

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

Operation Information and Allegations:

Operation #: Dunkin Academy of Forney 208615

Investigation #: 2354523

IMPACT Case Id: 45383112

IMPACT Call Id: 69166244

Intake(s):

Intake Number
2354523

Intake Date Received
07/21/2017

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"/> Critical Injury | <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 - injury or serious mistreatment of a child

Investigation Priority: Priority 2 - injury or serious mistreatment of a child

Date Priority Changed:

Reason Priority Changed:

Allegation Description:

Inappropriate discipline was used towards children.

Investigation Persons:

Reporter:

[REDACTED]

Victim(s):

[REDACTED]

[REDACTED]

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Perpetrator(s):

Name	Perp Disposition	Admin Review	Release Hearing
██████████			

Investigation Documentation:

Initiation Information:

Initiation Date: 07/24/2017

Type of Initiation: Inspection

Information Obtained:

The investigation inspection was conducted by inspection to the child care center on 07/24/17. Interviews were conducted with staff. I reviewed ██████████' file and retrieved her contact information. Ms. ████████ has a few write ups that dealt with the handling of children.

Observations Made During Inspection:

Inspection(s):

3637585

3639054

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An unannounced monitoring and investigation inspection was conducted on 08/01/17. [REDACTED] was the person in charge. I informed her of the purpose of my inspection. An inspection of the indoors and outdoors was completed. A health and safety audit was also completed.

There were 4 eighteen month to two year olds with one caregiver. The caregiver was [REDACTED]. The children were playing. She stated she did not have any children with food allergies. The children's belongings are kept in individual cubbies labeled with the children's name. Linens are washed week when they are sent home with the parent. There was music playing in the room. There were 9 two and three year olds with olds. The caregiver was [REDACTED]. The children were in circle time. Cleaning supplies were labeled. In the next room there were 6 infants with two caregivers. The caregivers were [REDACTED] and [REDACTED]. The children were playing. A caregiver was singing to the children and children were playing on the floor. The caregivers stated they administer the medication. A caregiver showed me the card the parent completes. Ms. [REDACTED] stated she wants to start using the licensing medication log instead of the medicine cards they are currently using. The caregivers stated the infant sheets are washed daily. Toys are washed daily. There were 11 four to five year olds with one caregiver. The caregiver was [REDACTED]. The children were on restroom break. There were 10 four year olds with one caregiver. The caregiver was [REDACTED]. The children were working on worksheets about the number six. There were 10 three year olds with one caregiver. The caregiver was [REDACTED]. The children were coloring a worksheet about shapes. The schoolers were in the gym. [REDACTED] had 18 schoolers and [REDACTED] had 18 schoolers. The children were finishing lunch.

I observed a list of children on a dry erase board in the kitchen. It did not say food allergies but did say no milk. I discussed this with Ms. [REDACTED]. She was not sure of what the list was for. I explained the food allergy requirements with Ms. [REDACTED]. She stated as far as she knows there are no children with food allergies but parent preferences. I suggested that she discuss with parents again to make sure there are no children with food allergies.

Children and staff records were reviewed. The following staff was lacking orientation: [REDACTED] and [REDACTED]. [REDACTED]'s hire date was 06/19/17. [REDACTED]'s hire date was 02/17/17. The following staff was lacking pre-service: [REDACTED]. Ms. [REDACTED]'s hire date is 04/13/17. The following children were lacking a health statement: [REDACTED] did not have current immunizations.

Interviews were conducted with [REDACTED] and [REDACTED].

The child care center provides transportation to and from school and field trips. The vehicles were evaluated. The children are loaded and unloaded at the back door of the child care center or at the front door of the field trip. [REDACTED] and [REDACTED] are the drivers. Background checks were reviewed. The following had pending fingerprints and are not employed at the operation: [REDACTED], [REDACTED] and [REDACTED]. [REDACTED] stated [REDACTED] is [REDACTED]'s wife but she does not work at the center. The deficiencies along with the timeframes were discussed with Ms. [REDACTED].

