



# Iowa Department of Human Services

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Governor

Kim Reynolds  
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Charles M. Palmer  
Director

October 24, 2013

<b>Date Complaint Received:</b> 7/3/13
<b>Complaint Received By:</b> Chad Reckling, SW II
<b>Provider Name and Location:</b> Lindsay Asta 4478 34 <sup>th</sup> St Ct Bettendorf IA 52722
<b>Complaint:</b> It was reported that a one year old daycare child obtained a bruise on their right jaw line while in care at Lindsay's house. The child reportedly had two marks on the left side of their face but that these have since faded away.
<b>Rule basis:</b> <ul style="list-style-type: none"><li>• <b>IAC 110.5(1) Conditions in the home are safe, sanitary, and free of hazards.</b></li><li>• <b>IAC 110.5(6) Discipline</b></li><li>• <b>A Corporal punishment including spanking, shaking and slapping is not used.</b></li><li>• <b>B No punishment is used which is humiliating or frightening, or causes pain or discomfort to the child.</b></li><li>• <b>C No punishment is administered because of a child's illness, or progress or lack of progress in toilet training. No punishment or threat of punishment is associated with food or rest.</b></li><li>• <b>D No child is subjected to verbal abuse, threats, or derogatory remarks about the child or the child's family.</b></li><li>• <b>E Discipline is designed to help the child develop self-control, self-esteem, and respect for the rights of others.</b></li><li>• <b>IAC 110.5(9) The provider meets the following requirements:</b></li><li>• <b>A. Gives careful supervision at all times.</b></li></ul>
<b>Findings:</b> <p>7/8/13 This worker and social worker Heather Davis visited the home of Lindsay Asta today. There were 9 children present in the home today during the visit. Four children were sleeping upstairs, 3 children were with her on the main floor and 2 children (school-aged) were in the basement playing (2 of these children were her own non-school aged children). Lindsay admitted to this worker that she was 2 over for children today and that her assistant was not available. Lindsay reported that she turned in her change application to become a Category B provider but has not received anything back from the central registration unit yet. Social worker Davis confronted the provider on the allegations that the department had received. Lindsay stated that on 7/3/13 she noticed that the child had a dirt spot on the right side of their face on their cheek. The provider thought that it was a dirt spot. Lindsay stated that she pointed this out to the father as the child was leaving her home. Lindsay did not remember anything significantly happening that day with the child as to how the child would have gotten the injury. Lindsay described the child as having a sweet disposition. Lindsay described giving her daycare children timeouts for discipline. She will sit them on the steps and then talk with them about what happened. Lindsay will also use re-direction for her younger children which she states works well. Lindsay reported that she did not observe anyone else (child or adult) grab the child's face that day. Lindsay stated that it is not a standard practice for her to grab her own child's face but she stated that she cannot say that she has never done this. Lindsay stated that she will take a different tone with her own children than with daycare children as they should know what is expected of them all of the time. Social worker Davis stated that the injury on the child looked like a thumb print on the right lower cheek that was circular in shape. Social worker Davis stated that she would continue to gather information and keep this worker informed about her assessment.</p> <p>This worker conducted a full compliance visit of the home during today's visit. Non-compliance items were noted. Please refer to completed checklist in the file for further information. It should be noted that after the visit to the home this worker learned that one of the provider's assistants that was mentioned to have helped</p>

with the children was not listed as being approved by the Central Registration Unit to act in that capacity. Lindsay must insure that all individuals that she wishes to have act as assistants or substitutes for her daycare operation be approved by the central registration unit prior to having them act in those capacities.

**IAC 110.5(9) The provider meets the following requirements:**

**A. Gives careful supervision at all times.**

8/1/13 The department completed its findings and determined that the one year old child had sustained injuries that appeared to be inflicted upon them. Lindsay, the daycare provider was unable to provide a reasonable or plausible explanation as to how the child received these injuries. These injuries were not present on the child prior to the child being brought to the daycare home. A one year old child requires careful supervision at all times and for the daycare provider to not have any knowledge of how the child sustained bruising to the face throughout the period of time that they were left in charge of the child reveals that careful supervision was not being applied. This worker would also note that careful supervision of children cannot occur with children sleeping on multiple floors of the home and when the provider is over capacity for the number of children she is able to watch by herself as evidence during the home visit on 7/8/13. This daycare complaint is **substantiated**.

**Resolution:** This worker had conversation with Lindsay about what is considered to be careful supervision of her daycare children and discuss plans to have all of the children sleeping/napping on main level of house and for them to remain there for purposes of her supervision of them. Lindsay was able to become number compliant at the conclusion of this worker's visit to the home on 7/8/13. This worker had Lindsay sign a voluntary agreement with the department that she will remain within her numbers as a Category A child development home until such time as the Central Child Care Registration unit approves her change application to become a Category B provider. This worker will have Lindsay sign a safety plan with the department that:

Lindsay shall insure that she is in visual and auditory range of her daycare children at all times.

Lindsay will insure that no other individual shall assist her in her childcare operation that is not approved as either an assistant or substitute by the Central Childcare Assistance Unit.

Lindsay will abide by department rules concerning the amount of children she is able to care for at any given time for her current category of registered child development home.

Lindsay shall complete all items of non-compliance listed by **8/26/13**. This worker will be conducted random follow up visits to the home in order to insure that the current safety plan is adhered to and to insure that all non-compliance items have been addressed.

If you have any questions regarding this matter feel free to contact me at (319) 208-5521 or [creckli@dhs.state.ia.us](mailto:creckli@dhs.state.ia.us).

Sincerely,

Chad Reckling, Social Worker II  
560 Division St, Ste 200  
Burlington IA 52601