said she has seen the other staff flick kids, she didn't see her tap children with a ruler. She has seen this staff person place kids in the bathroom. She said the other staff is strict and it may be a cultural thing.
LS said she self corrected and won't place children in the bathroom again.
LS said they have both thrown shoes but not at children.
ZK said they don't put kids in the bathroom for behaviors and said the children don't shut the door, then she said the children aren't alone in the bathroom and they have teachers with the kids in the bathroom.

She said she taps a ruler on numbers on the floor and on the board and said she doesn't tap the ruler on children.
She said she has flicked children on the hand when they are touching and grabbing other children. She said she didn't throw a shoe at any children.
A Staff reported they saw a child in the bathroom with a staff person.
A staff person reported that she saw ZK tap kids with a ruler on the ankle area about a month and a half ago. She has seen children in the bathroom by themselves for up to five minutes. She said some children can open the door and some can't. She said staff would come back and get the kids when they were done crying.
A staff person said she didn't tell the director, she just ignored it.

I observed the bathroom, it is in the room in the hallway with a a curtain. There were three chairs in the bathroom. I requested that the chairs be removed from the bathroom and that the bathroom not be used for discipline, time outs etc.

I talked with a staff in the infant room, she said the children's diapers are changed on a regular basis and as need. She said a child's parents brought the child's food, some food allergies were noted. She said the complaint regarding a staff refusing to feed or change a child's diaper wasn't true.

I discussed the situation with Don George, he reported that staff were taking eighteen hours of PBIS training on line. The training deals with discipline and children's behaviors. He stated that staff did bring a child to his office due to behaviors, and he encourages staff to bring children to his office if needed to calm down etc.

Special Notes and Action Required:

Non-Compliance with Regulations Found regarding two staff having inappropriate conduct/inappropriate discipline towards two children.
109.12(2)a Center does not use corporal punishment. Center does not use corporal punishment including spanking, shaking, or slapping.
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.
109.11(3)a Center shall ensure that: Facility and premises are sanitary, safe, and hazard free.

As the director of the center you need to ensure safety to the children and make sure the licensing standards and procedures are followed. Please review safety and discipline policies with staff and let them know that inappropriate conduct or using inappropriate discipline won't be tolerated at your child care center. Staff can not use corporal punishment including no flicking children, no tapping children with a ruler etc. for discipline. Staff can not use punishment which is humiliating or frightening or causes pain or discomfort. Staff can not place children in a bathroom unsupervised as a form of discipline. Please remove the chairs from the bathroom and do use the bathroom for time out.
Don, you will need to monitor this room and make sure staff aren't having inappropriate conduct or using inappropriate discipline with children. You will need to decide if these staff need to be separated, terminated, or if the PBIS training and your supervision has been sufficient.
You need to tell staff if they see other staff being inappropriate with children they need to tell you, as ignoring another staff persons inappropriate conduct isn't acceptable and could be a safety or discipline violation that may be detrimental to a child.
The staff that were reported to have inappropriate conduct have worked at the center for several years, this is concerning on several levels i.e. Do staff know the discipline and safety rules?, if you have staff that are doing these types of behaviors and other staff witness these behaviors you will need to explore why they aren't reporting this information to you - are staff thinking these are acceptable behaviors? are they intimidated? Do they think management won't do anything?

Consultant's Signature:

Kathy DeGeorge-Evans

Date:

07-31-2023