Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Tracey's Tots Daycare Co - Fort Dodge **Enrollment:** 56 **License ID:** 7448

Street: 109 S 8th ST **City:** Fort Dodge **IA** **Zip Code:** 50501 **County:** Webster

Mailing Address: 109 S 8th ST

Mailing City: Fort Dodge **IA** **Zip Code:** 50501

Director's Name: Jennifer Lindner **Center Phone Number:** 515-576-5437

On-Site Supervisors: **E-Mail Address:** traceystotsdaycare@frontier.com

Date of Complaint: 11-28-2023 **Date of Visit:** 12-29-2023

[X] Scheduled **[ ]** 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:

A complaint was received that a 1 month old infant attending Tracey's Tots Daycare - Fort Dodge had bruises and scratches on the face from an unknown cause while at the daycare. It was further reported that the center had a prohibited employee working at the center.

Licensing Rules Relevant to the Complaint:

109.6(6)h(2) No one owns, directs or works in the center who has been prohibited from involvement with child care.

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(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.

109.11(2) A safe and properly equipped area is provided for infants that does not allow for intrusion by children over two years of age.
Children over age two who remain in the infant area are placed at the recommendation of a physician or AEA due to a significant developmental delay. Children are placed for a limited time with DHS approval if doing so does not pose a threat to the infants.

109.12(2) Center shall have written policy on discipline of children which provides for positive guidance, with direction for resolving conflict and setting of limits.

Inspection Findings:

A call was received on 11-28-29 from DHS co-worker, Melissa Allison, who stated that she had spoken

with the mother of the child identified in the complaint. The mother reported that she had observed the injuries around 4-5:30 PM on 11-27-23. The mother reported that she knows her child's nails are not strong enough to scratch herself. The mother reported that she did not think the classroom teacher had hurt her child. The mother reported that there is another older infant in the classroom that has previously tried to bite her child and suspects that this child had caused the scratches to her child. The mother also reported that her child has had chapped lips and believed that the mark(s) on the lips were from skin coming off and making the lips look "blue".

Melissa stated that she had observed photos of the child and did forward copies of the photos. The photos did show an area of discoloration on the upper lip left of center, a scratch on the left nostril which appeared to have bled, a broken scratch on the left cheek which appeared to extend from the jawline to the temple, and a small scratch on the forehead. Melissa stated that she did have an appointment to visit the center the next day to observe the child identified in the complaint.

A visit was made to Tracey's Tots Daycare in Fort Dodge on 11-29-23 where I met with the center director Jenny Lindner, and DHS co-worker Melissa Allison. Jenny was informed of the complaint. The employee who had been working on the 27th was not there that day. A visit was made to the classroom to observe the setting. During that visit it was noted that there was a child over 24 months of age who was reported to be with the parent of the child that was identified in the complaint but who also attends the center. It was reviewed that children over 24 months of age are not allowed in infant rooms and that child needed to be taken to their classroom.

During the visit I was able to review the files for all 10 current employees of the center. In conducting that review 5 files were found to not have an Iowa SING check, 6 did not have documentation of an FBI National background check, none had a current 1st Aid/CPR certificate, 9 did not have current Mandatory Reporter Training, and 7 did not have a current physical. Jenny did complete the Iowa SING checks for those employees who needed them and of those 2 were found to need a record check evaluation. Jenny was instructed to schedule fingerprint checks, training, and physicals for those staff that needed them.

Documentation was received on 12-01-23 from Jenny with dates for employees to have digital fingerprint submissions for the FBI National Background Check. Jenny had registered all staff for 1st Aid/CPR training to be provided on 12-19-23.

A visit was made to Tracey's Tots on 12-05-23 where DHS co-worker and I met with the employee (S) who had been in the classroom on the 27th. S was aware of the concern and complaint and asked if she could tell us what she had observed. S stated that she was preparing a bottle standing by a shelving unit she was using as a work surface and was facing the classroom. S stated that the child identified in the complaint was in a seat which was later observed to be an infant rocker. It was during that time that another mobile peer in the classroom fell on the child and the children bumped heads. S stated that the child fussed little but the child does fuss when hungry, she went over picked the child up, took the child to the changing station, and it was at that point she observed the scratch by the nose that had bled. S stated she did not see any discoloration on the lip, or any other scratches. S stated that there had been 3 children present in the classroom that day. S stated that none of the children have any issues related to being aggressive with their peers including biting, hitting, or scratching.

Based on the information obtained this complaint is NOT SUBSTANTIATED for violation of Licensing Standard 109.12(2)a-d which requires that the center have written policy and practice on discipline of children which provides for positive guidance and among other things prohibits the use of corporal punishment. The employee who was providing care to the child identified in the complaint stated that while she was in another part of the classroom preparing a bottle for the child a peer fell and bumped heads with the child. The employee stated that afterward she did observe the scratch by the nose but no other injuries. The employee stated that there were no other issues or concerns regarding the children that she would have thought resulted in the injury. The injuries observed are minor and could have been caused in an accidental manner by a peer falling on the child. The actions of the employee being removed from the immediate area to prepare a bottle would be considered to be part of the normal and routine actions of providing care to a child.

Based on the information obtained this complaint is SUBSTANTIATED for violation of Licensing Standard 109.11(2) which requires that a safe and properly equipped area is provided for infants that does not allow for intrusion by children over two years of age. During the initial visit a child over 2 years of age was observed to be present in the infant room.

Based on the information obtained this complaint is SUBSTANTIATED for violation of Licensing Standard 109.9(1)b which requires that all employee 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. In reviewing the employee

files 6 of the 10 employees did not have documentation of required background checks.

Based on the information obtained this complaint is SUBSTANTIATED for violation of Licensing Standard 109.9(1)d which requires that all employee files contain a pre-employment physical exam report completed within six months prior to hire and at least every three years documented on form 470-5152, Child Care Provider Physical Examination Report. In reviewing employee files 7 of the 10 employee did not have documentation of a current physical.

Based on the information obtained this complaint is SUBSTANTIATED for violation of Licensing Standard 109.9(1)e which requires all employee files contain documentation to indicate that ongoing staff training requirements are met, including current certifications in first aid/CPR and mandatory child abuse training. In reviewing employee files all were missing documentation of current 1st Aid/CPR training.

Based on the information obtained this complaint is SUBSTANTIATED for violation of Licensing Standard 109.6(6)h(2) which requires that no one owns, directs or works in the center who has been prohibited from involvement with child care. In reviewing employee files 2 were identified as having a record check history that would require a record check evaluation and would have been prohibited from being employed at the center without an letter of approval for employment by the record check evaluation unit.

Special Notes and Action Required:

This complaint was SUBSTANTAITED for violation of several of the identified licensing standards. The following actions are required and or recommended. A full license will remain in effect

Required:
1. The center shall maintain current background checks for all employees. Those employees who do not have a clear record check, or which require a record check evaluation shall not be allowed to provide care at the center until such time that a clear history or approved record check evaluation is received. The center shall ensure that no newly hired employee is allowed to provide care to children until a clear Iowa SING background check or approved record check evaluation has been received, AND fingerprints have been submitted for an FBI Fingerprint National background check.

2.. The center shall update all employee files to ensure that all required elements for training are completed by 01-01-24. The center shall develop a plan to ensure that all training requirements are maintained as required for all staff.

3. The center shall have staff who need a current physical either provide a copy of a current physical on the required form from signed by their medical provider, or shall provide documentation of a scheduled appointment with their medical provider.

Consultant's Signature:

Ray Salsbury

Date:

12-01-2023