

Notice of Findings

Notice To: Lynn Easum - Director

Facility Name: The Learning Garden

Owner: Lynn Easum

Site Address: 620 Avenue A

City/State/Zip: Powell, WY 82435

The Department of Family Services has completed the investigation regarding alleged violation(s) of the Wyoming Child Care Rules received on 03/24/2022, and investigated by Amanda Jarrett.

A statement of childcare allegation, CPL-5262, was provided on 04/20/2022.

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

(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: Licensing received a report on 3/24/2022 which states Learning Garden staff drug a 4 year old child by his wrist, with his feet off the ground, for a distance of at least ten feet, as a form of discipline, while on the outdoor playground. Reporter states Learning Garden staff picked up a one (1) year old child by the shoulders, slamming her down on her bottom onto the concrete floor, as a form of discipline. Reporter states Learning Garden staff handled a one (1) year old child roughly while child was on the diaper changing station, bending his legs to such a degree forcing his feet to touch his head.

Explanation of Findings: An on site interview with all Learning Garden staff was conducted on 3/29/2022. Information gathered by Child Care Licensing during the interviews confirms Learning Garden staff member is not in compliance with Wyoming Child Care Licensing Rules 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.

Action Required: Director must submit a Discipline and Guidance policy to Licensing for the facility. Director must submit a Corrective Action Plan to Licensing explaining why

these incident(s) occurred in the facility and how facility will ensure current and ongoing discipline and guidance, by all staff, align with Wyoming Child Care Licensing Rules. Please include any training or child handling policies in place or to be implemented and how the facility will monitor staff member compliance.

Corrective Action Plan Due Date: 05/12/2022

Corrective Action Plan Achieved Date: 06/03/2022

Compliance Due Date: 05/12/2022

Compliance Achieved Date: 06/03/2022

2. Finding: Compliant

Regulation: Chapter 4. General Requirements

Section 18. Food Service

(f) Children shall not be forced to eat.

Allegation: Licensing received a report on 3/24/2022 that states young children between the ages of 1 and 4 years old, are being physically forced to drink and eat all of their food to the point of children crying. Reporter states Learning Garden staff scream at children while forcing them to eat and drink.

Explanation of Findings: An on site interview with all Learning Garden staff was conducted on 3/29/2022. Information gathered by Child Care Licensing during the interviews finds Learning Garden staff to be in compliance with Wyoming Child Care Licensing Rules Chapter 4. General Requirements Section 18. Food Service (f) Children shall not be forced to eat.

Action Required: No corrective action is required.

Corrective Action Plan Due Date:

Corrective Action Plan Achieved Date:

Compliance Due Date:

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.

Licenser: Amanda Jarrett
Address: 1501 Stampede Ave Unit 9009
City/State/Zip: Cody WY 82414
Phone: 307-587-6246 ext 31
Email: amanda.jarrett1@wyo.gov

Licenser Supervisor: Stoney Busch
Address: 444 W. Collins Ste. #2100
City/State/Zip: Casper WY 82601
Phone: 307-473-3933
Email: Stoney.Busch@wyo.gov

Signature: _____
Stoney Busch for Amanda Jarrett

Date: _____

CC:
Lynn Easum - Owner
tlg2825@yahoo.com