Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Redeemer Lutheran Preschool & Day Care **Enrollment:** 173 **License ID:** 22048

Street: 301 S Main St **City:** Ventura **IA** **Zip Code:** 50482 **County:** Cerro Gordo

Mailing Address: PO Box 138

Mailing City: Ventura **IA** **Zip Code:** 50482

Director's Name: Kari Markla **Center Phone Number:** 641-829-3615

On-Site Supervisors: Sandy Watson **E-Mail Address:** redeemerdaycare@cltel.net

Date of Complaint: 11-20-2022 **Date of Visit:** 12-06-2022

[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 employees of the center was placing blankets over the head and face of children and laying on top of children at nap time. It was further reported that employees were force feeding infants to the point that children would vomit, and one child had pneumonia. It was also reported that an employee had slapped a child on the face for biting a peer.

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.

109.15(1) Center shall serve each child a full, nutritionally balanced meal as defined by CACFP guidelines.Staff shall provide supervision at table during snacks and meals.Children at center two hours or longer shall be offered food of not less than two hours and no more than three hours apart unless child is asleep.

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:

A scheduled visit was made to the Redeemer Lutheran Preschool & Daycare on 12-06-22 where this worker, DHS co-worker Michelle Washington, and Det. O'Keefe of the Clear Lake Police Department, met with the center director Kari Markla. Kari was aware of the reported concerns and had made arrangements for staff to be available for interviews. During the visit we were able to meet with several employees but due to time constraints were not able to meet with each employee that had been requested to be available. We were able to speak to employees who worked in the infant room(s), and who worked with the preschool age children. Additional interviews were conducted by Det. Okeefe, and Michelle Washington with other employees and individuals both before and after this visit. A follow-up visit was made where I, Michelle, and Det. O"Keefe were able to interview Kari, and Sandy Watson who is the on-site supervisor for the church location of the program.

When speaking to staff about center policies and practices regarding napping all staff gave consistent answers that children do nap each day following lunch. While one employee stated that children are not required to nap all staff stated that children are to be on their cots and quiet, and if children do not nap they are sent to Kari's office so that they do not distract other children. All staff stated that all preschool age children are provided with cots and bedding that includes blankets. The staff work in the infant room identified that children under 1 year of age are provided with sleep sacks. All staff stated that staff will engage in activities such as rubbing or patting children on the back as a means to help soothe children to help them fall asleep. While all staff agree that some coworkers are more forceful when patting children on the back none felt that it was excessive or likely to cause any injury.

One area where there was discrepancy was with regard to the use of the blankets and the report of the blankets being used to cover the children's heads. All staff agreed that some children liked to have their heads covered, and others do not. The discrepancy reported was with regard to the manner that staff would cover a child's head, and bodies. All staff agree that employees would cover children with blankets with most being covered in loose manner with the blanket draped over them. All agree that this was done for comfort, and when covering the children's heads, as a means to help reduce distraction so that the children would settle down and fall asleep faster. Several staff did identify that if children moved the covering from their head some coworkers would replace it and tell the children to leave it there and go to sleep. In addition staff did identify that they had observed times in which co-workers had tucked the edges of the blanket under the footpads of the cots so that it prevented the children from getting up from their cots.

The staff working in the infant rooms identified that blankets are no longer used in cribs. The staff identified that children make use of sleep sacks. The staff stated that this change occurred following training with referred services from Child Care Resource & Referral. It is noted that prior to the visit it was confirmed with the consultant from Child Care Resource and Referral that training had been provided to the center regarding Infant Safe Sleep requirements after a licensing visit in May 2022. The consultant confirmed that on subsequent visits she had observed the infant area and noted no concerns after training had been provided.

With regard to the report of children being force fed all staff stated that children are provided lunch and snacks daily. For children who self-feed, all staff stated that children are encouraged to try all the foods that are on their plate but are not required to eat, or finish anything. All staff stated that if a child does not want to eat something or does not finish their meal or snack that is fine. For assisted feeding children, (infants, toddlers), all staff again denied that children are required to finish a meal or bottle. Staff working in the infant rooms did confirm that they will try to get children to finish a bottle but if a child is done, they will set it aside and try again later. Staff did provide statements that some coworkers are more persistent in trying to get an infant to finish a bottle and will present it for a longer period of before taking a break than others but that they did not have any concerns that children were being forced to eat to the point of becoming sick. Staff did acknowledge that infants do spit up formula and identified various reasons for this such as eating too much, illness, and just because that is what they do. All staff confirmed that while they are aware of children having respiratory illnesses including pneumonia none were aware of any child having been identified as having pneumonia due to aspirated formula.

