

**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:

Intake(s):

Intake Number

[REDACTED]

Intake Date Received

06/14/2018

Investigator's Name: [REDACTED]

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 2 - serious supervision problems

Investigation Priority: Priority 2 - serious supervision problems

Date Priority Changed:

Reason Priority Changed:

Allegation Description:

It is alleged that a child was left unattended in a classroom for 15 minutes.

Investigation Persons:

Reporter:

See TAC 745.8483

Victim(s):

HD

Perpetrator(s):

Name	Perp Disposition	Admin Review	Release Hearing
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[REDACTED]

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Investigation Documentation:

Initiation Information:

Initiation Date: 06/18/2018

Type of Initiation: Face to Face

Information Obtained:

Caregiver is suspended until the investigation is complete. [REDACTED] is the name of the caregiver. The child is still in care.

Observations Made During Inspection:

Inspection(s):

3689918

I conducted an unannounced investigation monitoring inspection on 06/18/2018 at 2:00pm. This operation does not have any conditions or restrictions on the permit, there are no risk evaluations, no waiver/variances, and fees are current. Upon arriving at the operation I greeted Ms. [REDACTED] and Ms. [REDACTED] and explained the nature of the visit.

A complete walk-through was conducted during this inspection. Ms. [REDACTED] was present with 4 infants that ranged from 2 month to 10 month old. Ms. [REDACTED] was present with 10 children who were the 4 and 5 years old. This class was waking up from nap. Ms. [REDACTED] was present with 9 children who ranged from 18 month to 2 years old. This class was napping during the walk through. Ms. [REDACTED] was present with 15 three years old. Ms. [REDACTED] was present with 10 children who were the 2 and 3 years old. Ms. [REDACTED] and Ms. [REDACTED] was present with 23 children who ages ranged from 5 years old to 11 years old.

A walk through of the bus was conducted and discussed in details. A walk-through of the outside playground was conducted and I did not see any obvious signs of risk to children.

Background checks, FBI checks, and controlling persons were reviewed and are current. The form 2936 was reviewed and all technical assistance was discussed. The form was signed and provided to the operation.

Contact List:

Type	Date	To:/With
<i>Phone Call</i>	<i>07/10/2018</i>	[REDACTED] (<i>Director</i>)

Called and let Ms. [REDACTED] know that the investigation is complete and that a letter was sent to the operation as well.

<i>Other</i>	<i>06/28/2018</i>	<i>6-14 Name to face record</i>
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The record states that this record was for the 2's room and there were 11 children present from 2-4 and 10 children present between 4-5.

<i>Phone Call</i>	<i>06/26/2018</i>	[REDACTED] (<i>Caregiver</i>)
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Ms. [REDACTED] stated that she has been working for [REDACTED] for 10 year. Ms. [REDACTED] stated that she has been at this location for 4-5 year. Ms. [REDACTED] stated that the child had ran inside the classroom, while [REDACTED]

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she was dealing with another situation. Ms. [REDACTED] stated that the child did come outside with her. Ms. [REDACTED] stated that the child was reluctant to come outside, he didn't want to come outside. Ms. [REDACTED] stated that she didn't notice he went back inside, because she was making sure the other child was okay. Ms. [REDACTED] stated that a few minutes later she lined the children up and then realized that he child was missing. Ms. [REDACTED] stated that the other child, did not have any bruises from incident. Ms. [REDACTED] stated that she noticed that he was missing when she was about to go inside. Ms. [REDACTED] stated that she looked around the playground didn't see the child. Ms. [REDACTED] stated that that is when she asked the assistant director did she see the child, she said no. Ms. [REDACTED] stated that the only time she took her eyes off the door was to deal with the other child. Ms. [REDACTED] stated that the other child who fell was okay. Ms. [REDACTED] stated that what the operation stated about the kid who does not speak English who ran outside first is not true. Ms. [REDACTED] stated that the child who does not speak English was not there that day. Ms. [REDACTED] stated that that child doesn't come on Thursday or Friday. Ms. [REDACTED] stated the child who fell on the playground was [REDACTED]. Ms. [REDACTED] stated that Ms. [REDACTED] stated that the operation has a zero policy for this type of stuff and she is probably going to lose her job.

