

Notice of Findings

Notice To: Ellen Carrico - Director
Facility Name: FIRST UNITED METHODIST PRESCHOOL
Owner:
Site Address: 800 N23rd Street
City/State/Zip: Rawlins, WY 82301

The Department of Family Services has completed the investigation regarding alleged violation(s) of the Wyoming Child Care Rules received on 11/18/2019, and investigated by Joshua Seilaff.

A statement of childcare allegation, CPL-4867, was provided on 11/18/2019.

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

1. Finding: Compliant

Regulation: Chapter 3. Denial, Non-Renewal, Revocation, or Suspension of License
Section 1. Reasons for Denial, Non-Renewal, Revocation or Suspension

(a) The Department may deny, non-renew, revoke, or suspend a license for reasons including, but not limited to:

(ix) Illegal drugs found on the premises of the facility, including any vehicle on the property, or in any vehicle that transports children;

Allegation: Reporter Alleges that during construction in September and October of this year, the roofing company was caught smoking "pot" while working at the facility.

Explanation of Findings: Evidence gathered did not support a finding of non-compliance.

Corrective Action Plan Due Date:

Corrective Action Plan Received Date:

Compliance Due Date:

Compliance Achieved Date:

2. Finding: Non-Compliant

Regulation: Chapter 4. General Requirements

Section 11. Reports

(b) Emergency response to the child care facility by law enforcement, fire, or ambulance during hours of operation shall be verbally reported to the child care licenser within 24 hours.

Allegation: Reporter Alleges that there was a fire in the facility as a result of

construction that was occurring during September and October. The Fire and response to the fire were not reported to Licensing.

Explanation of Findings: Evidence supports a finding of non-compliance. Emergency services were dispatched to the facility in the fall of 2019.

Action Required: Please submit a corrective action plan to the Child Care Licensing explaining how the facility will follow Licensing rule for reporting emergency responses to the facility. Please submit a copy of your emergency contact numbers to Child Care Licensing for review as well, and discuss the procedures for reporting emergency response to the facility with all staff.

Corrective Action Plan Due Date: 01/06/2020

Corrective Action Plan Received Date:

Compliance Due Date: 01/06/2020

Compliance Achieved Date:

3. Finding: Non-Compliant

Regulation: Chapter 4. General Requirements

Section 14. Health and Safety Requirements

(v) Emergency preparedness guidelines shall be written, available, followed and include:

(i) Plans for evacuation, shelter-in-place, lockdown of the facility, reunification and procedures for responding to each type of emergency likely in the area;

Allegation: Reporter alleges that during a fire emergency at the facility in September or October, the emergency preparedness plans, as they are stated in the policy statements and handbook, were not followed by the staff.

Explanation of Findings: Evidence supports a finding of non-compliance. A review of the policy statements and guidelines set out by the facility for their emergency preparedness plan shows that in the event of an emergency or an evacuation, the staff of the facility are to contact parents to inform them of the safety of the children after they reach the necessary safe evacuation point, and this practice was not followed during the most recent evacuation.

Action Required: Please submit a corrective action plan to Child Care Licensing explaining how the facility will follow the emergency preparedness plan as stated in your policy statements and handbook. Please review the emergency preparedness plan with all staff. Go through a step by step process of an evacuation scenario and focus on each step required of staff to ensure the safety of children and families as stated in your policy. If necessary please revise your emergency preparedness plan so that it is more clear to staff and parents. Monitoring visits may be conducted to review on going compliance.

Corrective Action Plan Due Date: 01/06/2020

Corrective Action Plan Received Date:

Compliance Due Date: 01/06/2020

Compliance Achieved Date:

4. Finding: Compliant

Regulation: Chapter 4. General Requirements

Section 2. Capacity/Supervision Requirements

(m) There shall be at least one (1) adult staff supervising the care of children at all times.

Allegation: Reporter alleges that staff do not supervise children while they are in the bathroom, resulting in a child eating soap.

Explanation of Findings: Evidence supports a finding of compliance.

Corrective Action Plan Due Date:

Corrective Action Plan Received Date:

Compliance Due Date:

Compliance Achieved Date:

5. Finding: Compliant

Regulation: Chapter 4. General Requirements

Section 6. Discipline and Guidance

(a) Written discipline policy shall be followed by all staff and shall:

Allegation: Reporter alleges that staff are not providing positive reinforcement or guidance as is outlined in the facility handbook.

