



Birth to SA Child Care Facility

Name: Kiddie Island Academy LLC

ID Number: C20LE0146

Address: 1031 NE Pine Island Rd Suite 8 - 10, Cape Coral FL 33909

Phone Number: (239) 458-2975 **Capacity:** 165

Owner/Director/Staff Responsible: Sent for Signature

DCF Standards

DCF & SR Standards

SR Standards

Inspection Information

Type: Complaint **Date:** 10/10/2019 **Arrival/Departure Time:** 02:00 PM to 03:50 PM

Staff Present: 9 **Children Present:** 72 **Onsite Visit:** Yes

INSPECTION CHECKLIST

GENERAL REQUIREMENTS

01. License Displayed/Citation Posted/Advertising s.402.3125(1)(a), F.S.	Compliance
02. Minimum Age Requirements CCF Handbook, Section 2.2	Not Monitored
03. Ratio Sufficient CCF Handbook, Section 2.3	Compliance
<u>Compliance Comments</u>	
2:5 Infants	
1:5 Children 1 year old.	
1:11 Children 2 years old.	
1:8 Children school age (After Schoolers).	
1:17 Children 4 & 5 years old (VPK) .	
1:11 Children 3 & 4 years old.	
1:15 Children 4 years old.	
04. Supervision CCF Handbook, Section 2.4	Noncompliance
<u>Non-Compliance Description</u>	
04-01 Supervision of children in the [one year old room] group was inadequate in that [The teacher walked away from the classroom.]. CCF Handbook, Section 2.4 (Section 5, numbers 1 - 17) [SR]	
<u>Comments</u>	
Child care personnel must be assigned to provide direct supervision to a specific group of children and be with that group of children at all times. Children must never be left inside or outside the facility, in a vehicle, or at a field trip location by themselves.	
<u>Due Date</u> Completed at time of inspection	<u>Violation Level</u> Class 2
05. Transportation CCF Handbook, Section 2.5	Not Monitored
06. Driver's License, Physician Certification & First Aid/CPR Training CCF Handbook, Section 2.5 and CCF Handbook, Section 7.4	Not Monitored
07. Vehicle Insurance and Inspection CCF Handbook, Section 2.5.4	Not Monitored
08. Seat Belts/Child Restraints CCF Handbook, Section 2.5.4 and CCF Handbook, Section 2.5.5	Not Monitored
09. Planned Activities CCF Handbook, Section 2.6	Not Monitored
10. Field Trip Permission CCF Handbook, Section 2.7	Not Monitored



11. Child Discipline CCF Handbook, Section 2.8 Noncompliance

Non-Compliance Description

11-04 A method of discipline was used at the facility that was severe, humiliating or frightening to children in that [the child was shoved and pushed down to the ground, smacked three to four times, had a blanket thrown on top of her head and pulled and dragged by one arm.]. CCF Handbook, Section 2.8, A (Section 9, number 2) [SR]

Comments

The child care facility shall adopt a discipline policy consistent with Section 402.305(12), F.S., including standards that prohibit children from being subjected to discipline which is severe, humiliating, frightening, or associated with food, rest, or toileting. Spanking or any other form of physical punishment is prohibited.

Due Date Completed at time of inspection

Violation Level Class 1

Non-Compliance Description

11-06 A form of discipline used by staff included the use of spanking or other form of physical punishment. CCF Handbook, Section 2.8, F.1

Comments

The child was shoved and pushed down to the ground, smacked three to four times, had a blanket thrown on top of her head and pulled and dragged by one arm.

The following discipline techniques shall be prohibited in the child care facility:

- 1.The use of corporal punishment/including, but not limited to:
 - a)Hitting, spanking, shaking, slapping, twisting, pulling, squeezing, or biting;
 - b)Demanding excessive physical exercise, excessive rest, or strenuous or bizarre postures;
 - c)Compelling a child to eat or have in his/her mouth soap, food, spices, or foreign substances;
 - d)Exposing a child to extremes temperature;
 - e)Rough or harsh handling of children, including but not limited to: lifting or jerking by one or both arms; pushing; forcing or restricting movement; lifting or moving by grasping clothing; covering a child's head.

