Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Lincoln Before and After School Program **Enrollment:** 60 **License ID:** 24255

Street: 300 Teeters CT **City:** Iowa City **IA** **Zip Code:** 52246 **County:** Johnson

Mailing Address: 300 Teeters CT

Mailing City: Iowa City **IA** **Zip Code:** 52246

Director's Name: Pending Board/HHS Approval **Center Phone Number:** 319-430-4196

On-Site Supervisors: **E-Mail Address:** lincolnbasp@gmail.com

Date of Complaint: 03-05-2024 **Date of Visit:** 03-14-2024

[ ] Scheduled **[X]** Unannounced **[ ]** NA

[X] Non-Compliance with Regulations Found **[ ]** Compliance with Regulations Found

RECOMMENDATION FOR LICENSE

[X] 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:

On 3/5/2024 it was reported that there was a staff member at the school who appeared to be impaired. This staff's badge was then deactivated so they could not enter the building until the board decided the staff member's future with the center.

Licensing Rules Relevant to the Complaint:

106.6(7) Use of controlled substances and medications: All owners, personnel, and volunteers shall be free of the use of illegal drugs and shall not be under the influence of alcohol or of any prescription or nonprescription drug that could impair their ability to function.

109.7(1) All staff(within first 3 months of employment)Two hours of approved training FOR the mandatory reporting of child abuse.At least one hour of training regarding universal precautions and infectious disease control.Certification in American Red Cross, American Heart Association, American Safety and Health institute or MEDIC First Aid infant, child, and adult cardiopulmonary resuscitation (CPR) OR equivalent certification approved by the department. A valid certificate indicating the date of training and expiration date shall be maintained.Certification in infant, child, and adult first aid that uses a nationally recognized curriculum or is received from a nationally recognized training organization including the American Red Cross,American Heart Association, American Safety and Health Institute or MEDIC First Aid or an equivalent certification approved by the department.A valid certificate indicating the date of training and expiration date shall be maintained.Minimum health and safety trainings, approved by the Department. If significant changes occur to content, the Department may require the training be renewed.

109.9(1)b All files contain:A signed copy of DHS criminal history record check or any other permission form approved by the Department of public Safety for conducting an Iowa or national criminal history check. A copy of Request for Child Abuse Information.Copies of the results of Iowa records checks conducted.Copies of national criminal history check results.Any Department-issued documents sent to the center related to records check.

109.9(1)d All files contain a pre-employment physical exam report completed within six months prior to hire and at least every three years. Physical exams shall be documented on form 470-5152, Child Care Provider Physical Examination Report.

109.9(2)a All files contain sufficient information to allow the center to contact the parent or emergency contact at any time child is in center's care.

109.9(2)b All files contain sufficient information and authorization to allow the center to secure emergency medical and dental services at any time child is in center's care.

109.9(2)d All files contain parent authorization of the persons to whom the child may be released.

Inspection Findings:

This worker arrived at the center on 3/14/2024. I talked with the school principal, the center employees, reviewed staff files, child files and the licensing notebook.

106.6(7) Use of controlled substances and medications: All owners, personnel, and volunteers shall be free of the use of illegal drugs and shall not be under the influence of alcohol or of any prescription or nonprescription drug that could impair their ability to function. VIOLATED.
-One staff shared that this staff had been acting differently the week before, so they reached out to a co-worker and reported their concern. One staff also reported that this staff member talked about being in a fist fight; however, the individual's markings looked more like a fall per the staff member.
-On the date of the incident the children were outside playing. The staff member was walking around the gym. The staff member would not make eye contact, had some slurred speech and was not coherent. The staff member asked the other staff member to go to the office. The staff member reported that they had drank a drink prior to coming to work. The staff member asked this staff member to walk home. They did so.
-On the date of the incident another staff member shared that they felt the staff member was under the influence. The staff member was slurring their words and had slower movement.
-Staff shared that they had not had concerns about this individual in the past being under the influence prior to the week before. Children/Parents had not reported any concerns to staff. When cleaning the office, they did find a Twisted Tea in the staff member's boot. This boot was accessible to the children if they had gone into the staff's office area. The Twisted Tea was empty.

109.9(2)a All files contain sufficient information to allow the center to contact the parent or emergency contact at any time child is in center's care. VIOLATED:
-Several staff reported that they did not have access to children files. They would not be able to contact parents, doctors, or dentists in case of emergency.

109.9(2)b All files contain sufficient information and authorization to allow the center to secure emergency medical and dental services at any time child is in center's care. VIOLATED:
-Several staff reported that they did not have access to children files. They would not be able to contact parents, doctors, or dentists in case of emergency.

109.9(2)d All files contain parent authorization of the persons to whom the child may be released. VIOLATED:
-Several did not know who children could or could not leave with.

109.9(1)b All files contain: (1) A signed copy of the HHS Criminal History Record Check, Form B, that was submitted prior to employment. (2) A copy of Request for Child and Dependent Adult Abuse Information. (3) Copies of the results of Iowa records checks conducted. (4) Copies of national criminal history check results. (5) Any Department-issued documents sent to the center related to records check.
-12/12 staff do not have current National FBI Checks. In 11/2023 the director was given instructions on how to complete National FBI Checks. They have not been completed.
-2/12 staff do not have current Iowa SING checks.

109.9(1)e All files contain documentation to indicate that ongoing staff training requirements are met, including current certifications in first aid/CPR and mandatory child abuse training.
-10/12 staff do not have current First Aid/CPR.
-11/12 staff do not have current Universal Precautions.
-10/12 staff do not have current Mandatory Reporter.
-10/12 staff do not have Essentials Training.

109.9(1)d All files contain a pre-employment physical exam report completed within six months prior to hire and at least every three years. Physical exams shall be documented on form 470-5152, Child Care Provider Physical Examination Report. Number not in compliance:
-12/12 staff do not have physicals.

Special Notes and Action Required:

The center board met and decided that the employee will no longer be with the center.

The center staff and board have implemented the following safety plan with HHS:
1. They will have Lorri Horra from CCR&R https://iowaccrr.org/staff/region_5/ come to the center and complete fingerprinting on all staff by 4/15/24.
2. This worker helped them establish a new SING account and Iowa SING record checks were completed.
3. They will have all staff complete training by 4/15/24. Trainings can be found at: https://iowaccrr.org/resources/files/BGP/53%20Center%20Guidebook.pdf page 10-11
4. They will have all staff complete a physical by 4/15/24. They must be completed on the following form: https://iowaccrr.org/resources/files/BGP/4%20Phys%20Exam.pdf
5. An example child file was provided to the center by this HHS Consultant. All child files are being updated by the parents by: 4/15/24. Staff will have access to these files as needed.
6. Staff will start checking IDs if they do not recognize the person picking up and verify that they are on the pickup list.
7. The director will work with Lorri from CCR&R, Deb from CCNC, Tyler from Lemme BASP and Tammy from Central Cares until they feel confident in meeting HHS Licensing requirements.

Consultant's Signature:

Heidi Brown

Date:

04-02-2024