An unannounced investigation inspection was conducted on 07/24/17. The director was not present. The operation has hired a new director who is in the process of becoming director qualified. [REDACTED] was the person in charge. I informed her of the purpose of my inspection. An inspection of the indoors was completed. I noticed the infant room has moved

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to the far left room and the three year olds are where the infants were. I informed Ms. [REDACTED] that before infants are moved, licensing must be notified.

There were four 18 months to 24 months with one caregiver. The caregiver was [REDACTED]. The children were playing with large Lego pieces and balls. The next room consisted of 10 two year olds with one caregiver. The caregiver was [REDACTED] and she was preparing to read a story. There were 6 infants between the ages of 6 months and 15 months with two caregivers. The caregivers were [REDACTED] and [REDACTED]. The infants were playing on the floor and in an exersaucer. There were 10 four year olds with one caregiver. The caregiver was [REDACTED]. The children were redoing artwork that included construction paper and glue. [REDACTED] was supervising 12 four and five year olds. The children were coloring worksheets that had seeds and flowers on them. There were 10 three year olds with one caregiver. The caregiver was [REDACTED]. The children were playing with small animal figures, connecting pieces, lumber pieces and puzzles. 40 school age children were playing in the gym. The children were in two groups. [REDACTED] had 17 schoolers and [REDACTED] had 23 schoolers.

I reviewed Ms. [REDACTED] personnel file. She received pre-service training. There were several corrective action notices in her file. I obtained Ms. [REDACTED] telephone number. I also obtained the name and number of the victim's parents. The center has a new director, [REDACTED]. She is in the process of becoming director qualified. [REDACTED] did not have an initial background check. She supervised the school age children. Her hire date is 04/14/17. All other background checks were current. The deficiencies along with the timeframes were discussed with [REDACTED].

Contact List:

Type	Date	To:/With
<i>Phone Call</i>	<i>08/04/2017</i>	[REDACTED], <i>person in charge</i>

I spoke to [REDACTED] and informed her of the finding.

<i>Phone Call</i>	<i>08/04/2017</i>	[REDACTED] <i>parent</i>
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I attempted to contact Ms. [REDACTED] by telephone. There was no answer. A message was left on her voicemail requesting a return telephone call.

<i>Phone Call</i>	<i>08/04/2017</i>	[REDACTED] <i>mother</i>
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Ms. [REDACTED] stated the child care center her informed her of the incident and she received an incident report. She stated the center told her [REDACTED] was touching another child's hair and the caregiver hit her hand. She stated [REDACTED] told her the same thing. Ms. [REDACTED] stated she does not have any concerns with the child care center. She stated [REDACTED] is honest and does have behavior issues they are currently working on.

<i>Phone Call</i>	<i>08/04/2017</i>	[REDACTED], <i>caregiver</i>
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I attempted to contact Ms. [REDACTED]. There was no answer. I left a message on her voicemail, informed her of the purpose of my call and requested and return telephone call.

<i>Inspection</i>	<i>08/01/2017</i>	[REDACTED] <i>four years old</i>
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I interviewed [REDACTED] at the child care center. [REDACTED] seemed very shy and wouldn't say too much. [REDACTED] said she was four year old. She stated her teacher was Ms. [REDACTED]. I asked if anyone gets in trouble. She said [REDACTED] gets in trouble. I asked her if she gets in trouble and she no. I asked [REDACTED] if something

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happened in the gym when you were getting water and she said no. I then asked her when she got water did Ms. [REDACTED] do something? She said no. I asked [REDACTED] what happens when you run in the gym and she said she didn't know. I asked her if Ms. [REDACTED] spanked someone. [REDACTED] asked me if I was talking about the other day and I told her yes. [REDACTED] said yes and that she spanked her and [REDACTED] I asked [REDACTED] why she spanked them and she said it was because they were running. I asked [REDACTED] if she saw her spank [REDACTED] and she said no. I asked her where did Ms. [REDACTED] spank her and she said she spanked her on her leg.

