

**Texas Health and Human Services Commission  
Child-Care Licensing  
Investigation Report**

**Operation Information and Allegations:**

Operation #: [REDACTED]

Investigation #: [REDACTED]

IMPACT Case Id:

IMPACT Call Id: [REDACTED]

Intake(s):

Intake Number

[REDACTED]

Intake Date Received

05/12/2021 11:24 AM

Investigator's Name: ALLISON MARTINEZ

Extension Granted: No

**Allegation Type**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Standard/Law Violation | <input type="checkbox"/> Abuse/Neglect Physical Abuse         |
| <input type="checkbox"/> Illegal Operations                | <input type="checkbox"/> Abuse/Neglect Sexual Abuse           |
| <input type="checkbox"/> Suicide Attempt                   | <input type="checkbox"/> Abuse/Neglect Emotional Abuse        |
| <input type="checkbox"/> Child Death                       | <input type="checkbox"/> Abuse/Neglect Physical Neglect       |
| <input type="checkbox"/> Serious Harm/Injury               | <input type="checkbox"/> Abuse/Neglect Medical Neglect        |
| <input type="checkbox"/> Near Fatal                        | <input type="checkbox"/> Abuse/Neglect Neglectful Supervision |
| <input type="checkbox"/> Child Arrest                      | <input type="checkbox"/> Abuse/Neglect Exploitation           |
| <input type="checkbox"/> Illness Requiring Hospitalization |   |
| <input type="checkbox"/> Child Run Away                    |   |
| <input type="checkbox"/> Caregiver Drug Abuse              |   |
| <input type="checkbox"/> Endangering Person                |   |
| <input type="checkbox"/> Child Sexual Aggression           | # Children involved: 0  |
| <input type="checkbox"/> Child on Child Physical Abuse     | # Children involved: 0  |

Intake Priority: Priority 3 - minor violations of the law or minimum standards that involve low risk to children

Investigation Priority: Priority 3 - minor violations of the law or minimum standards that involve low risk to children

Date Priority Changed:

Reason Priority Changed:

**Allegation Description:**

It is reported that a child was hit in the head by another child and staff were unaware of the injury. It is also reported that a child was being sent to restroom unattended and had on a pull up and the pull up was soaked because the staff was unaware the child wore a pull up.

**Investigation Persons:**

**Reporter:**

[REDACTED]

**Victim(s):**

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**Perpetrator(s):**

Name	Perp Disposition	Admin Review	Release Hearing
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**Investigation Documentation:**

**Initiation Information:**

Initiation Date: 05/25/2021

Type of Initiation: Face-to-Face

Information Obtained:

Face to face interview with [REDACTED] [REDACTED]. [REDACTED] is 3 years old. I attempted to establish rapport with him. I asked him questions about his age and tried to determine he knew the difference between the truth and a lie. He **was not able to differentiate between the truth and a lie.** When I said it was raining in the room he said that it was. When I asked if he was 5 years old he said yes. Due to his age, it's possible he is not able to tell the difference. I asked him about **a bump on his head.** He showed me it was on **the back of his head.** A photo was taken of him. There is no bump at this time, the **back of his head does stick out but it appears to be just the shape of his head.** When asked how he bumped his head he said his friend.

Notification of interview letter left for parent

**Observations Made During Inspection:**

Inspection(s):

3826065

No obvious hazards were observed. Background checks were reviewed and in compliance.

