Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Allison Little Lambs Child Care **Enrollment:** 46 **License ID:** 46013

Street: 721 Cherry St **City:** Allison **IA** **Zip Code:** 50602 **County:** Butler

Mailing Address: 721 Cherry St

Mailing City: Allison **IA** **Zip Code:** 50602

Director's Name: Teresa Lehman **Center Phone Number:** 319-267-2242

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

Date of Complaint: 03-02-2023 **Date of Visit:** 03-06-2023

[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

Serious Injuries include:

- Disabling mental illness.
- Bodily injury which creates a substantial risk of death, causes serious permanent disfigurement, or causes protracted loss or impairment of the function of any bodily member or organ.
- Any injury to a child that requires surgical repair and necessitates the administration of general anesthesia.
- Includes but is not limited to skull fractures, rib fractures, metaphyseal fractures of the long bones of children under the age of 4 years.

Did this complaint result in a death to a child? ☐ Yes ☒ No

Summary of Complaint:

A complaint was received that a child under 2 years of age had an injury consisting of a red mark and bruising, and possible fracture, from being grabbed by an employee of the Allison Little Lambs Child Care.

Licensing Rules Relevant to the Complaint:

109.9(2)e Files contain documentation of injuries, accidents or other child-related incidents.

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.

109.12(5)b Infants diapered in a sanitary manner as needed in central diapering area.One changing table for every 15 infants/toddlers needing diaper changes.Diapering, sanitation, and handwashing procedures posted and implemented in central diapering area.

Inspection Findings:

A scheduled visit was made to the Allison Little Lambs Child Care center on 03-06-23 where DHS co-worker, Alisha Lager, her student intern, and I met with the center director Theresa Lehman. Theresa confirmed she was aware of the complaint. Theresa stated that on 03-02-23 the teacher identified as being responsible had come to her with a concern that children in the classroom were getting bitten by some kind of insect. Theresa stated that when she went into the classroom to look at the children the observed the child identified in the complaint had an area of redness and bruising on the wrist. Another child had what was described as red spot that looked like a pimple on the back above the diaper area. Theresa stated that when she spoke with the teacher about the injury on the wrist of the first child

saying it looked like the child had been grabbed the teacher told her that she thought it was dry rough skin from eczema or a bug bite. Theresa stated that the area that looked to have a rough area of skin looked more like someone had given the child a "snakebite" and demonstrated a two handed grasp with counter twisting motion. Theresa stated that when she was examining the child the child kept pulling their sleeve down, flinched, did not want her to touch the area, and kept saying "(teacher identified in complaint by name) did that".

Theresa stated that the center does have a video monitoring system and she was able to review the video of the room from 03-01-23 which was determined to be the date the injury occurred. Theresa stated she determine that was the date of injury based on information from the staff and family that the child did not have the injury to the arm when arriving at the center on 03-01-23, but did have the injury before being picked up by the family that day. Theresa stated that in reviewing the video of that day she did observe two specific incidents in which the teacher grabbed the child by the arm in the area where the injury was present. One occurred when the child was on the changing station at approximately 8:13 AM where the teacher identified in the complaint finished the diaper change and lifted the child by grasping the wrist. The second occurred at approximately 10:08 AM where the teacher identified in the complaint was sitting in a rocking chair and the child identified in the complaint and a peer were behind the chair. The teacher did move the peer, and then took the child identified in the complaint by the arm to move that child pushing the child to ground backwards where the child landed on their bottom and fell over hitting their head on the ground. The teacher then put a couple toys away, picked the child up by the arm again, and then threw the child back down where the child fell on their front.

We were able to review the classroom video for those identified time periods, and also requested to observe video from other points in the day after that, and the following day of 03-02-23. In watching the video we did observe the two specific time frames that Theresa had identified. With regard to the interactions observed for the 10:08 time frame the sequence of events did show the employee sitting in the chair, getting up moving the children, putting a few toys away, and grabbing the identified child again. With regard to the manner in which the employee handled the children it would be characterized as forceful and overly so given the circumstances that the children were not engaging in any form of inappropriate behavior but rather that the employee appeared frustrated. As a result the force of the actions, and the child's response and loss of balance resulted in the child falling to the ground twice. The first time falling backward, and the second time falling forward where the child continued to remain crying for a period of time before getting up and going to the teacher still crying and seeking comforting.