All staff denied being aware of any coworker slapping, spanking, or using any form of corporal punishment with any child. All staff stated that the center policies and practices regarding discipline include redirecting children, talking to them, or use of time-out. All staff confirmed that some coworkers can be loud with some distinguishing between those who raise their voice to be heard over the general comotion of the room, and those who raise their voice in frustration. While staff did acknowledge that some coworkers do raise their voice in frustration all denied that anyone has threatened, demeaned, or used profanity.

In speaking with Kari and Sandy both denied being aware of any situation in which staff were tucking blankets under the footpads of cots to prevent children from getting up from a cot at nap time either from having witnessed this, or by report from employees. Both stated that there are no center policy that children are required to nap but cots are put out for all children, and staff do have all children lay on their cots since if one were up all would want to be up. Both stated that they were aware of staff draping blankets on children for comfort and Kari did acknowledge that this would include some staff covering the head as a way to reduce distraction but that children were free to move the blanket if they wish. Both denied that children are required to eat or finish any food item that they do not want to but are encouraged to try foods and eat and drink. Kari did state that she has spoken with staff in the past about encouraging children to finish milk and drink fluids as a way to prevent dehydration and promote health. Both stated that they were not aware of any concerns either from having witnessed or reported by staff of anyone forcing children to eat, or any child having aspirational pneumonia. Both Kari and Sandy stated that they were not aware of any employee having used any form of corporal punishment with any child. Sandy did confirm that she has witnessed staff handling children in a manner that she felt was overly harsh though not to the point of causing injury and she did address that with the staff at the time. Both Sandy and Kari stated that they have heard staff elevate their tone of voice in a

frustrated manner and they have reminded staff on numerous occasions about this. Both denied however that they have ever heard or had reported that any employee has ever threatened, made derogatory comments, or used profanity.

Based on the information obtained this complaint is SUBSTANTIATED for violation of Licensing Standard 109.12(2)a-d which requires that centers shall have written policy on discipline of children which provides for positive guidance and prohibits the use of corporal punishment, use of mechanical restraint without an approved treatment plan and training, punishment associated with food, sleep, or toileting, punishment that induces fear or pain, or which uses threats, humiliation, or derogatory comments. During the review of the complaint staff did report having witnessed co-workers on different occasions tucking the edges of the blankets under the foot pads of the cots. It was reported that this was done to prevent children from getting up from their cots. In this setting this would constitute both a restraint and discipline in that it was used the blanket and force of the cot on the blanket to prevent children from engaging in an undesired behavior of getting up from their cots. While Licensing Standards do require that children be provided with the opportunity and equipment to nap if they want to take a nap it is also identified that children are not required to nap. Included under this Licensing Standard is the concern that staff have used corporal punishment by slapping children for biting. All staff denied ever using, or observing any coworker using any form of corporal punishment with any child in the center. In addition while all parties do agree that different staff at different times have used loud voices in frustration all deny that any employee has ever threatened, demeaned, or used profanity.

Based on the information obtained this complaint is NOT SUBSTANTIATED for violation Licensing Standard 109.15(3)a which requires that Infant CACFP menu patterns followed and appropriate to the infant's nutritional requirements and eating abilities including that children under 12 months are fed on demand, unless other written instructions from parent. Based on the information provided all staff identify that infants are fed when they are hungry and encouraged but not required to finish bottles. It was acknowledged that some staff can be more persistent in attempting to have children finish bottles. This was described as continuing to present or offer the bottle even though a child may no longer be suckling. All staff denied being aware of any child that had ever choked, been diagnosed with aspirational pneumonia, or other concern. Staff did acknowledge that infants have spit up for various reasons including eating too much but this was due to the child continuing to eat rather than being forced to eat.

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Special Notes and Action Required:

Based on the information obtained this complaint is SUBSTANTIATED for concerns of staff restraining children on cots during nap time. The following actions are required and/or recommended. A full license will remain in effect at this time.

REQUIRED:
1. The center shall review with all staff that Licensing Standards require that children be provided with the opportunity to nap but shall never be required to nap/sleep, and children who do not wish to nap shall be offered a quiet activity alternative. The review shall include guidance that staff shall not cover the head/face of children with bedding or other items. The center shall maintain documentation of the provision of training to staff and their acknowledgement of training.

Consultant's Signature:

Ray Salsbury

Date:

12-20-2022