

took the child to the restroom where he touched her in that area. The grandparent stated the child said that it felt good at first but then it didn't. The grandparent insisted that the center involve DHS and the police department.

The center director stated she called her manager who advised her to call the legal department for KinderCare, DHS child abuse reporting, etc.

The center director stated the grandparent then called the Davenport Police Department. The center director stated the Davenport Police came to the center right away. The center director stated when the police officer spoke to her, the officer indicated that the child denied that the staff person had gone to the restroom with her or looked at her. The center director stated the officer stated that the child was asked directly and denied that the staff person had done anything inappropriate to her. The center director stated the police officer gave her the police report number and stated the police would be done with this incident.

The center director stated the grandparent and parent of the child came to the center the following morning. The center director stated she felt intimidated throughout this incident. The center director stated KinderCare would be sending a security officer to the center for a couple of days because of this situation, and that the center would be moving to disenroll the family.

The center director stated the incident allegedly happened on or about 9/25/14 but was brought to her attention by the grandparent on 9/30/14.

The center director stated that KinderCare would be moving forward with their own internal investigation but that there had not been any previous concerns for this staff person. She stated the staff person would be on suspension until the internal investigation is completed.

On 10/3/14 this licensing consultant spoke with DHS worker Heather Davis who stated the child would be participating in an interview and exam at the local CPC on 10/3/14. DHS Davis stated she had spoken to the police department who stated they would be doing nothing further at this point.

On 10/9/14 the center was visited by the licensing consultant and DHS Davis. Center director Stephanie Tubbs was interviewed. Stephanie indicated the KinderCare legal team is involved with the dismissal of the child from the center. The center has decided it is in the best interest of the child, the family, and the center for the child to be disenrolled from the center at this time.

Stephanie stated staff Marshall and staff Rose were the two staff working in the school age room on 9/26/14 when the incident most likely occurred. Stephanie stated Rose indicated the child was not kicked but got hit by the foosball table handle. Stephanie stated Marshall did not recall specifics but recalled the child crying but that the child had settled herself.

The lower level school age room was visited. It was noted that the handle of the foosball table would likely be too tall to cause injury to the "pee pee" area where the child was reportedly injured. There were no children present in the room at the time of this visit.

Staff Marshall was interviewed separately. He recalled putting a band aid on a "scraped up area" on the child's hand while at the table in the program room. He stated he recalled the child saying she got hit by the foosball table handle but that the child was "kind of holding her arm". He stated he directed her to the table to sit down and calm herself down as was typical for this child when she is crying. He stated he did not recall her ever saying she got kicked. He did not recall any time the child complaining of her private area hurting. Marshall

DHS Davis returned to the center later the same day to speak with staff Rose who recalled similar information as previously noted. Rose stated she never saw Marshall go to the bathroom area with the child. Rose also indicated that it was known to her that this child has struggled with urinary problems and had to wear a pull up over the summer. Rose stated it would not surprise her if at some time the child stated her "pee pee" hurt. Rose stated the child has had to change clothes because of accidents.

DHS Davis indicates that the child has denied that anyone had touched her private area inappropriately. The child reported to DHS Davis that another child had kicked her in the private area near the foosball table. The child stated she told Mr. Marshall and he had her go sit down at the table. She stated she had to use the restroom and it hurt then but when she walked around for a little bit it no longer hurt.

Special Notes and Action Required:

There is not evidence to suggest that there has been a licensing violation relative to this report. There is no further action required by the center at this time.

Discussion did occur with the staff and center director regarding expectations for supervision of restroom area meaning that although staff are not inside the restroom area with the children, staff should be aware at all times of who is using the restroom area, staff should be in the immediate vicinity outside of the restroom to ensure accountability for who is inside the restroom area, if there are problems, and if proper hand washing is occurring. The center has been counseled on this repeatedly, and it appears that it may continue to be a concern since the child indicated she is school age and since she is school age they do not have to even tell staff when they need to use the restroom. This suggests poor supervision of this area by staff.

Heidi Hungate, MSW
DHS Child Care Licensing Consultant

Consultant's Signature:

Date:

10/27/2014

Handwritten signature of Heidi L. Hungate in cursive script.