

CHILD CARE CENTER COMPLAINT

Name of Center: Newman Childcare & Preschool	Enrollment: 200	License ID: 22029
Street: 2050 S McKinley	City: Mason City	IA Zip Code: 50401
County: Cerro Gordo		
Mailing Address: 2050 S McKinley		
Mailing City: Mason City	IA Zip Code: 50401	
Director's Name: Hillary Kehm-Chuck	Center Phone Number: 641-423-0168	
On-Site Supervisors:	E-Mail Address: hkehmchuck@newmancatholic.org	

Date of Complaint: 08-13-2025**Date of Visit:** 08-07-2025
☐ Scheduled
 ☒ Unannounced
 ☐ NA

☒ Non-Compliance with Regulations Found
 ☐ Compliance with Regulations Found
RECOMMENDATION FOR LICENSE☒ 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 ☒ NoDid this complaint result in a death to a child? ☐ Yes ☒ No**Summary of Complaint:**

A complaint was received that an employee of the Newman Childcare and Preschool had pinched a child on the cheek.

Licensing Rules Relevant to the Complaint:

109.12(2)a-d The center shall not use as a form of discipline: Center does not use corporal punishment including spanking, shaking, or slapping. Punishment which is humiliating or frightening or causes pain or discomfort is not allowed. Children shall never be locked in a room or closet. When restraints are part of a treatment plan for a child with a disability authorized by a parent and a psychologist or psychiatrist, staff shall receive training on the safe and appropriate use of the restraint. Punishment or threat of punishment associated with illness, toilet training, or food or rest is not to be used. No child is subject to verbal abuse, threats, derogatory remarks about child or child's family.

Inspection Findings:

An unannounced visit was made to the Newman Childcare and Preschool on 08-07-25 where I met with the center director Hillary Kehm-Chuck. Hillary was informed of the complaint and stated she was aware of the concern. Hillary stated that she had spoken with the child, parents, and co-worker, but had not yet spoken with the employee identified in the complaint who had not been scheduled to work since the time of the incident. Hillary stated that when she spoke with the child and the family she did not observe a mark. Hillary confirmed that the child identified that the pinch was in response to the child's behavior. Hillary stated that when she spoke with the co-worker, (JB), that individual stated she had not witnessed the interaction due to being out of the room. Hillary was able to provide contact information for the employee identified in the complaint, (LM). Hillary stated that she had spoken with the center board, and after she had an opportunity to speak to the employee they would determine what administrative action would be taken.

08-08-25 A call was made to the employee (LM) identified in the complaint who was informed of the complaint and the concern of having pinched a child. LM did respond with a tone of surprise and denied having pinched the child, or any other child. LM stated that the child identified in the complaint had pinched a peer, and in response LM spoke to the child telling them they could not do that and asking how they would like it if a peer did that to them. LM stated that the only interaction was verbal and did

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not include any threat that LM would pinch the child.

08-08-25 A call was made to the daycare where I spoke with Hillary who was able to provide a contact number for the co-worker (JB) who had been in the classroom that day.

08-05-25 A call was made to JB and a message was left requesting a return call. JB did return the call and was informed of the complaint. JB stated she had been in the classroom that day and the incident occurred when they were out on the playground. JB stated that the child identified in the complaint had pinched a peer and they did tell the child not to do that. JB stated that as LM continued to speak to the child she was working to gather up the other children to return to the classroom. JB stated that she did not observe LM pinch the child, nor did she hear the child cry out in pain. JB stated that when they returned to the classroom did see a noticeable change in the child's demeanor where the child, "shut down" being very quiet, not engaging, avoiding eye contact, and being reactive to any interactions with LM. JB stated that this occurred at the end of the day with the class being out on the playground at around 4:00 PM and coming back into the room around 4:10 PM. JB stated that LM had told the child's mother that the child would be in Time Out for the rest of the day and it was at that point that the child's mother spoke with Hillary who came and took the child to her office. JB stated that she did not observe any kind of mark on the child, but also acknowledged that she did not check. JB stated that she had been told the child's grandmother had reported observing a red mark on the child. JB stated that she did not think that LM would have pinched any child but again noted that she was busy with other children and could not say for certain if LM had pinched the child at that time or not. JB stated that LM left for the day around 4:30 PM, and she remained at the center until 5-6PM which is also around the same time that the child and their mother left.

08-12-25. A call was received from LM who did have additional questions regarding the complaint assessment and its implications. LM again reiterated that she did not pinch the child. LM was informed that a complaint assessment is a regulatory review of licensing requirements and whether or not those were violated. LM was informed that in this particular case the concern was with regard to the use of pinching as a corporal punishment discipline that is prohibited. LM was informed that conducting the review there was a full range of possibilities provided with her asserting it did not occur, others saying possibly, and others stating it did occur and left a visible mark. LM was informed that additional concerns were raised that she had told the child they would be in time out for the rest of the day amounting to a period of about 90 minutes. LM did confirm she had said that and agreed that would be too long but also stated that even when in time out children are given toys to play with. It was reviewed that while it could not be determined if the child had been pinched or not the situation would be considered a violation of licensing standards due to the excessive period of time given for the time out. In discussing options regarding discipline we spoke about the purpose of discipline being to disrupt negative behavior and to replace it with positive behavior. While time out is an acceptable form of discipline the general convention is one minute per year of age to help a child regain control and then engaging in guided problem solving to help the child identify positive choice options in the future. LM was informed that with the complaint I did speak with Hillary about reviewing both center policies and Licensing Standards regarding discipline and to document that those expectations had been reviewed with LM.

Based on the information obtained this complaint is SUBSTANTIATED for violation of Licensing Standard 109.12(2)a-d The center shall not use as a form of discipline: *Center does not use corporal punishment including spanking, shaking, or slapping. * Punishment which is humiliating or frightening or causes pain or discomfort is not allowed. *Children shall never be locked in a room or closet. When restraints are part of a treatment plan for a child with a disability authorized by a parent and a psychologist or psychiatrist, staff shall receive training on the safe and appropriate use of the restraint. *Punishment or threat of punishment associated with illness, toilet training, or food or rest is not to be used. * No child is subject to verbal abuse, threats, derogatory remarks about child or child's family. In speaking with staff there is inconsistency in the information with the staff identified in the complaint denying having pinched a child, a co-worker who identified being distracted attending to the needs of other children and could not confirm nor deny if a child was pinched, and Hillary stating that the child and the child's family reported the child was pinched. JB & LM both confirmed that the child was told they would have a time out until the end of the day which was estimated to be approximately 90 minutes from the time of the incident until the child left for the day. JB did note that the child did have a noticeable change in their demeanor immediately following the incident which was described as "shutting down". While it cannot be determined if the child was actually pinched or not, and time is an acceptable form of discipline the time frame identified would be excessive and be considered to be a violation of licensing standards as a form of a threat.

Special Notes and Action Required:

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This complaint is SUBSTANTIATED for violation of the identified licensing standard. It was confirmed that the center director and board were working with family, and would be following up with the employee to address the concern and to reduce the risk for any further incidents. The following actions are required and/or recommended. A full license will remain in effect at this time.

REQUIRED:

1. The center shall review the center policies and Licensing Standards regarding allowable and prohibited forms of discipline with the employee identified in the complaint and maintain documentation of acknowledgement of that review.

Consultant's Signature:

Ray Salisbury

Date:

08-08-2025