As noted it was requested to observe other time frames selected at random from later in the day on 03-01-23, and through out the day of 03-02-23. While reviewing the video a particular focus was made to observe the activities and interactions of the child identified in the complaint, and of the employee identified in the complaint. At different points the employee was observed to handle the identified child, and peers in an aggressive and overly harsh manner grabbing them by the wrists or various points of the arm. One example involved a peer in which a child fell off the steps of the changing station and the employee identified in the complaint thought a peer had pushed the child. The teacher grabbed the child by the wrist, pulling and handling the child in a rough manner placing the child in a time in such a fashion that each of us watching the video had an immediate response of concern and shock. It is noted that these interactions were generally in response to what appeared to be a frustration reaction from the teacher and associated with behavioral redirection of the children. The employee identified no concerns regarding the interactions of any other co-workers, or the operation of the center.

In addition to those interactions there were periods when diaper changings were occurring and it was noted that established procedures were not followed. During each diaper change that was observed the teacher did not wash the children's hands, her own hands, nor clean the changing station between any of the diaper changes. While it is noted that the employee was doing a standing diapering procedure these actions are required of all diaper changes regardless of procedure used.

Theresa was able to provide information regarding the other employees that had worked in the classroom on 03-01-23 and 03-02-23 including contact numbers for those employees that were not at the center at that time. We were able to interview of of the co-workers that had been in the classroom. The employee stated that she was not aware of the specific injury or concern that was identified in the complaint. The employee was asked about any other concerns regarding the interactions of her coworkers, or the operation of the center. The employee did identify concerns that the employee identified in the complaint is "harsh" with the children grabbing and pulling them by the arm. The employee did provide two specific examples of interactions between the identified employee and the children that she had concerns about. One was when the identified employee used a fly swatter hitting a child on the butt at nap time. The employee stated that this not done in a harsh or forceful manner but more as a way to help the child get to sleep like patting their back but using the flyswatter instead. The other was a time when the teacher slapped a child on the face for backtalking though there was no injury to the child from that.

We next met with the employee identified in the complaint at the Butler County DHS office for a scheduled interview. Alisha informed the employee of the concerns and allegations and asked what the

employee remembered. The employee stated that the class had gone for a walk where she was leading the group so was not certain if something happened that she did not see but she was not aware of any concern from that time. When they returned to the center and after nap time she noticed a raised red spot on the identified child's arm stating it looked like a bug bite. The employee stated she did talk to a co-worker who was the afternoon staff and asked that co-worker to tell the parents about it. The employee stated that the next morning the child's father brought the child to the center and asked about the mark. The employee stated that she saw it was not a larger area of redness. The employee stated that she noticed a peer who also had a red spot on the lower back which she showed to the director, Theresa. The employee stated that Theresa later told her that she thought it looked like a handprint bruise. The employee stated she told Theresa she did not think it was but if she had caused it she had not meant to.

When asked when she first observed the injury the employee stated that it was on Wednesday (03-01-23) after nap time. The employee demonstrated an area on the left arm/wrist making a circle with the thumb and finger to indicate a round area approximately 2 inches in diameter. The employee stated that before she left the redness had increased in size and indicated and area of approximately 4 inches on the top of the arm/wrist. The employee stated that when the child returned on Thursday (03-02-23) it was now under the arm though it did not look like bruising but was only red.

The employee did acknowledge that she has been frustrated recently because she has been in the classroom essentially by herself. The employee stated that her regular co-worker had been moved to another classroom, and she had been paired with a new trainee who was uncertain of what to do so she was having to do everything herself. The employee stated that the day the injury was reported, Wednesday 03-01-23, was very stressful and with being frustrated she was more aggressive. The employee stated that at one point she had gone to another room to ask grandma (co-worker/volunteer) to come in to the room while she went out to cry.

