



Division of Child Care & Early Childhood Education
P.O. Box 1437, Slot S140, Little Rock, AR 72203-1437
P: 501.682.8590 F: 501.683.6060 TDD: 501.682.1550

Notice of Serious Incident

Date of Incident: 9/15/2023

Date Received by DCCECE: Delta Family Health and Fitness for Children

Facility Name: Delta Family Health and Fitness for Children

Facility Number: 172

Incident Type: Dual

Report Description: AV [REDACTED] currently resides at Delta Family Center; on 9/15/23 she was placed in a restraint by AO [REDACTED]. AV said the AO came into the classroom, told her he was tired of her and was going to punch her in the face. AV said grabbed her by the arm to take her to a timeout, but she did not want to go with him because he said he was going to punch her; she said he pulled her out of her chair, slammed her into two desks and then onto the ground. AV said after she was released from the hold and she had showered, she noticed a bruise on the inside of her right thigh, she attempted to show the nurse and she told her she could not do anything about it.

Interim Action Narrative: Staff [REDACTED] will be suspended pending investigation. Email received from Becky Brooks of Delta 9/20/23: Staff [REDACTED] has been suspended from DFC until an investigative determination is made in regards to [REDACTED] reference [REDACTED]

Maltreatment Narrative: AV [REDACTED] currently resides at Delta Family Center; on 9/15/23 she was placed in a restraint by AO [REDACTED]. AV said the AO came into the classroom, told her he was tired of her and was going to punch her in the face. AV said grabbed her by the arm to take her to a timeout, but she did not want to go with him because he said he was going to punch her; she said he pulled her out of her chair, slammed her into two desks and then onto the ground. AV said after she was released from the hold and she had showered, she noticed a bruise on the inside of her right thigh, she attempted to show the nurse and she told her she could not do anything about it. Ref# [REDACTED]

Licensing Narrative: Licensing received complaint 9/19/23 as follows: AV [REDACTED] currently resides at Delta Family Center; on 9/15/23 she was placed in a restraint by AO [REDACTED]. AV said the AO came into the classroom, told her he was tired of her and was going to punch her in the face. AV said grabbed her by the arm to take her to a timeout, but she did not want to go with him because he said he was going to punch her; she said he pulled her out of her chair, slammed her into two desks and then onto the ground. AV said after she was released from the hold and she had showered, she noticed a bruise on the inside of her right thigh, she attempted to show the nurse and she told her she could not do anything about it. Facility visited 9/18/23 for unrelated incident. CACD Investigator Staci Tumey was interviewing client [REDACTED] when she disclosed this information. Licensing specialist sat in for interview. A bruise was noted on the right inner thigh of client [REDACTED] [REDACTED] stated that this was from "[REDACTED]". [REDACTED] stated that staff [REDACTED] stated to her "I'm tired of you...I'll punch you in your face...this is not a threat but a promise". [REDACTED] stated that staff [REDACTED] pulled her out of her seat and threw her on the ground. [REDACTED] stated this happened in "[REDACTED]" classroom on 9/15/23 between 2:30PM and 3:30PM. [REDACTED] stated that staff "[REDACTED]" was there. Facility visited 9/20/23 in response to complaint from client [REDACTED] that staff [REDACTED] caused a bruise on [REDACTED] leg during a restraint that occurred in a classroom on 9/15/23. Video reviewed from 9/15/23. No audio. Client [REDACTED] is seen sitting in a chair inside a 1/2 kiosk pushed against a wall. Staff [REDACTED] is seen approaching the desk [REDACTED] is sitting in. Staff [REDACTED] is standing less than a foot from the desk. [REDACTED] continues to remain seated. [REDACTED] is not seen harming herself, someone else, or property. Physical contact is made between staff [REDACTED] and [REDACTED] while [REDACTED] is sitting down. Camera angle and lighting does not yield who made physical contact first. Staff [REDACTED] takes [REDACTED] out of her seat, over a desk that falls over and to the ground for a hold. Additional staff are seen assisting with the hold. [REDACTED] seems to calm down without further incident. Licensing present for staff [REDACTED] interview by CACD Investigator Staci Tumey. Staff [REDACTED] stated that [REDACTED] asked for a time out but was not allowed one. At this time staff [REDACTED] stated she was leaving the classroom, and is seen on camera leaving the room before staff [REDACTED] is seen entering the room. Staff [REDACTED] stated that upon arriving to the classroom, staff [REDACTED] made a threatening statement to client [REDACTED] referencing [REDACTED] being quiet. Then staff [REDACTED] asked [REDACTED] to go to time out. [REDACTED] stated she did not want to go to time out with staff [REDACTED]. At this time staff physical confrontation between staff [REDACTED] and [REDACTED] ensued, leading to a desk falling over and ending with a restraint on client [REDACTED]. Facility cited 905.4g: The following disciplinary actions shall not be used: Physical injury or threat of bodily harm. 905.10, for initiating a physical restraint while the client was not a danger to herself, others or property. Received email from Becky Brooks of Delta 9/20/23: Staff [REDACTED] has been suspended from DFC until an investigative determination is made in regards to [REDACTED] reference [REDACTED]. Received email 11/10/23 that maltreatment report was founded. Email sent to facility 11/13/23 to ascertain employment status of staff [REDACTED]. Misty Winters of Delta emailed that staff [REDACTED] remains on suspension as of 11/13/23 pending maltreatment findings.



