Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Sugar Babies Academy **Enrollment:** 30 **License ID:** 51827

Street: 2550 73rd ST **City:** Urbandale **IA** **Zip Code:** 50322 **County:** Polk

Mailing Address: 2550 73rd ST

Mailing City: Urbandale **IA** **Zip Code:** 50322

Director's Name: Korea Elliston **Center Phone Number:** 515-270-0253

On-Site Supervisors: N/A **E-Mail Address:** lenaearku@yahoo.com

Date of Complaint: 12-22-2022 **Date of Visit:** 01-12-2023

[ ] 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:

Quicio "Lenae" Arku (owner) & Michealria "Korea" Ellston (director) allowed Lenae to be in ratio without a record check. Reportedly Lenae's record check had been denied and most recently conditionally approved as a volunteer at another facility before the inception of Sugar Babies.

Licensing Rules Relevant to the Complaint:

109.6(1) Centers with multiple sites have a qualified director or on-site supervisor at all sites. Information on the director's qualifications is submitted to consultant prior to employment and is sufficient to make a determination. Center director meets qualifications or is "qualifiable" with a plan established to meet qualifications.

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.

109.12(4) Sufficient toilet articles are provided for handwashing.Sufficient and safe indoor play equipment, materials, and furniture that conforms with CPSC or ASTM.Play equipment, materials, and furniture meet the developmental, activity, and special needs of the children.Room's arrangement does not obstruct the direct observation of children.Individual covered mats, beds, or cots, and appropriate bedding is provided for all children who nap.Procedures are developed and implemented to maintain equipment and materials in a sanitary manner.Sufficient spacing is maintained between equipment to reduce transmission of disease and allow ease of movement by children and staff to respond to activities and care needs.Sanitary procedures are followed for use and storage of personal hygiene articles.

109.12(5)e The provider shall follow safe sleep practices recommended by AAP for infants under one year of age:Infants shall always be placed on their back for sleep.Infants shall be placed on a firm mattress with a tight fitted sheet that meets Consumer Product Safety Commission federal standards.Infants shall not be allowed to sleep on a bed, sofa, air mattress or other soft surface. No child will be allowed to sleep in any items not designed for sleeping but not limited to, an infant seat, car seat, swing, bouncy seat.No toys, soft objects, stuffed animals, pillows, bumper pads, blankets, or loose bedding shall be allowed in the sleeping area with the infant.No co-sleeping shall be allowed.Sleeping infants shall be actively observed by sight and sound.If an alternate sleeping position is needed, a signed physician or physician assistant authorization with statement of medical reason is required.

Inspection Findings:

This consultant had several phone call and email exchanges with the owner, Lenae Arku, and the director, Korea Elliston, throughout this complaint investigation. Phone calls were held on 12/27/22, 1/19/23, and 1/23/23. This consultant visited the center on 1/12/23, 1/17/23, and 1/18/23. This consultant spoke to the CCA unit, DHS Record Checks Unit, and In-Home Registration Unit as well during this complaint investigation. This consultant also had several conversations with his supervisor and policy during this investigation.

Based on phone calls, emails, visits to the center, and collaboration with other Iowa HHS units, the center is FOUND TO BE IN NON-COMPLIANCE WITH THE FOLLOWING:

109.9(1)b. Record checks. Record checks were not being done completely. When further research is needed, the center needs to initiate further checks. There are several staff (former mostly, but some current) where record checks were not fully completed. As it pertains to Lenae, she did not have record checks completed, but based on just being an owner, she may not need them (however it is recommended they be completed for her) so long as she is not in ratio and not alone with children which appears to currently be the case. Lenae stated she is never in ratio or alone with children when she is at the center. Other staff also confirmed this statement by Lenae as well. However, all other staff need to have record checks completed fully. It is noted Lenae, per a conversation on 1/23/23 with her and collaboration with the Record Checks Unit, has re-submitted record checks and working with the Record Checks Unit on her record check evaluation for Sugar Babies.

During the investigation, several other violations were noted:

109.9(1)d: Not all staff files had physicals on record.

109.6(1): The director needs to be present at least eight hours a day. Korea is also a registered in-home provider. She is required to be at this business as part of those regulations. When confronted on this subject, Korea admitted she is not at the center eight hours a day. Korea stated she didn't know this was a regulation. Organization of files and other violations observed during visits would also indicate Korea needs to be present at the center more often (at least eight hours unless there is an on-site supervisor approved).

109.12(5)e: Safe sleep was an issue observed at one visit. All children under the age of one year who nap in a crib should not have a blanket. Swaddling is also not permitted unless there is a doctor's note stating so with specific instructions on swaddling (how long, reason for swaddling, etc.). It is recommended that if any child over the age of one year is still needing to nap in a crib, blankets and other items not be in cribs with napping children to avoid confusion.

109.12(4): For children napping on cots/mats, three feet spacing is needed. On one visit, children were bunched together on an area rug napping. Less that one foot spacing was observed between napping children.

A referral was made to CCR&R to assist the center in getting organized with files. It would also appear that throughout this investigation, that all staff need to do a better job of becoming familiar with licensing regulations. If these items listed above continue to be issues at the center's next licensing visit, which will occur sometime this Spring, the center potentially could be downgraded to a provisional license.

Special Notes and Action Required:

A referral was made to CCR&R to assist the center with getting all staff and children files organized as well as to help prepare the center for their visit coming up again in the Spring of 2023. Safe sleep was also an issue that needs to be reviewed.

It is recommended that all staff become more familiar with the licensing manual and checklist. As a reminder, all staff are also required to review the center handbooks annually. Specific training for all staff was not reviewed at this visit, but will be at the center's next visit.

It is recommended the center begin the process of hiring an on-site supervisor or promoting somebody into this position that meets the minimal 75 points required. This consultant will have to review the on-site supervisor form before it can become official. Korea is the director of this center, but also has a registered in-home. She cannot be at both places at once. It is required that all directors or on-site supervisors be at the center for a minimum of eight hours a day. Brief absences are allowed for certain temporary situations so long as a person in charge is designated. On 3/1/23, rules/regulations will change changing this to six hours a director or on-site supervisor needs to be present. UPDATE: Lenae was sent the paperwork for on-site supervisor for one of her staff and is in the process of completing that and sending the form back to this consultant for review.

The owner will have to follow up with the Record Checks Unit to first make sure they received her paperwork for review, and two , follow their recommendations after the review. Until then, the owner should not be in ratio or alone with any child other than her own.

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 nkneppe@dhs.state.ia.us 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 DHS Licensing Consultant to inquire.

Consultant's Signature:

Nathan Knepper

Date:

01-23-2023