Alisha did ask the employee what she meant by being more aggressive. The employee stated she may have grabbed a child by the hand forcefully, or "plopped" a child in a chair because they wouldn't stay in the chair. Alisha did inquired about the interactions observed on the video from 10:08 on 03-01-23 when the child was behind the chair the employee had been sitting in. The employee stated she did not recall having pushed the child down. The employee was asked about the incident of slapping a child. The employee stated that she recall that situation but had not slapped the child. The employee stated that she had touched the child in the lips telling the child "No" three time. The employee demonstrated three light taps of the fingers to the lips saying no with each tap.

A return visit was made to the daycare center where I spoke with Theresa about the report of the employee having slapped, or tapped a child for backtalking. Theresa stated she was aware of the incident as she had observed it when reviewing the video and it was more than a light tap on the lips. Theresa was able to show the video where it did show the employee strike and/or grasp the child by the face with one hand in a forceful manner and then complete the action of tapping the child on the mouth as reported by the employee but in a manner that was more forceful than demonstrated by the employee. Due to the angle of the video it was difficult to determine if the initial action of grasping the child by the face was preceded by an actual slap to the cheek. Theresa was asked if any incident reports had been completed by the staff and she stated that they had not.

Based on the information obtained this complaint is SUBSTANTIATED for violation of Licensing Standard 109.12(2)a-d which requires among other things that the center does not use corporal punishment including spanking, shaking, or slapping, punishment which is humiliating, frightening, causes pain or discomfort, or punishment or threat of punishment associated with illness, toilet training, food or rest, and no child is subject to verbal abuse, threats, derogatory remarks about child or child’s family. Based on the information provided and the interactions observed on the video monitoring system the employee identified in the complaint has engaged in the use of prohibited punishments. The observed interactions were such that they would be characterized as aggressive and frightening to a young child, and would result in pain, discomfort, or fear as evidenced by reaction(s) of the child(ren) who were observed to be crying and upset. These actions included taking children by the arm and lifting, leading, or pushing them in a forceful manner and generally in response to the children's behavior which would make this part of a disciplinary action. In addition the employee identified in the complaint, acknowledged, and it was confirmed by review of video, that in response to a child that was talking back to the teacher(s) she did grab and strike the child on the mouth 3 times. Regardless of the amount of force used this would be considered a corporal punishment and is prohibited.

Based on the information obtained this complaint is SUBSTANTIATED for violation of Licensing Standard 109.9(2)e which requires that files contain documentation of injuries, accidents or other child-related incidents. All parties agree that the child identified in the complaint had an injury of some nature that was first reported to have been observed on 03-01-23. The injury was such that the employee who first observed the injury made note of it to the co-worker that was releavign her for the day and to inform the parents of the injury. All parties agree that the parent did inquire about the injury when arriving the following day, (03-02-23), and that when observed the injury was more pronounced and covered a

larger area. The center director did confirm that no incident report had been completed.

Based on the information obtained this complaint is SUBSTANTIATED for violation of Licensing Standard 109.12(5)b which requires that infants and children are diapered in a sanitary manner as needed in central diapering area. In reviewing the center video several diapering procedures including multiple diapering changes were observed. In every case the teacher did not wash the children's hands, did not wash her own hands, and did not clean and disinfect the changing station between diapering as required.

Special Notes and Action Required:

This complaint is SUBSTANTIATED for the identified Licensing Standards. The following actions are required and/or recommended. A full license will remain in effect at this time.

REQUIRED:
1. All staff who assist children with diapering shall receive training on proper diapering procedures. A referral to Child Care Resource and Referral, and/or Public Health shall be made to assist with providing training. Documentation of training completion shall be maintained for each employee by the center.

2. All staff shall receive re-training on the DHS Licensing Standards, and center policies regarding Discipline, and Incident/Injury Reporting. Documentation of training for each employee shall be maintained by the center.

Consultant's Signature:

Ray Salsbury

Date:

03-09-2023