

Notice of Findings

Notice To: Amy M Calhoun - Director

Facility Name: Sublette BEEP

Owner:

Site Address: 665 N. Tyler

City/State/Zip: Pinedale, WY 82941

The Department of Family Services has completed the investigation regarding alleged violation(s) of the Wyoming Child Care Rules received on 04/01/2022, and investigated by Kelli Dunne.

A statement of childcare allegation, CPL-5260, 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:

(vi) Any form of confining a child's movement or restraining a child as a means of punishment.

Allegation: It was reported that on February 18, 2002 the Director physically restrained a child in care for the purpose of putting a compression vest on the child.

Explanation of Findings: During this investigation and through interviews conducted, it was established that the Director physically restrained a child in care for the purpose of putting a compression vest on the child.

Action Required: The practice of restraining a child in care without following the procedures required by the WY childcare licensing rules needs to stop immediately. The Director and staff members shall review Chapter 4 Section 6 and Section 20 of the Wyoming Child Care Licensing Rules and sign a statement acknowledging that they have done so. A corrective action plan detailing how the facility will ensure that this does not happen again needs to be completed.

Corrective Action Plan Due Date: 05/30/2022

Corrective Action Plan Achieved Date: 06/02/2022

Compliance Due Date: 06/01/2022

Compliance Achieved Date: 05/26/2022

2. 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:

(vi) Any form of confining a child's movement or restraining a child as a means of punishment.

Allegation: It was reported that on February 18, 2022 a compression vest was put on a child in care. It was reported that on the same day a weighted device was placed over the shoulders of a second child in care as a means of behavior control.

Explanation of Findings: During this investigation and through interviews conducted, it was established that on February 18, 2022 a compression vest was put on a child in care as a means of behavior control.

Action Required: The facility will immediately and from this point forward cease restraining any child for the purpose of discipline or guidance. The Director and staff members shall review Chapter 4, Section 6 and Section 20 of the Wyoming Child Care Licensing Rules. A statement acknowledging that they have done so needs to be signed and retained in staff file. A Corrective Action Plan needs to be developed outlining how this will not happen in the future.

Corrective Action Plan Due Date: 05/30/2022

Corrective Action Plan Achieved Date: 06/02/2022

Compliance Due Date: 06/01/2022

Compliance Achieved Date: 05/26/2022

3. 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:

(vi) Any form of confining a child's movement or restraining a child as a means of punishment.

Allegation: It was reported that on March 18, 2022 a staff member aggressively pressed her hand over the mouth of a child in care as a means of punishment for coughing.

Explanation of Findings: During this investigation and through interviews conducted, it was established that on March 18, 2022 a staff member aggressively pressed her hand over the mouth of a child in care as a means of punishment for coughing.

Action Required: The facility will develop and implement a comprehensive corrective action plan to correct the violation and ensure that this will not happen again. This plan will include the following components: 1) All staff including director need to take 2 hours of training on challenging behaviors and/or de-escalation techniques. This training needs to be scheduled by June 1st and take no longer than 6 months to complete. 2) A plan to ensure a clear understanding of appropriate and inappropriate behaviors and a means to ensure staff accountability for maintaining those standards; 3) A plan on how management will oversee and supervise staff with a view to ensure proper treatment & respect for all children; 4) A plan to regularly and consistently use the video tapes collected by each classroom for personnel management, monitoring, and coaching; and 5) A plan to effectively address the teachers' needs for relief in the classroom in the event that they feel stressed or need a break and communication with staff on how and when to use it.

Corrective Action Plan Due Date: 05/30/2022

Corrective Action Plan Achieved Date: 06/02/2022

Compliance Due Date: 06/01/2022

Compliance Achieved Date: 05/26/2022

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:

(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 was reported that on December 1, 2021 a staff member abruptly yanked a child in care from the arms of another staff member and threw the child on a napping cot.

Explanation of Findings: During this investigation and through interviews conducted, it was established that a staff member abruptly yanked a child in care from the arms of another staff member and threw the child on a napping cot.

Action Required: The facility will develop and implement a comprehensive corrective action plan to correct the violation and ensure that this will not happen again. This plan will include the following components: 1) A plan to ensure a clear understanding of appropriate and inappropriate behaviors and a means to ensure staff accountability for maintaining those standards; 2) A plan on how management will oversee and supervise staff with a view to ensure proper treatment & respect for all children; 3) A plan to regularly and consistently use the video tapes collected by each classroom for personnel management, monitoring, and coaching; and 4) A plan to effectively address the teachers' needs for relief in the classroom in the event that they feel stressed or need a break and communication with staff on how and when to use it. 5) A training plan to strengthen current staff understanding and awareness of appropriate behavior, as well as a training program for new staff which includes a proper understanding of what constitutes "rough handling";

Corrective Action Plan Due Date: 05/30/2022

Corrective Action Plan Achieved Date: 06/02/2022

Compliance Due Date: 06/01/2022

Compliance Achieved Date: 05/26/2022

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:

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

Allegation: It was reported that in the last nine months children in care have been subject to punishment associated with toilet training by the use of belittling and shaming by a staff member.

