

Notice of Findings

Notice To: Melinda Baas - Director
Facility Name: YWCA Early Care Center
Owner:
Site Address: 1037 Jackson Street
City/State/Zip: Rock Springs, WY 82901

The Department of Family Services has completed the investigation regarding alleged violation(s) of the Wyoming Child Care Rules received on 01/27/2025, and investigated by Veronica Endecott.

A statement of childcare allegation, CPL-5846, was provided on 02/05/2025.

The finding is listed below for each individual alleged violation of the Wyoming Child Care Licensing Rules:

1. Finding: Non-Compliant

Regulation: Chapter 4. General Requirements
Section 6. Discipline and Guidance.

(b) When "time out" is used, it shall:

(ii) Be a last resort technique for a child who is harming another, or in danger of harming himself/herself; and

Allegation: It has been reported that on one or more occasions in the last three months, a staff member of the facility, JB, will place children on the wall "timeout" for reasons not a danger to the child or others, such as but not limited to crying, not listening, throwing toys and/or not doing what is asked of them.

Explanation of Findings: Through interviews obtained during the course of the investigation, Child Care Licensing has determined that on multiple occasions in the last 3 months, children were placed in time out for various behaviors including crying and not listening, which do not constitute a danger to themselves or others.

Action Required: 1. Submit a Corrective Action Plan outlining the necessary steps to revise and improve the current time-out protocol to ensure its effectiveness, safety, and alignment with Wyoming Child Care Licensing Rules. The revised protocol shall include alternative strategies for time-outs and provide clear guidelines on the appropriate use of time-outs, including which behaviors warrant a time-out, the duration, and implementation procedures. 2. A detailed staff training protocol will be developed for the new time-out policy's implementation and submitted to licensing.

Corrective Action Plan Due Date: 03/27/2025

Corrective Action Plan Achieved Date:
Compliance Due Date: 03/27/2025
Compliance Achieved Date:

2. Finding: Compliant

Regulation: Chapter 4. General Requirements
Section 2. Capacity/Supervision Requirements.

(h) In order to be counted in the staff:child ratio, staff shall be attending to the children. Necessary cooking, cleaning, janitorial, or similar tasks performed by a staff person counted in the staff:child ratio may take no longer than a few minutes, shall be done in such a way that the children are within sight and sound of the staff person, and the staff person can quickly and easily leave the task to handle direct child caring duties.

Allegation: It has been reported that on multiple occasions in the last 6 months, staff members of the facility are not directly and adequately supervising children in care.

Explanation of Findings: There is not enough evidence to support a finding of non-compliance.

Corrective Action Plan Due Date:
Corrective Action Plan Achieved Date:
Compliance Due Date:
Compliance Achieved Date:

3. Finding: Compliant

Regulation: Chapter 4. General Requirements
Section 6. Discipline and Guidance.

(d) The following behavior shall be prohibited in all child care settings:
(ii) Rough handling of children, including but not limited to hitting, spanking, beating, shaking, pinching, pushing or other measures that could produce physical pain;

Allegation: It has been reported that on or around Jan 20th in the morning, a staff member, JB, of the facility roughly handled a child in care by grabbing the child's arm for the means of taking the child to timeout.

Explanation of Findings: There is not enough evidence to support a finding of non-compliance.

Corrective Action Plan Due Date:
Corrective Action Plan Achieved Date:
Compliance Due Date:
Compliance Achieved Date:

4. Finding: Non-Compliant

Regulation: Chapter 4. General Requirements
Section 6. Discipline and Guidance.

(d) The following behavior shall be prohibited in all child care settings:
(iii) Inappropriate use of language, including but not limited to profanity, name-calling, derogatory or demeaning terminology or screaming related to disciplinary purposes;

Allegation: It has been reported that on one or more occasions in the last three months, a staff member of the facility, JB, will place children on the wall as a form of "timeout", while mocking child and using demeaning terminology.

Explanation of Findings: The Child Care Licensing investigation revealed, through collected interviews, that on multiple occasions in the last 3 months, children subjected to time-out were addressed in a derogatory and demeaning manner, including calling children "bad" or "naughty" instead of using positive redirection.