**Contact List:**

Type	Date	Contact Time	To:/With	Victim Name
Phone Call	07/08/2021	12:00 AM	[REDACTED] [REDACTED] collateral parent [REDACTED]	

I called and spoke with Mrs. [REDACTED]. She is the mother to [REDACTED] who is 4 years old. I explained the reason for my call. She said in the beginning when she first started going, there were concerns because she would get morning texts that they would not be able to open her classroom because they **didn't have enough** staff. However, since then it has gotten better. **She has had no concerns with the child care provided.** She does feel that the staff **aren't real friendly but** they do say bye when she picks up her child. There was one incident with the owner but it had nothing to do with the child care. **She said that the owner called her and told her that her husband was meeting another woman there at the center.** She said that **her husband was upset and that she herself was also fully aware of the situation and didn't think that it was right that the owner felt the need to call her.**

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*Phone Call*      *07/08/2021*      *12:00 AM*      [REDACTED]  
[REDACTED]/collateral  
parent  
[REDACTED]

I called and spoke with Mrs. [REDACTED]. Her daughter, [REDACTED] attends the center. I explained to her the reason for my call. According to her, she is happy with the child care provided. She said that it is super hard finding good child care. Her daughter enjoys going there. She has had only one incident where she was bit but she was immediately notified through the app the operation uses. She does not have any concerns with supervision, discipline, nutrition, etc. She said she knows she's eating well and napping good as well.

*Phone Call*      *07/06/2021*      *12:00 AM*      [REDACTED]  
[REDACTED] staff

I called and spoke with [REDACTED]. I explained to [REDACTED] the reason for my call. According to her, this place was a "hot mess". She said that it was her second day there and her first day with the 3,4, 5 year olds. She said that the owner was having trouble getting staff and when she was put in a classroom she asked her if there was a schedule or curriculum she needed to follow for her classroom. Mrs. [REDACTED] just told her to keep them entertained and that they are all potty trained. In regards to [REDACTED] she said that [REDACTED] was a good kid. She said through out the day all was fine with [REDACTED]. He took nap fine and not problems with him. She never noticed him to cry or anything like that. She said that he and another child were playing with a bucket of wooden blocks. He and the other little boy start climbing into the bucket and she tells them they cannot climb into the bucket. She said that [REDACTED]'s office area is right next to her classroom and just out of no where, she being yelling in a loud voice over the half wall and [REDACTED] said I've been hearing her having to get onto you all day long and if you don't stop, I'm gonna call your mom. She said that she doesn't know why she did this because [REDACTED] was not being a problem child. When [REDACTED]'s mom arrived, [REDACTED] told her in front of [REDACTED] " [REDACTED], I told her how you were bad today." They left and about 45 minutes later the mom comes back and says she took him to the ER and that he had a big ole bump on his head. [REDACTED] said that she doesn't recall anything that would have caused the bump. She said that she honestly thinks it was more the shape of his head. In her opinion, she thinks the mom was just upset with [REDACTED] the way she told her that [REDACTED] was being bad and that's why she came back to the center upset. She said that she also said that his pull up was full and she said wait a minute, I thought he was potty trained. She told the mom that she had been sending him to the bathroom and had no idea he had on a pull up. [REDACTED] said "oh she's right, that's my fault, I apologize"

*Phone Call*      *05/26/2021*      *12:00 AM*      [REDACTED]

I called and talked with Mrs. [REDACTED] about the information the mother told me. She denied stating that to the mother. She said that she told her it was because the grandfather to [REDACTED] has been threatening and talking and screaming inappropriately at the daycare telling them that these are god's children and they have not business caring for kids and that he is going to have them shut down and has already contacted two lawyers.

*Phone Call*      *05/25/2021*      *12:00 AM*      [REDACTED]

Received call from Mrs. [REDACTED]. She said that the daycare dismissed her child from care stating that Licensing told her it was their choice to do so [REDACTED] and that now Licensing has written them up and trying to close them down.

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**Face-to-Face**      **05/25/2021**

**12:00 AM**

██████████  
██████████/collateral  
**child age 4**

Attempt interview with ██████████. She was not able to answer any of my questions. Her verbal skills were very low and I couldn't understand anything she was saying. The interview was ended as it was clear that she was not able to answer any of my questions.

**Face-to-Face**      **05/25/2021**

**12:00 AM**

██████████  
██████████/collateral  
**child age 3**

Child Care Inspector ██████████ spoke face to face with ██████████ child in care, on 5/25/21 at the childcare center. Child Care Supervisor ██████████ was present during the interview. When asked how old he was ██████████ held up one finger and said "4,3." When asked what his moms name was, he responded but couldn't be understood. ██████████ was asked if he has fun here and he started to say something about hitting his head but again couldn't be understood. The interview was ended due to not being able to understand him.

Notification of interview letter left for parent

**Face-to-Face**      **05/25/2021**

**12:00 AM**

██████████  
██████████ age 4

Child Care Inspector ██████████ spoke face to face with ██████████ child in care, on 5/25/21 at the childcare center. Child Care Supervisor ██████████ was present during this interview. ██████████ was hard to understand during most of her interview. ██████████ stated she didn't know how old she was. She stated her birthday was yesterday. ██████████ said her shirt was blue, but her shirt was grey. There was blue stuff on her shirt. ██████████ was able to say there was a cat on her shirt. ██████████ stated for fun she likes to play with toys and blocks. She stated they play baseball. ██████████ stated she likes coming here and the teachers clean up the toys. When asked if she has rules here, ██████████ said no. She stated she doesn't get in trouble here at daycare. She stated ██████████ gets in trouble because he is always hitting and he hits her. When asked what happens when ██████████ hits she stated the teachers say "go to time out." ██████████ stated he sits in time out for 2 minutes. ██████████ was asked if there was anything that she doesn't like about coming here and she shook her head no. She stated she wanted to have her friends. ██████████ stated there is nothing that she is scared or afraid of while at daycare.

Notification of interview letter left for parent

**Inspection**      **05/25/2021**

**12:00 AM**

██████████

I explained that I was there for two investigations that came in. I talked to her about the allegations regarding ██████████. Mrs. ██████████ said that ██████████ did have a bump on his head but she knows that he didn't cry at all that day. She was in the class that day and so was a different teacher, named ██████████ in the afternoon. She no longer works there. She did ask ██████████ about the bump after the mom brought it to her attention. ██████████ told her she did not see anything happen. ██████████ said she did see the bump after the mom brought him back inside to show her. I asked her about the kids going to the restroom unattended. She said that that class walks all the class to the restroom and they line up by the wall and go into the bathroom and the teacher stands there.

**Phone Call**      **05/25/2021**

**12:00 AM**

██████████

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I called and spoke with [REDACTED], she is [REDACTED]'s mother. According to her, [REDACTED] still attends the center. Her biggest issue was that the teacher never saw the bump and didn't know what happened. She said it was large enough that she didn't know how no one saw it. She said that she applied an ice pack and the swelling went down. There was no other treatment needed. She also said that Her son wears a pull up and it was so full when she picked him up. The teacher said that she did not know he had on a pull up. She said that he wears a pull up all day. He is in the 3 and 4 year old class. She was not sure the teacher's name, but when she asked [REDACTED] and the teacher about his soaked pull up [REDACTED] did say it was her fault she forgot to let the teacher know.

**Investigation Findings:**

Disposition (if A/N):

Explanation of Disposition:

Based on in the information obtained, a child did sustain a bump to the head; however there is no indication it was the result of lack of supervision. The child was interviewed and he said he was hit by his friend. No visible bump was observed during the interview. In regards to children going to the restroom unattended, a staff reported that she was told by the Director, Mrs. [REDACTED] that it was ok to send the children to the restroom in small groups without a teacher present. She said that the child was wearing a pull up and she was not aware of this so when she would send him to the restroom he had on a pull up. The pull up was soaked with urine and not changed because she was not aware he had one on and because she did not accompany the children to the restroom to know he had on a pull up. The children going to the restroom without a caregiver is a supervision deficiency.

Recommended Action: Re-evaluate Monitoring Frequency

**Action Dates:**

Notification to Provider: 07/09/2021

Investigation Complete: 07/09/2021

Investigation Closed: 07/25/2021