Due Date Completed at time of inspection

Violation Level Class 1

PHYSICAL ENVIRONMENT

12. Facility Environment CCF Handbook, Section 3.1 Not Monitored

13. Toxic Substances, Hazardous Materials and Weapons CCF Handbook, Section 3.2 Not Monitored

14. Lighting, Temperature, and Ventilation CCF Handbook, Section 3.3 Not Monitored

15. Licensed Capacity CCF Handbook , Section 3.4 Not Monitored

16. Indoor Floor Space CCF Handbook, Section 3.4 Not Monitored

17. Outdoor Play Area/Fencing CCF Handbook, Section 3.5 Not Monitored

18. Bedding and Linens CCF Handbook, Section 3.6 Not Monitored

19. Nap/Sleep Space Requirements CCF Handbook, Section 3.6.2 Not Monitored



20. Crib Requirements CCF Handbook, Section 3.6	Not Monitored
21. Restrooms and Bath Facilities CCF Handbook, Section 3.7	Not Monitored
22. Operable Phone CCF Handbook, Section 3.8.1	Not Monitored
23. Fire Drills & Emergency Preparedness CCF Handbook, Section 3.8	Not Monitored

FOOD AND NUTRITION

24. Food Preparation Area CCF Handbook, Section 3.9	Not Monitored
25. Meals and Snacks CCF Handbook, Section 3.9	Not Monitored
26. Meal and Snack Menus CCF Handbook, Section 3.9.3 & Section 7	Not Monitored
27. Catered Food and Food Provided by Outside Sources CCF Handbook, Section 7 & Section 3.9.3	Not Monitored
28. Bottles, Breastmilk, Formula and Infant Food CCF Handbook, Section 3.9	Not Monitored

SANITATION AND EQUIPMENT

29. Health and Sanitation CCF Handbook, Section 3.6, 3.9, and 3.10	Not Monitored
30. Diapering CCF Handbook, Section 3.10	Not Monitored
31. Indoor Equipment CCF Handbook, Section 3.11	Not Monitored
32. Outdoor Equipment CCF Handbook, Section 3.12	Not Monitored

TRAINING

33. Training Requirements CCF Handbook, Section 4	Not Monitored
34. Credentialed Staff CCF Handbook, Section 4.6 & 4.7	Not Monitored

HEALTH REQUIREMENTS

35. Communicable Disease Control CCF Handbook, Section 6.1	Not Monitored
36. CPR Requirements CCF Handbook, Section 4.2.4	Not Monitored
37. First Aid Requirements CCF Handbook, Section 4.2.4 and 6.2	Not Monitored
38. Emergency Telephone Numbers CCF Handbook, Section 6.3	Not Monitored
39. Accident/ Incident Notification and Documentation CCF Handbook, Section 6.3 & 6.4	Noncompliance



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Non-Compliance Description

39-05 Documentation of an accident or incident was insufficient in that it did not include the [...]. CCF Handbook, Section 6.4, C (Section 15.1, number 3) [SR]

Comments

All accidents and incidents that occur while a child is in the care of program staff must be documented on the same day they occur. This documentation must be shared with the custodial parent or legal guardian on the date of occurrence. Documentation must include the name of the affected party, date and time of the occurrence, description of the occurrence, actions taken and by whom, and appropriate signatures of program staff and the custodial parent or legal guardian. Program staff signatures may include the director/child care personnel that witnessed the incident, who were involved in the incident, and/or responded to the child's needs.

TA was given by CCRC about the importance of having the documents signed the day of the accident/incident.