Phone Call **06/25/2018** [REDACTED] (*Caregiver*)

A phone call was attempted and a voicemail was left.

Phone Call **06/18/2018** [REDACTED] (*mom*)

Ms. [REDACTED] is the mother of the child who was left unattended. Ms. [REDACTED] stated that from what she knows about the situation her son's class was going outside. Ms. [REDACTED] stated that the name to face was done the first time but, the second name to face was not done. Ms. [REDACTED] stated that the teacher was not the child's normal teacher. Ms. [REDACTED] stated that her son was fine when they found him. Ms. [REDACTED] stated that she has no concerns for the daycare. Ms. [REDACTED] stated that she talked with Ms. [REDACTED] about the incident this morning. Ms. [REDACTED] stated that she explained to Ms. [REDACTED] that he son has been with the operation for 2 years, and the situation could have been worse but she does not have any concerns.

Face to Face **06/18/2018** [REDACTED] (*Caregiver*)

[REDACTED]

Face to Face **06/18/2018** [REDACTED] (*Director*)

Ms. [REDACTED] stated that she was on vacation during the time of this incident. Ms. [REDACTED] stated that Ms. [REDACTED] handled the situation correctly. Ms. [REDACTED] stated that she is disappointed in the staff, all she ask for is that they do what they are supposed to do and what they are trained to do. Ms. [REDACTED] stated that she talked with mom this morning and she had the confidence in Ms. [REDACTED] that she will handled the situation properly. Ms. [REDACTED] stated that Mom didn't have any concerns. Ms. [REDACTED] stated that [REDACTED] never left a child unattended before. Ms. [REDACTED] stat that she is just disappointed that the incident took place. Ms. [REDACTED] stated that she understands that there was a child that did not speak English, and had ran outside. Ms. [REDACTED] stated that Ms. [REDACTED] ran to get him and just didn't do the second name to face check once they were outside. Ms. [REDACTED] stated that the other class was in the room next door, which is divided by a partial half wall.

Face to Face **06/18/2018** [REDACTED] (*Assistant Director*)

Ms. [REDACTED] stated that the incident took place last Thursday. Ms. [REDACTED] stated that she was taking two's classroom their new t-shirt for the upcoming field trip. Ms. [REDACTED] stated that when she saw [REDACTED] (Victim) was singing to the stuff animal dog. Ms. [REDACTED] stated that [REDACTED] was not upset just rocking the baby doll and singing to it. Ms. [REDACTED] stated that Ms. [REDACTED] was the teacher that Ms. [REDACTED]

[REDACTED]

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█████ brought into the room to verify that there was a child in the room by himself. Ms. █████ stated that she brought him to the front office then called the risk team, directors and licensing. Ms. █████ stated that Ms. █████ (caregiver) came inside and conducted the name to face then that when she realize the child was missing. Ms. █████ stated that Ms. █████ moved the three's teachers to the two's classroom. Ms. █████ stated that she then talked with Ms. █████ to tell her that she had he child he is safe. Ms. █████ stated that stated after she talked with Ms. █████ they suspended her pending the investigation. Ms. █████ stated that they have had incidents previously that were investigated, but were found to be in compliance. Ms. █████ stated that Ms. █████ has been working at the operation for 10 years. Ms. █████ stated that the child has been sick all week and this happened on his first day back. Ms. █████ stated that she did talked with mom and she did not have any concerns. Ms. █████ stated that the mother thanked her for the way they handled the situation and understands that things happens.

Investigation Findings:

Disposition (if A/N):

Explanation of Disposition:

Based on the preponderance of evidence gathered through inspection and observation and interviews with the operation and parent of the child that was left alone, one deficiencies that was cited. The caregiver and the director both stated that the child was left alone in a classroom for an undetermined amount of time. The assistant director notified the proper people. The director also talked with the mother and informed her of the incident and provided her with an incident report as well. The operation stated that the caregiver is on administrative leave pending the investigation.

Recommended Action: No action

Action Dates:

Notification to Provider: 07/10/2018

Investigation Complete: 07/10/2018

Investigation Closed: 07/11/2018

