

Child Tragedies: Need for Health & Safety in Child Care

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Child care laws vary greatly by state. Only 16 states address each of the 10 health and safety requirements recommended by pediatric experts to protect children in child care centers. Only 15 states address each of the 10 health and safety requirements recommended by pediatric experts to protect children in family child care homes.

The deaths of the following children are organized by category to show the need for health and safety protections. Many of these parents now work to strengthen state and federal child care protections for children. Passing laws to promote the safety of children in child care ought not be triggered by tragedy.

Safety/Supervision:



13-month-old [Lexie](#) and 17 month old [Ava](#) died in family child care homes in Kansas. The deaths of these toddlers ultimately resulted in the passage of Lexie's Law, a comprehensive re-write of the state's licensing rules strengthening policy and oversight.

Lexis Engelman: Kansas

- Five-month-old [Madelyne](#) died in an unlicensed family child care home in Ohio where the provider was ultimately convicted of multiple counts of child endangerment and tampering with evidence.

Safety: Inspections, crib safety:

- Seventeen-month-old [Warren](#) died when he was placed to sleep in an outdated and defective crib, trapping his head and suffocating him in Pennsylvania. More frequent inspections of child care programs could serve to detect unsafe conditions and prevent future tragedies.

Safety: Supervision, Drowning in body of water (baptismal pool)

- In February 2012 in Indiana, 22-month-old Juan "Carlos" Cardenas drowned in a baptismal pool at an unlicensed child care ministry (Longnecker, 2012). His care was being subsidized with federal

Child Care and Development Block Grant (CCDBG) funds. The Marion County prosecutor's office declined to file charges. Under the state's neglect statute, the state would have to show the toddler's death had occurred as a result of a "knowing act," but no evidence of criminal conduct was found and therefore no charges were filed (Longnecker, 2012). Longnecker, E. (2012, March 8). [No charges in Indianapolis boy's day care death. WTHR.com.](#)

Legislation to improve the safety of children was recently enacted including requirements for [background checks](#) and [health and safety requirements](#). Unlicensed providers accepting subsidy money will be required to follow [health and safety and better child care management practices](#) in legislation to be signed soon by Governor Pence.

Safety: Safe Sleep Practices for Infants (Back to sleep/wasn't SIDS)

- [Nathan's death](#) in Missouri was attributed to Sudden Infant Death Syndrome (SIDS) in the medical examiner's report. What Nathan's parents later learned as part of an investigation was that the provider had other infants asleep in the room. She didn't turn on the light when she placed baby Nathan down to sleep in the portable crib so that she could see his position. The sheet had slipped off the thin plastic pad in the crib and when the provider placed Nathan to sleep on his stomach, he tragically asphyxiated on the plastic.
- [Milo's death](#) in California was attributed to Sudden Infant Death Syndrome (SIDS) in the medical examiner's report. However, on the day that Milo died, he had been asleep on his stomach on a small crescent pillow on the floor of the child care center infant room. The police report said that multiple caregivers were in the infant room that day but no one checked on Milo for about an hour. He was discovered dead, on a pillow on the floor within the confines of a plastic corral gated area. It's possible the corral obscured the view of the caregivers. What is known is that the staff did not check on him for an hour and no staff in the room knew CPR. His parents had previously requested that he be placed on his back to sleep. The last position in which the staff admitted to the police

that they had seen him alive was asleep on his stomach on a pillow.

- [Dylan died](#) in a church child care program; in Virginia child care programs affiliated with churches are not required to be licensed or regulated. The medical examiner told Dylan's mother that he was a perfectly healthy baby who had passed away because he had been laid on his stomach to sleep.
- In Virginia, [3-month-old Teagan](#) was found unresponsive in an unlicensed child care where 23 children age 4 and under were cared for by only two adults (Olabanji, 2012). Olabanji, J. (2012, March 8). [Bristow day care death leads to two arrests](#). WJLS.com.
- [Unsafe sleep practices lead to deaths](#). Schrade, B. (2012, March 5). Deaths in Minn. day care rising, mostly in home-based settings. StarTribune.

Safety/Supervision, Abuse, Shaken Baby



Joshua Minton, Oklahoma

[Two-year-old Joshua](#) died in a family child care home in Tulsa, Oklahoma. His child care provider admitted to using masking tape to tie up his hands and mouth because he would not stop whining at nap time. Through regular inspections, the provider had been found out of compliance with numerous safety

related requirements, including violations related to the discipline of children and background checks for assistants. Licensing staff repeatedly urged the provider to close her business but the state lacked the authority to take immediate action until after Joshua died when state regulations were changed.

- [Eight-week-old Quale](#) died on his second day of child care, in a licensed child care setting in Georgia; he was found in a pool of blood.

- In Missouri, [3-month-old William "Sam" Pratt](#) died of alleged abuse in February 2009 at a family child care home. The official cause of death was declared blunt force trauma; however, the provider admitted to police that she threw Sam down on a couch in frustration. The provider was not licensed, so state regulators were unable to prevent her from caring for children despite her criminal charges, and she began caring for children soon after she bonded out of jail. Cambria, N. (2012, January 15). [More Missouri babies die as laws, oversight lag. *Stltoday.com*.]
- At 5 months old, [Brandi Whaley's daughter](#) was reportedly shaken by her child care provider. She sustained multiple fractures, a subdural hematoma, blood pooling in her spine, and hemorrhages in each eye. The diagnosis was Shaken Baby Syndrome and her injuries were comparable to those resulting from a fall from a two-story building. Miraculously she survived, and is one of a small number of children who do not have any lasting physical or mental disabilities from being shaken.

Safety/Transportation- Van Deaths at Child Care (left in the van in hot heat)

- [3-year-old Demarion](#) suffered heat stroke and extensive brain damage after being left in a stifling hot van by an employee of an uninsured child care program. He was in a coma for 2 months and was left unable to walk or talk. Because the provider did not carry liability insurance, the family remains faced with millions of dollars in medical bills.
- In Texas, [4-year-old Jacob](#) died in a hot van, left for an unknown number of hours in 103 degree F. heat. When the provider who left him in the van was arrested, her fingerprints were taken, which is how Jacob's parents learned about her extensive criminal history. At the time, Texas did not require a background check for child care workers that included comparing fingerprints against state and federal records. As a result of Jacob's death, his mother Avonda Fox, fought for and won changes in state law to require background checks for child care providers and extra training for providers transporting children.