

CHILD CARE CENTER COMPLAINT

Name of Center:	Iowa's Child Early Learning Community	Enrollment:	217	License ID:	50547
Street:	135 E Douglas Ave	City:	Des Moines	IA Zip Code:	50313
County:	Polk				
Mailing Address:	135 E Douglas Ave				
Mailing City:	Des Moines	IA Zip Code:	50313		
Director's Name:	Tracey Bolin	Center Phone Number:	515-282-1729		
On-Site Supervisors:	E-Mail Address: tbolin@iowaschildelc.com				

Date of Complaint: 01-24-2025**Date of Visit:** 02-07-2025☐ 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 ☒ NoDid this complaint result in a death to a child? ☐ Yes ☒ No**Summary of Complaint:**

It is alleged on/about 1/8/25; a non-day care vehicle was utilized to transport children to the center from Cornell ELEM. On the transport, a second grade child (age 8) placed in the passenger seat (front seat) without a booster seat; along with two kindergarten students in the back seats without car seats as required. It is additionally alleged there were cigarettes in a vehicle use to transport for child care that was open.

Licensing Rules Relevant to the Complaint:

109.10(11) Smoking and use of tobacco products shall be prohibited in the center and every vehicle used to transport children. Prohibited in outdoor play area during hours of operation. Nonsmoking signs shall be posted at every entrance and in every vehicle used to transport. Signs shall include:<ol type="a">Telephone number for reporting complaints.Internet address to DPH.

109.10(12)a Children under age 6 shall be secured in child restraint system. Child under 1 and weighing less than 20 lbs. shall be secured during transit in rear facing child restraint system.

109.10(12)b Children under 12 shall not be located in front seat.

Inspection Findings:

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I contacted the confidential reporter that confirmed the concerns as described above. Additionally the vehicle used to transport children ages 8 and 5 or 6 was a minivan and the children were not in car seats with the 8 year old in the front seat as well. The vehicle was observed to contain cigarettes in a cup holder in the front seat by the driver. The driver was NOT observed to be smoking. Driver was a female.

2/7/25 I completed an unannounced visit to Iowa's Child Early learning center and met with Director/Owners Tracey and Blaine Bolin. We discussed the concerns contained in this complaint and identified the van as a minivan that is being purchased by staff who also uses the minivan to assist with transporting children to/from school and the center. Acknowledgement was made that there were not child car seats in the minivan. We discussed the need to utilize car seats per Department of Transportation/Iowa Code if transporting with this style of vehicle.

I observed the center's vehicles; consisting of a smaller school bus; and two 15 passenger vans meant for transport, along with the owners personal mini-van. Vehicles did have the required equipment, first aid and insurance etc. We discussed when using minivan style that would not meet the definition of school bus, that proper child safety seats be utilized.

I attempted to contact the staff person that was alleged to have been driving the minivan at the time this occurred and did leave a message. Shortly after we spoke; we discussed the concerns in the complaint and staff indicated they did need to separate the 8 year old from the younger children in the back due to the 8 year old being aggressive. Staff indicated having one booster in the minivan; with three children, however. Staff denied the use of tobacco products in center vehicles. Staff indicated that transportation is now completed using the center's 15 passenger vans that come with different restraint criteria.

There is not sufficient information that smoking was on-going while children were in the vehicle. The center is found to be IN COMPLIANCE with Iowa Code 109.10(11) Smoking and use of tobacco products shall be prohibited in the center and every vehicle used to transport children. Prohibited in outdoor play area during hours of operation. Nonsmoking signs shall be posted at every entrance and in every vehicle used to transport.

There is sufficient information that children were transported in non-school bus vehicles and without sufficient child safety seats as required and that a child under the age of 12 was positioned and transported in the front seat of the mini-van. NONCOMPLIANCE with licensing standards has occurred regarding Iowa Code 109.10(12)a Children under age 6 shall be secured in child restraint system. Child under 1 and weighing less than 20 lbs. shall be secured during transit in rear facing child restraint system. and 109.10(12)b Children under 12 shall not be located in front seat.

Special Notes and Action Required:

Transportation licensing standards were reviewed along with the need to utilize car seats in a mini-van as per Iowa Law, to which the center has agreed. Additionally the center agreed the bus or 15 passenger vans would be utilized for transportation at this point on.

No other actions required at this time.

Consultant's Signature:

Maggie Gibson, SWIV

Date:

03-21-2025