Inspection 08/01/2017 [REDACTED] *four year old*

I interviewed [REDACTED] at the child care center. [REDACTED] told me she was four years old and her birthday is [REDACTED]. I asked [REDACTED] who her teacher was and she said Ms. [REDACTED]. [REDACTED] told me she will be in kindergarten. I asked [REDACTED] who gets in trouble and she said they all get in trouble. [REDACTED] said she hits, slaps and says curse words. I asked [REDACTED] why she does those things and she said she didn't know. I asked [REDACTED] if she got in trouble in the gym. She said yes. I asked her why and she said she was playing in her friend's hair. I asked [REDACTED] what her friend's name was and she said she didn't know. I asked her if something happened when she was playing in her friend's hair and she said yes. [REDACTED] said Ms. [REDACTED] slapped her on the hand. I asked her why Ms. [REDACTED] did that and she said it was because she was playing in someone's hair. I asked her if any other teachers saw Ms. [REDACTED] do this and she said Ms. [REDACTED] saw it.

Inspection 08/01/2017 [REDACTED], *director*

Ms. [REDACTED] stated Ms. [REDACTED] came to her and said she saw Ms. [REDACTED] spank [REDACTED]. She said that Ms. [REDACTED] also saw Ms. [REDACTED] grab [REDACTED] arm, swing it away and swat at her wrist. Ms. [REDACTED] asked Ms. [REDACTED] what time this happened. Ms. [REDACTED] couldn't tell her what time but she could tell her what they were doing at the time. [REDACTED] was playing with someone's hair. Ms. [REDACTED] flung her arm and swatted her on the wrist. After hearing the story from the teacher, she asked [REDACTED] and she had her show her. Ms. [REDACTED] stated she pretended to play in [REDACTED] hair. [REDACTED] grabbed her arm and threw it. She asked [REDACTED] if it hurt and she said yes. Ms. [REDACTED] stated that she didn't say [REDACTED]'s name. She asked her if she was playing in someone's hair and she said yes. She asked her if she got in trouble for it and she said yes. She asked her who got her in trouble and she said Ms. [REDACTED]. Ms. [REDACTED] stated she talked to [REDACTED] as well. She asked her if she was running in the gym and she said yes because she wanted water. She asked her if she got in trouble for running and she said yes. She asked her how she got in trouble and she said Ms. [REDACTED] spanked her and showed her right below her butt. Ms. [REDACTED] asked her if it hurt and she said no. Ms. [REDACTED] asked [REDACTED] and [REDACTED] story is exactly the same as [REDACTED] Ms. [REDACTED] immediately started crying when she talked to her about it. She said Ms. [REDACTED] kept shaking her head and holding her mouth. Ms. [REDACTED] stated she told her it was against minimum standards to spank. Ms. [REDACTED] said she tries so hard. Ms. [REDACTED] got quiet for a second. Ms. [REDACTED] never denied the spanking. Ms. [REDACTED] said she did not hit [REDACTED] but she tapped her arm, demonstrating on Ms. [REDACTED]. She stated she asked Ms. [REDACTED] to leave and that it would be her last day. Ms. [REDACTED] started crying harder and said that sometimes she gets mad and she takes things out on others and she know she shouldn't. She told her that she should never take her frustrations out on children. Ms. [REDACTED] signed her write up, made a phone call and said she left some things in the infant room. Ms. [REDACTED] followed her to the infant room. She blew up in the infant room and started yelling. Ms. [REDACTED] told her if she didn't calm down she would call authorities and Ms. [REDACTED] said she didn't have to do that. Ms. [REDACTED] stated she called someone to pick her up and she left. Ms. [REDACTED] stated yesterday she received unemployment papers for Ms. [REDACTED] and at the bottom of the paper she stated she was fired because she spanked a child.

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from when [REDACTED] incident occurred. She stated it was after [REDACTED] incident.

Investigation Findings:

Disposition (if A/N):

Explanation of Disposition:

Based on interviews with caregivers and children, it was determined the child care center is in violation of the minimum standards. A caregiver spanked two children. In reviewing the caregiver's personnel file, the caregiver had been written up a few times due to how she dealt with children.

Recommended Action: Re-evaluate Monitoring Frequency

Action Dates:

Notification to Provider: 08/04/2017

Investigation Complete: 08/04/2017

Investigation Closed: 08/22/2017