Due Date 11/10/2019

Violation Level Class 3

40. Medication CCF Handbook, Section 6.5 **Not Monitored**

RECORD KEEPING

41. Immunization Records CCF Handbook, Section 7.1 **Not Monitored**

42. Student Health and Records CCF Handbook, Section 7.2 **Not Monitored**

43. Enrollment Information CCF Handbook, Section 7.3 & s. 402.3054(2), F.S. **Not Monitored**

44. Personnel Records CCF Handbook, Section 7.4 **Not Monitored**

45. Background Screening Documents CCF Handbook, Section 7.4.1 **Not Monitored**

46. Daily Attendance CCF Handbook, Section 7.5 **Not Monitored**

ENFORCEMENT

47. Access/Child Safety CCF Handbook, Section 8 **Noncompliance**

Non-Compliance Description

47-01 Facility staff inappropriately interacted with children in care in a manner that was aggressive, demeaning or intimidating in nature. CCF Handbook, Section 8.2, C

Comments

Child care personnel must appropriately interact with children to foster a healthy, safe environment that will encourage the child's physical, intellectual, motor, and social development. Interactions with children that are aggressive, demeaning or intimidating in nature are strictly prohibited.

Due Date Completed at time of inspection

Violation Level Class 2



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Non-Compliance Description

47-03 As a mandated reporter, the owner, operator, employee or substitute failed to report suspected child abuse or neglect as required in section 39.201, Florida Statutes. CCF Handbook, Section 8.2, B (Section 21, number 3) [SR]

Comments

Failure to perform the duties of a mandatory reporter pursuant to Section 39.201, F.S., constitutes a violation of the standards in Section 402.301-.319, F.S. TA was given by the CCRC.

Due Date Completed at time of inspection

Violation Level Class 1

Non-Compliance Description

47-08 Child care personnel misrepresented information, impersonated, or provided fraudulent information related to the child care facility to a parent/guardian, licensing authority, or law enforcement. s. 402.319(1)(f), F.S.

Comments

Child care personnel misrepresented information, impersonated, or provided fraudulent information related to the child care facility to a parent/guardian, licensing authority, or law enforcement. s. 402.319(1)(f), F.S.

Due Date 10/30/2019

Violation Level Class 2

Received by: Sent for Signature
Date: 10/10/2019

Inspected by: Ileana Nodal
Date: 10/10/2019



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SUPPLEMENTAL INSPECTION SHEET

Comments:

MV: Maria Varela (Director)

YE: Yartiza Escalera (Assistant Director)

DV: Diana Varela (Teacher)

AP: Ana Perdomo (VPK Teacher)

LD: Lien Dominguez (1 Year Old Class Teacher)

JS: Josie Smith (VPK Child)

AF: Andrew Faimang (VPK Child)

KH: Kyra Hayes (1year and 8 month old child)

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COMPLAINT FORM

Complaint:

A complaint was received by the Office of Child Care Regulation on 10/9/19, via e-mail from another Agent of the Department, regarding Kiddie Island Academy located at 1031 NE Pine Island Road, Cape Coral, FL. License # C20LE0146. The allegations are as follows: The complainant called and stated that on 10/7/19 it was reported that a child fell asleep with a book and it left an indent on her face. The indent that the facility said the child sustained was actually a scratch, and didn't look like an indent. There was also a blood bruise under her lip from something. The surveillance videos were reviewed and it was revealed that the child was shoved/pushed down to the ground, smacked three to four times, and had a blanket thrown on top of her by a teacher. The same teacher then pulled KH up by one arm and dragged her in the air to the next room. The teacher did this because she was stressed out.

Summary:

CCRC commenced the investigation by visiting the facility along with other agency personnel on 10/10/19 and spoke with the director-MV.

Interview with MV (Director)

CCRC & other agency personnel interviewed MV. She stated that on October 8th, 2019 mom came to pick up KH. KH had started at the center 2 weeks before and all she did was cry from the moment that she got dropped off until she was picked up. MV told mom that she wanted to get a crib for the child so that at nap time, she could stay in it and not walk away from her mat. Mom said, she didn't want a crib to be used. Mom took KH home and the next day, October 9th, 2019, when she brought KH to the center, she asked to review the surveillance tape and that is when they saw the mishandle from the teacher. Immediately MV asked the teacher DV what happened and the teacher DV said that she became so stressed before she could ask for help and that's why she did what she did. Mom told the teacher and MV that she (the parent) understood and gave her a hug. The teacher DV cried and apologized to the mom. When mom was leaving, she gave us some tips to help control KH. She said to keep her in the office, put on some T.V, with the Wheels on the Bus song, or to give her some coloring pages. At that time mom left the center and a few minutes later dad came in to get KH. He said, Listen, I understand what happened, but because of her age and for my peace of mind I will put her with a babysitter. MV stated that she feels the teacher was very stressed and that is why this happened.

