

**Child Care Complaint**

<b>Name of Provider</b> LaVaysha Magee	<b>County</b> Des Moines	
<b>Care Address</b> 253 S Central AVE	<b>City</b> Burlington	<b>Zip Code</b> 52601
<b>Mailing Address</b> 253 S Central AVE	<b>Mailing City</b> Burlington	<b>Mailing Zip Code</b> 52601
<b>Phone</b> 319-208-4446	<b>Email</b>	

<b>Date of Complaint:</b>	07/27/2020	<b>Date of Visit:</b>	07/22/2020
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<b>Type of Visit</b>		
<input type="checkbox"/> Scheduled	<input checked="" type="checkbox"/> Unannounced	<input type="checkbox"/> N/A

<b>Compliance Regulation</b>		
<input checked="" type="checkbox"/> Non-Compliance with Regulations Found	<input type="checkbox"/> Compliance with Regulations Found	<input type="checkbox"/> Scheduled

<b>Recommendation for Registration:</b>	
<input checked="" type="checkbox"/>	No Changes to registration status recommended
<input type="checkbox"/>	Revocation of Registration
<input type="checkbox"/>	Cancellation of Child Care Assistance Provider Agreement

<b>Category of Care:</b>	
<input checked="" type="checkbox"/>	Category A
<input type="checkbox"/>	Category B
<input type="checkbox"/>	Category C (with no co-provider)
<input type="checkbox"/>	Category C (with co-provider)
<input type="checkbox"/>	Non-registered Child Care Home with CCA Provider Agreement

<b>Complaint Details:</b>	
Did this complaint result in a serious injury?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Did this complaint result in a death to a child?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<b>Summary of Complaint:</b>
It is alleged that an unknown male child (age 2 or 3) was observed sitting on a riding toy on top of a steep slope near a very busy road in Burlington while Lavaysha Magee (daycare provider) was inside her home and not supervising him.

**Rule Basis and Findings of Complaint(s):**

441-110.7(1) The provider meets the following requirements:

a Gives careful supervision at all times.

b Frequently exchanges information with the parent of each child to enhance the quality of care.

c Gives consistent, dependable care. Is capable of handling emergencies.

d Is present at all times, except if emergencies occur or an absence is planned. If absence is planned, care is provided by a DHS-approved substitute. If absence is planned, the parents are given at least 24 hours prior notice.

e Shall be free of the use of illegal drugs and shall not be under the influence of alcohol or of any prescription or non-prescription drug that could impair their ability to give careful supervision.

441-110.8(2) Outdoor space.

a A safe outdoor play area is maintained in good condition throughout the year. Play area has a fence when located on a busy thoroughfare or near a hazard. Has both sunshine and shade areas. Is kept free from litter, rubbish, and flammable materials. Is free from contamination by drainage or ponding of sewage, household waste, or storm water.

7/22/20

Chad Reckling, SW II went to the childcare home after observing children playing on the side yard of the home. Upon closer observation, this worker observed what appeared to be a 2 1/2 to 3 1/2 year old child on a riding toy on the edge of the grass area of the side yard close to the slope to the sidewalk. This worker also observed smaller children playing on a water feature blow up in the yard. There were other children present, but no adult supervision was present outside. This worker asked one of the older children to get their mother who came out after this child went inside. This worker explained to Lavaysha she had to be outside at all times providing careful supervision to her daycare children given the busy street in front of her yard. Lavaysha stated she was going in and outside of the house and was providing supervision of the children. This worker stated she was not out here when this worker walked up to the house and outdoor play area. This worker stated they would have her sign a safety plan she would provide careful supervision at all times and and her sign this document later.

Complaint: There is a preponderance of evidence to show the concern before the Department is valid based on this worker's personal observation.

**Resolution and Action Required:**

On 7/23/20 the Department had LaVaysha sign a voluntary safety plan which stated:

"LaVaysha will provide eyes and ears supervision of her daycare children at all times. LaVaysha will utilize South Hill Park as her outdoor play area and will not utilize her yard of her home as it does not have adequate fencing and is very close to a heavily traffic road. This shall take effect immediately and will last for as long as LaVaysha provides childcare in her home."

The Department of Human Services may conduct random safety visits to insure the safety plan is being adhered to.

<b>Consultant's Signature:</b>	Chad Reckling	<b>Date of Visit:</b>	08/13/2020
<b>Supervisor Signature:</b>	Machelle Pezley	<b>Date of Visit:</b>	08/19/2020