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521 Visit Compliance Report

Licensee: Delta Family Health and Fitness for Children

Facility Number: 172

Licensee Address: 815 EAST SAINT LOUIS STREET
HAMBURG AR 71646

Licensing Specialist: Clayton DeBoer

Person In Charge:

Record Visit Date: 9/20/2023

Home Visit Date: 9/20/2023

Purpose of Visit: Complaint Visit

Regulations Out of Compliance:

Regulation Number: 9.905.4.g

Regulation Description: The following actions shall not be used, including as discipline:

Finding Description: Client ■ sustained injury from physical confrontation with staff ■

Action Due Date:

Action Due Description:

Comply Date:

Sub-Regulation Level 1 Description: Physical injury or threat of bodily harm;

Action Due Description:

Regulation Number: 9.905.10

Regulation Description: Physical restraint shall be initiated only by staff trained by a certified instructor in a nationally recognized curriculum, and only to prevent injury to the child, other people or property, and shall not be initiated solely as a form of discipline. The agency shall maintain documentation that staff is deemed competent in physical restraint.

Finding Description: Staff ■ initiated a restraint on client ■ without client ■ being a threat to herself, others or property.

Action Due Date:

Action Due Description:

Comply Date:

Action Due Description:

Regulations Needing Technical Assistance:

Regulation Not Applicable:

Regulations Not Correctable:

Narrative:

Facility visited 9/20/23 in response to complaint from client █ that staff █ caused a bruise on █ leg during a restraint that occurred in a classroom on 9/15/23. Video reviewed from 9/15/23. No audio. Client █ is seen sitting in a chair inside a 1/2 kiosk pushed against a wall. Staff █ is seen approaching the desk █ is sitting in. Staff █ is standing less than a foot from the desk. █ continues to remain seated. █ is not seen harming herself, someone else, or property. Physical contact is made between staff █ and █ while █ is sitting down. Camera angle and lighting does not yield who made physical contact first. Staff █ takes █ out of her seat, over a desk that falls over and to the ground for a hold. Additional staff are seen assisting with the hold. █ seems to calm down without further incident.

Licensing present for staff █ interview by CACD Investigator Staci Tumey. Staff █ stated that █ asked for a time out but was not allowed one. At this time staff █ stated she was leaving the classroom and is seen on camera leaving the room before staff █ is seen entering the room. Staff █ stated that upon arriving to the classroom, staff █ made a threatening statement to client █ referencing █ being quiet. Then staff █ asked █ to go to time out. █ stated she did not want to go to time out with staff █. At this time staff physical confrontation between staff █ and █ ensued, leading to a desk falling over and ending with a restraint on client █. Facility cited 905.4g: The following disciplinary actions shall not be used: Physical injury or threat of bodily harm. 905.10, for initiating a physical restraint while the client was not a danger to herself, others or property.

Provider Comments:

CCL Staff Signature :

Date: 11/27/2023

A handwritten signature in black ink, appearing to be the initials 'AK' or similar, written in a cursive style.

Provider Signature :

Date: 11/27/2023

A handwritten signature in black ink, appearing to be the initials 'DL' or similar, written in a cursive style.