Explanation of Findings: Evidence supports a finding of compliance.

Corrective Action Plan Due Date:

Corrective Action Plan Received Date:

Compliance Due Date:

Compliance Achieved Date:

6. Finding: Compliant

Regulation: Chapter 4. General Requirements

Section 6. Discipline and Guidance

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

Allegation: Reporter alleges that children are being handled roughly by staff as a disciplinary measure while in the classroom.

Explanation of Findings: Evidence supports a finding of compliance.

Corrective Action Plan Due Date:

Corrective Action Plan Received Date:

Compliance Due Date:

Compliance Achieved Date:

7. 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:

(i) Punishment associated with food, rest or toilet training;

Allegation: Reporter alleges that while in the bathroom, if a child refuses to go, they are disciplined and made to stay sitting on the toilet until they go to the restroom or if they do not go in the allotted time, the child is allegedly yelled at and forcibly removed and made to sit in time out as a result of not going.

Explanation of Findings: Evidence supports a finding of non-compliance. Interviews and information collected show that all children are made to use the bathroom, specifically after lunchtime. Findings show that if staff do not feel the child spent the necessary time in the bathroom they are made to stay in the bathroom until they try to go to the

restroom. Findings show that if a child does not have to go to the bathroom, the child is placed in "time out" for not attempting to go to the bathroom.

Action Required: Please review appropriate guidance and discipline techniques and strategies to accommodate individual bathroom needs of children with all staff. Please explain why time out, as a punishment for potty training, is not an acceptable strategy of discipline or toileting. Please submit a corrective action plan to Child Care Licensing explaining how staff will provide appropriate guidance to children during bathroom breaks. Please include your bathroom routine with this corrective action plan and submit this to Child Care Licensing by January 6th, 2020. Additional monitoring visits may be conducted.

Corrective Action Plan Due Date: 01/06/2020

Corrective Action Plan Received Date:

Compliance Due Date: 01/06/2020

Compliance Achieved Date:

8. Finding: 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: Reported alleges that staff use name-calling, and scream at children as a form of discipline when telling them things like "I am not dealing with this, stop crying, knock it off, and go right now."

Explanation of Findings: Evidence supports a finding of compliance.

Corrective Action Plan Due Date:

Corrective Action Plan Received Date:

Compliance Due Date:

Compliance Achieved Date:

9. Finding: Compliant

Regulation: Chapter 4. General Requirements

Section 6. Discipline and Guidance

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

(v) Any form of emotional maltreatment including rejecting, terrorizing, corrupting, isolating or ignoring a child. Children can be removed from a group, but not isolated. Behaviors of a child may be ignored, but not the child; and

Allegation: Reporter alleges that staff ignore or reject children in response to unwanted behaviors such as crying. Reporter alleges that staff may be heard saying things like "I am not dealing with this" and walking away, or staff may be seen forcibly pulling up a child's pants and saying things like "you will sit there until you are done crying".

Explanation of Findings: Evidence supports a finding of compliance.

Corrective Action Plan Due Date:

Corrective Action Plan Received Date:

Compliance Due Date:

Compliance Achieved Date:

10. Finding: Compliant

Regulation: Chapter 4. General Requirements

Section 2. Capacity/Supervision Requirements

(b) Staff:child ratios and supervision requirements as described in this chapter shall be maintained at all times.

Allegation: Reporter alleges that the preschool classroom was out of ratio during the week of 11/11/19.

Explanation of Findings: Evidence supports a finding of compliance.

Corrective Action Plan Due Date:

Corrective Action Plan Received Date:

Compliance Due Date:

Compliance Achieved Date:

11. Finding: Compliant

Regulation: Chapter 4. General Requirements

Section 6. Discipline and Guidance

(c) Children in care shall not act as or be employed as staff or be allowed authority over other children.

Allegation: Reporter alleges that during the week of 11/11/19, preschoolers were allowed to care for toddlers in the program.

Explanation of Findings: Evidence supports a finding of compliance.

Corrective Action Plan Due Date:

Corrective Action Plan Received 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.

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Signature: *

Date: 12/16/2019

Joshua Seilaff

CC: