

CHILD CARE CENTER COMPLAINT

Name of Center: Above and Beyond	Enrollment: 55	License ID: 52395
Street: 6151 Thornton AVE STE 500	City: Des Moines	IA Zip Code: 50321 County: Polk
Mailing Address: 6151 Thornton AVE STE 500		
Mailing City: Des Moines	IA Zip Code: 50321	
Director's Name: Mark Schelle	Center Phone Number: 515-414-0684	
On-Site Supervisors: Mindy Garcia and Nichole Greene	E-Mail Address: aboveandbeyonddsm@gmail.com	

Date of Complaint: 01-12-2026 **Date of Visit:** 01-20-2026

☐ Scheduled ☒ Unannounced ☐ NA

☒ Non-Compliance with Regulations Found ☐ Compliance with Regulations Found

RECOMMENDATION FOR LICENSE

☒ NO CHANGES to licensing status recommended

☐ PROVISIONAL license from _____ to _____

☐ SUSPENSION of License

☐ REVOCATION of License

Complaint Details:

Did this complaint result in a serious injury? ☐ Yes ☒ No

Did this complaint result in a death to a child? ☐ Yes ☒ No

Summary of Complaint:

It was reported that:

1. The center is not following CACFP guidelines as children are not allowed to drink water and children do not get seconds.
2. Children are getting into the garbage cans and trying to eat food and climbing on their cots to get water (alleged children were hungry and thirsty).
3. The owner/director once threatened to give a child pickles and crackers for the child misbehaving.
4. One time, a child bit another child and no accident or incident report was completed.
5. Reported after the initial intake: The center is out of ratio in the younger classrooms.

Licensing Rules Relevant to the Complaint:

109.8(2) Ratio maintained in center as required: Brief absence of staff person permitted for 5 or less minutes when another staff person is present. At least one staff is present in every room where children are resting. If ratio reduced to one staff per room during nap time, does not exceed one hour and ratio in center is still maintained. Ratio in infant rooms is always maintained. When more than eight children are present on the licensed premises, at least two staff members shall be present. For a period of two hours or less at the beginning and end of the center's hours of operation, one staff member may care for eight or fewer children, provided no more than four of the children are under two years of age and there are no more than eight children in the center. Ratio exceeded for school-age children when school classes unexpectedly start late, are dismissed early, or cancelled. For no more than four hours, care is limited to children already in the program and licensed capacity is not exceeded.

109.10(8) Recording incidents: Parents shall be notified on the day of the incident involving a child that includes: Minor injuries. Minor changes in health status. Minor behavioral concerns. Incidents resulting in injury to a child. Shall be verbally notified immediately when there is: A serious injury to a child. An incident resulting in a significant change in health status. An incident includes the child being involved in inappropriate, sexually acting out behavior. A WRITTEN report, fully documenting every incident, shall be provided to the parent or authorized person. This should be completed by staff that witnessed the incident and retained in child file. Serious injuries and deaths must be reported to the Department within 24 hours.

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109.10(14)a The center and supervisor shall ensure that staff knows names and number of children assigned. Staff shall provide careful supervision.

109.12(2)a-d The center shall not use as a form of discipline: Center does not use corporal punishment including spanking, shaking, or slapping. Punishment which is humiliating or frightening or causes pain or discomfort is not allowed. Children shall never be locked in a room or closet. When restraints are part of a treatment plan for a child with a disability authorized by a parent and a psychologist or psychiatrist, staff shall receive training on the safe and appropriate use of the restraint. Punishment or threat of punishment associated with illness, toilet training, or food or rest is not to be used. No child is subject to verbal abuse, threats, derogatory remarks about child or child's family.

109.13(1 and 2) Center shall serve each child a full, nutritionally balanced meal as defined by CACFP guidelines. Staff shall provide supervision at table during snacks and meals. Children at center two hours or longer shall be offered food of not less than two hours and no more than three hours apart unless child is asleep. Menus shall be made available to parents and kept on file with substitutions noted. Avoid foods with high incident rate of causing choking.

Inspection Findings:

On 1/12/26, this consultant contacted the reporter by phone to discuss and review the reported concerns. This consultant stated he was currently on vacation, but would address the concerns upon his return to work. The reporter admitted that the center is following CACFP for children and food amounts, it was just children appeared to still be hungry and weren't allowed seconds. The reporter appeared to be upset with this consultant when this consultant stated that if children were getting into the garbage containers and climbing on equipment, then it would be up to the specific staff in those classrooms to prevent or stop that from happening and that it was part of their job responsibilities. The reporter could not state for certain if the owner/director, Mark, was trying to punish the child for misbehaving when stating the child would get pickles and crackers for a snack (the reporter was informed both items would be credible per CACFP guidelines) or was saying it in jest. The reporter stated that there was one occasion when a child bit another child and no incident/accident report was completed because the owner/director stated the staff didn't need to do one. The following day, the reporter stated the younger classrooms (18 month through three years old were out of ratio).

On 1/20/26, this consultant made an unannounced visit to the center. This consultant informed the owner/director, Mark, that a complaint came in. Before this consultant discussed any specifics, Mark stated much of the above and stated he had two former staff members who came from another center who quit after working for roughly a week. Mark stated, in his professional opinion, they were not good workers.

This consultant reviewed the food menu. All food menu items were credible per CACFP guidelines. This consultant observed the kitchen and all food storage was also sufficient. This consultant spoke to several staff members who stated that water is always available to children. There are Dixie cups for those children who don't have water bottles. Water bottles are kept out of children's reach, however, so that children don't drink out of a water bottle that isn't their own. If children ask for water, it is provided.

This consultant observed garbage containers in classrooms. These do not have lids and this was recommended (not required). It was noted that most of the garbage containers are roughly the same height if not taller than most of the children. Staff stated that if children climb in any equipment, they know it is their responsibility to get them to stop doing this behavior which is what would be expected by a reasonable and prudent person.

As it pertains to telling a child who was misbehaving that he would get pickles and crackers for a snack, there is not sufficient evidence to conclude that this was said out of frustration or as a form of punishment. Sometimes pickles and crackers are served as a snack, which meet CACFP guidelines.

When this consultant discussed incident and accident reports as it related to the complaint of one child biting another child and no incident/accident reports being completed because the child who bit the other child did not leave a mark, Mark stated he did speak to the parents about this, but admitted reports were not completed. Reports should be completed for this type of situation regardless if a mark was left or not left.

As this consultant was walking around different classrooms, it was noted that classrooms were in ratio.

The center is FOUND TO BE IN NON-COMPLIANCE WITH LICENSING REGULATION 109.10(8) AS IT PERTAINS TO INCIDENT/ACCIDENT REPORTS. The center is FOUND TO BE IN COMPLIANCE WITH ALL OTHER REPORTED CONCERNS.

Special Notes and Action Required:

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No further action is being taken in regards to this complaint.

If you are the Child Care Center Director and you feel something is unclear or unjustly cited, please contact your consultant at 515-362-7832 or email Nathan.Knepper@hhs.iowa.gov so that we may discuss the issue. You may also send a letter that will be included in your licensing file noting any disagreement you may have with this report.

*Note: If you are a member of the general public, there may be additional information contained in the public file. You may contact the HHS Licensing Consultant to inquire.

Consultant's Signature:

Nathan Knepper

Date:

01-20-2026