Explanation of Findings: During this investigation and through interviews conducted, it was established that in the last nine months children in care have been subject to punishment associated with toilet training by the use of belittling and shaming by a staff member.

Action Required: The facility will develop and implement a comprehensive corrective action plan to correct the violation and ensure that this will not happen again. This plan will include the following components: 1) A plan to ensure a clear understanding

of appropriate and inappropriate behaviors and a means to ensure staff accountability for maintaining those standards; 2) A plan on how management will oversee and supervise staff with a view to ensure proper treatment & respect for all children; 3) A plan to regularly and consistently use the video tapes collected by each classroom for personnel management, monitoring, and coaching; and 4) A plan to effectively address the teachers' needs for relief in the classroom in the event that they feel stressed or need a break and communication with staff on how and when to use it.

Corrective Action Plan Due Date: 05/31/2022

Corrective Action Plan Achieved Date: 06/02/2022

Compliance Due Date: 06/01/2022

Compliance Achieved Date: 05/26/2022

6. 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 was reported that in the last nine months a staff member has been verbally aggressive with children in care and would grow frustrated when they would not acknowledge her or respond to her.

Explanation of Findings: During this investigation and through interviews conducted, it was established that in the last nine months a staff member has been verbally aggressive with children in care and would grow frustrated when they would not acknowledge her or respond to her.

Action Required: The facility will develop and implement a comprehensive corrective action plan to correct the violation and ensure that this will not happen again. This plan will include the following components: 1) A plan to ensure a clear understanding of appropriate and inappropriate behaviors and a means to ensure staff accountability for maintaining those standards; 2) A plan on how management will oversee and supervise staff with a view to ensure proper treatment & respect for all children; 3) A plan to regularly and consistently use the video tapes collected by each classroom for personnel management, monitoring, and coaching; and 4) A plan to effectively address the teachers' needs for relief in the classroom in the event that they feel stressed or need a break and communication with staff on how and when to use it.

Corrective Action Plan Due Date: 05/30/2022

Corrective Action Plan Achieved Date: 06/02/2022

Compliance Due Date: 06/01/2022

Compliance Achieved Date: 05/26/2022

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:

(vi) Any form of confining a child's movement or restraining a child as a means of punishment.

Allegation: It was reported that in the last nine months a one year old child in care was confined in a high chair as a form of punishment for not acknowledging the staff member that they were finished.

Explanation of Findings: During this investigation and through interviews conducted, it was established that in the last nine months a one year old child in care was confined in a high chair as a form of punishment for not acknowledging the staff member that they were finished.

Action Required: The practice of restraining a child in care without following the procedures required by the WY childcare licensing rules needs to stop immediately. The Director and staff members shall review Chapter 4, Section 6 and Section 20 of the Wyoming Child Care Licensing Rules. A statement acknowledging that they have done so needs to be signed and retained in staff file. A corrective action plan detailing how the facility will ensure that this does not happen again needs to be completed including how it will be enforced that pieces of equipment will never be used to confine children.

Corrective Action Plan Due Date: 05/30/2022

Corrective Action Plan Achieved Date: 06/02/2022

Compliance Due Date: 06/01/2022

Compliance Achieved Date: 05/26/2022

8. Finding: Compliant

Regulation: Chapter 4. General Requirements

Section 4. Parental Rights

(c) Parents have a right to the following information:

(iv) Any situation that occurred during child care that caused concerns for the child's health or safety;

Allegation: It was reported that in the last 5 months parents were not provided information regarding a situation that occurred during child care that caused concerns for the child's health or safety.

Explanation of Findings: During this investigation and through interviews conducted, there was no evidence found that in the last 5 months parents were not provided information regarding a situation that occurred during child care that caused concerns for the child's health or safety.

Corrective Action Plan Due Date:

Corrective Action Plan Achieved 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:

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

Allegation: It was reported that on December 1, 2021 a child in care was forced back onto their sleeping cot after the child woke up from nap.

Explanation of Findings: During this investigation and through interviews conducted, there was no evidence found that on December 1, 2021 a child in care was forced back onto their sleeping cot after the child woke up from nap.

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.

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Signature: _____
Nichole Anderson for Kelli Dunne

Date: _____

CC:
Clayton Olson - Board President
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