Interview with YS (Assistant Director)

CCRC & other agency personnel interviewed YS. She stated that she just signed the incident/accident report and saw no scratch on the child's face. She stated that KH cries from the moment that she gets dropped off until she gets picked up. She wasn't aware of the video until October 10, 2019. She said the teacher DV finished the rest of her work day yesterday. She said parents are always complementing DV; always positive comments never negative. She said she feels shocked after she saw the video.

Interview with AP (VPK Teacher)

CCRC & other agency personnel interviewed AP. She stated that she never saw the video but was told about it by the director. She said that she feels sad, because DV is her assistant and she's good with the children. At the same time she feels bad for the child. She said she doesn't have any complaints or any concerns about DV, she is very surprised by all this.

Interview with LD (1 Year Old Teacher)

CCRC & other agency personnel interviewed LD. She stated that she started to work at the center the same week the child started. She said the child required more attention than other children because she would cry a lot. She said that from the time the child got to her class to the time when she left to take her lunch break, she didn't notice any scratches on the child. She explained that she never saw the robot fall on the child, because she was changing another child's pampers. The director was the one that told her about it, because she saw in the video. She never washed the area or applied ice because she didn't see the accident happen.

CCRC observed the facility to meet ratio guidelines. The staff appeared to be actively participating in the care and oversight of the children in their care. The teacher DV was suspended by the director from being in the class room for 3 months and 3 days from being at the center. CCRC noticed that LD's testimony is inconsistent with her accident/incident report (LD does not speak English and told CCRC and other agency personnel that the form was completed by the director.) CCRC also noted that on the accident/incident report dated on 10/9/19, the date on the signature is inconsistent stating it was signed on 9/8/19. Neither of the two accident reports (dated 10/8/19 and 10/9/19) were signed by the parents.

The other agent of the Department that investigated this matter closed their investigation out on 10/16/19 with verified findings.

Based on the observation of the child care facility, the interviews conducted, and the documentation reviewed, the licensing complaint investigation is being closed out on 10/18/19, after supervisory review, with the following licensing violations noted:

4-01 Supervision - A. Child care personnel must be assigned to provide direct supervision to a specific group of children and be with that



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group of children at all times. Children must never be left inside or outside the facility, in a vehicle, or at a field trip location by themselves.

11-04 Child Discipline - The child care facility shall adopt a discipline policy consistent with Section 402.305(12), F.S., including standards that prohibit children from being subjected to discipline which is severe, humiliating, frightening, or associated with food, rest, or toileting. Spanking or any other form of physical punishment is prohibited.

11-06 Child Discipline - A form of discipline used by child care personnel included the use of spanking or other form of physical punishment.

39-05 Accident/ Incident Notification and Documentation. Documentation of an accident or incident was insufficient.

47-01 Access/Child Safety - Child care personnel inappropriately interacted with children in care in a manner that was aggressive, demeaning or intimidating in nature.

47-02 Access/Child Safety - The owner, operator, employee or substitute, while caring for children, committed an act or omission that meets the definition of child abuse or neglect provided in Chapter 39, Florida Statutes or Chapter 82.

47-03 Access/Child Safety - As a mandated reporter, the owner, operator, employee, volunteer or substitute failed to report suspected child abuse or neglect as required in section 39.201, Florida Statutes.

47-08 Access/Child Safety - Child care personnel misrepresented information, impersonated, or provided fraudulent information related to the child care facility to a parent/guardian, licensing authority, or law enforcement.

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Inspected by: Ileana Nodal
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