Action Required: 1. Submit a Corrective Action Plan outlining the necessary steps to revise and improve the current time-out protocol to ensure its effectiveness, safety, and alignment with Wyoming Child Care Licensing Rules. The revised protocol shall include alternative strategies for time-outs and provide clear guidelines on the appropriate use of time-outs, including which behaviors warrant a time-out, the duration, and implementation procedures. 2. A detailed staff training protocol will be developed for the new time-out policy's implementation and submitted to licensing.

Corrective Action Plan Due Date: 03/27/2025

Corrective Action Plan Achieved Date:

Compliance Due Date: 03/27/2025

Compliance Achieved Date:

5. Finding: Non-Compliant

Regulation: Chapter 4. General Requirements

Section 6. Discipline and Guidance.

(d) The following behavior shall be prohibited in all child care settings:

(iii) Inappropriate use of language, including but not limited to profanity, name-calling, derogatory or demeaning terminology or screaming related to disciplinary purposes;

Allegation: It has been reported that on one or more occasions in the last three months, a staff member of the facility, KJ, used inappropriate language, including yelling and/or using demeaning language at staff members, in front of children in care.

Explanation of Findings: The Child Care Licensing investigation revealed, through interviews, that on multiple occasions in the last 3 months, KJ revealed a pattern of inappropriate use of demeaning and derogatory language directed toward staff members. This language was used in front of children at the facility, creating an unprofessional environment.

Action Required: Please submit a Corrective Action Plan that ensures Assitant director KJ will schedule and obtain training on how to communicate effectively with staff/employees which should be scheduled by March 26, 2024. This training shall be completed by May 1, 2024. This training must include a hands-on/in-person component that has goal setting with a 30-day follow-up meeting to discuss the goals. As part of the in-person training, KJ will work with the trainer to establish specific and measurable communication goals. This training may be conducted by the PLC, the DFS technical assistance coordinator, or another licensing-approved entity.

Corrective Action Plan Due Date: 03/26/2025

Corrective Action Plan Achieved Date:

Compliance Due Date: 05/01/2025

Compliance Achieved Date:

6. Finding: Non-Compliant

Regulation: Chapter 4. General Requirements

Section 6. Discipline and Guidance.

(b) When "time out" is used, it shall:

(ii) Be a last resort technique for a child who is harming another, or in danger of harming himself/herself; and

Allegation: It has been reported that on one or more occasions in the last three months, a staff member of the facility, JB, uses "time out" as a form of discipline and guidance for any behavior, not as a last resort when the child is a danger to themselves or others.

Explanation of Findings: Through interviews obtained during the course of the investigation, Child Care Licensing has determined that on multiple occasions in the last 3 months, children were placed in time out for reasons other than self-harm or harm to others, such as for not listening, not cleaning up or not participating in circle time.

Action Required: 1. Submit a Corrective Action Plan outlining the necessary steps to revise and improve the current time-out protocol to ensure its effectiveness, safety, and alignment with Wyoming Child Care Licensing Rules. The revised protocol shall include alternative strategies for time-outs and provide clear guidelines on the appropriate use of time-outs, including which behaviors warrant a time-out, the duration, and implementation procedures. 2. A detailed staff training protocol will be developed for the new time-out policy's implementation and submitted to licensing.

Corrective Action Plan Due Date: 03/27/2025

Corrective Action Plan Achieved Date:

Compliance Due Date: 03/27/2025

Compliance Achieved Date:

7. Finding: Non-Compliant

Regulation: Chapter 4. General Requirements
Section 2. Capacity/Supervision Requirements.

(c) Staff:child ratios and maximum group size shall be maintained as follows (Table 4-1) during all hours of operation when facilities care for only one (1) age group:

Allegation: It has been reported that on Jan 13th and 15th, 2025, the staff:child ratios were not properly maintained between the hours of 7:00 am and 9:00 am.

Explanation of Findings: During the investigation it was discovered by Child Care Licensing that while staff members did clock in and out of the facility, there was no system in place to track which rooms they were in, if they moved between rooms during their shifts, or if they left the room entirely. The existing documentation was inadequate to determine staffing levels in specific rooms. This made it impossible to verify if staff-to-child ratios were being maintained on Jan 13th and 15th, 2025.

Action Required: 1. Please submit a Corrective Action Plan outlining how you will implement a system for tracking and documenting staff whereabouts within the facility during their assigned shifts. This documentation shall allow staff to log their location in real-time as they move throughout the facility and shall include the room they are in, the time they arrive and depart that room. 2. This documentation will be sent to the licenser on a weekly basis, beginning on Monday, March 31, 2025. The documentation will continue until Monday, April 28, 2025.

Corrective Action Plan Due Date: 03/27/2025

Corrective Action Plan Achieved Date:

Compliance Due Date: 04/28/2025

Compliance Achieved Date:

8. Finding: Non-Compliant

Regulation: Chapter 7. Child Care Center
Section 3. Director/Assistant Director/ Staff Requirements.

(a) The director shall:

(vi) Be onsite and available for at least 50% of the operating week in which they are listed as the director, unless an exception by the licenser for good cause is given;

Allegation: It has been reported that in the last three months, the director has not been onsite in the YWCA Early Care building for 50% of the center's operating week.

Explanation of Findings: The Child Care Licensing investigation revealed, through collected interviews, that in the last 3 months, the director was not present onsite in the Early Care building 50% of the center's operating week.

Action Required: 1. Please submit a Corrective Action Plan that ensures the director is onsite in the Early Care building 50% of the operating week. Implement a tracking and documenting system showing the time the director spends onsite and available 50% of centers during the operating week. 2. This documentation will be sent to the licenser on a weekly basis, beginning on Monday, March 31, 2025. The documentation will continue until Monday, April 28, 2025.

Corrective Action Plan Due Date: 03/27/2025

Corrective Action Plan Achieved Date:

Compliance Due Date: 04/28/2025

Compliance Achieved Date:

9. Finding: Non-Compliant

Regulation: Chapter 4. General Requirements

Section 6. Discipline and Guidance.

(b) When "time out" is used, it shall:

(iii) Be used infrequently and for very brief periods of time-out using one (1) minute for each year of the child's age. It shall be used selectively, taking into account the child's developmental stage and the usefulness of "time out" for the particular child.

Allegation: It has been reported that on one or more occasions in the last three months, a staff member of the facility, JB, will place one year old children on the wall for "timeout" and will not let them out until they stop crying, which exceeds more than one minute per year of the child's age.

Explanation of Findings: The Child Care Licensing investigation revealed, through interviews and observation, that staff at the facility had been using inappropriate time-out measures. Specifically, it was found that one-year-old children were being placed in time-out for durations of up to 3 and a half minutes, which exceeds use of the Child Care Licensing Rules of brief periods of time using one minute for each year of the child's age.

Action Required: 1. Submit a Corrective Action Plan outlining the necessary steps to revise and improve the current time-out protocol to ensure its effectiveness, safety, and alignment with Wyoming Child Care Licensing Rules. The revised protocol shall include alternative strategies for time-outs and provide clear guidelines on the appropriate use of time-outs, including which behaviors warrant a time-out, the duration, and implementation procedures. 2. A detailed staff training protocol will be developed for the new time-out policy's implementation and submitted to licensing.

Corrective Action Plan Due Date: 03/27/2025

Corrective Action Plan Achieved Date:

Compliance Due Date: 03/27/2025

Compliance Achieved Date:

The Department requests your cooperation in ensuring compliance is met. In the absence of cooperation, the Department may take whatever steps are necessary to ensure the safety of children.

The Department's information may be shared with the authorized individuals or agencies, which include, but are not limited to, the Attorney General, County Attorney, and law enforcement.

If you disagree with the Department's finding of non-compliance for a violation, you may request an Administrative hearing within (10) days of your receipt of this letter (W.S. 14-4-108). Administrative hearing procedures are included in the Department of Family Services' **Wyoming Child Care Licensing Rules, Chapter 3, Section 5: Contested Case Hearing Rules**, and based upon the above statute. If you have questions, or need a copy of the Rules, you may contact the Department of Family Services Field office in the county where you live.

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Signature:



Date: 03/18/2025

Veronica Endecott

CC:

YWCA - Board Representative
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