Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Essex Child Center **Enrollment:** 49 **License ID:** 6955

Street: 513 Iowa AVE **City:** Essex **IA** **Zip Code:** 51638 **County:** Page

Mailing Address: PO Box 421

Mailing City: Essex **IA** **Zip Code:** 51638

Director's Name: Tonya Stoaks, Annie McKinley **Center Phone Number:** 712-379-3870

On-Site Supervisors: **E-Mail Address:** essexcc@heartland.net

Date of Complaint: 04-26-2023 **Date of Visit:** 04-26-2023

[ ] Scheduled **[ ]** Unannounced **[X]** 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:

Two complaints were received. The first complaint was received on 4-26-2023 - It is alleged that two staff had inappropriate conduct towards children. The center had cameras installed on April 6th, 2023 and the director, Tonya and board members viewed the camera footage and saw the staff treating two children inappropriately.

The second complaint was received on 5-16-2023 it involved the information from the complaint received on 4-26-2023 and the following - No communication has been relayed to the parents about this situation involving inappropriate conduct of staff toward children. There were concerns that a weapon had been brought in by an employee who had a license to carry a concealed weapon. The caller spoke to the chief of Police Josh Gray and he had heard about the weapon in the facility. He directed the facility to post a message stating no weapons were allowed in the facility and have it reflected their handbook and they have since updated their policy.

Tonya is resigning as of July 1st and she had been there for 24 years.

Licensing Rules Relevant to the Complaint:

109.11(3)a Center shall ensure that: Facility and premises are sanitary, safe, and hazard free. Adequate indoor and outdoor space is provided. The outdoor area shall include safe play equipment and area of shade. Sufficient space provided for dining. Sufficient lighting shall be provided. Sufficient ventilation. Sufficient heating. sufficient cooling. Sufficient bathroom and diapering facilities. Equipment, including kitchen appliances, are maintained so as not to result in burns, shock, or injury to children. Sanitation and safety procedures for the center are developed and implemented to reduce risk or injury or harm to children and reduce transmission of disease.

109.12(2)a Center does not use corporal punishment including spanking, shaking, or slapping.

109.12(2)b Punishment which is humiliating or frightening or causes pain or discomfort is not allowed. Mechanical restrains shall never be used. If part of a treatment plan for a child with a disability, staff shall receive training.

Inspection Findings:

I talked with the director Tonya Stoaks on 4-26-2023 and on 7-12-2023 and reviewed the complaints. Tonya stated the center had cameras installed on April 6th, 2023. Tonya said she was reviewing the camera footage and saw a staff person having inappropriate conduct/inappropriate discipline towards a child. She notified the board and the board reviewed camera footage and saw another staff having inappropriate conduct/inappropriate discipline towards a child. Tonya reported that one staff was terminated on 4-26-2023 and the other staff was terminated on 4-25-2023. The parents of the children who were being treated inappropriately were contacted and made aware of the situation.
Tonya stated they were having a staff meeting on 4-26-2023 and the issues of having inappropriate conduct/inappropriate discipline would be reviewed with staff at the meeting, she will let staff know that these behaviors will not be tolerated.

The second complaint involved a staff person having a gun at the child care center. Tonya said she asked the staff if she had a gun at the center and the staff person said they have never brought their gun to the center, and she knows she can't have a gun at the center and she would not bring in there, she said she has a license to carry a gun. She said they have a posting saying no guns on premises and it states in the handbook that guns are not allowed in the center.

Tonya and the board members were devastated about the children being treated inappropriately by two staff members. Tonya stated as soon as the situation was known they acted immediately and dealt with the staff with termination of employment.
Tonya is very proud of the center and promotes a safe a fun place for the children.

Special Notes and Action Required:

Non-Compliance with Regulations Found regarding two staff having inappropriate conduct/inappropriate discipline towards two children.
109.12(2)a Center does not use corporal punishment including spanking, shaking, or slapping.
109.12(2)b Punishment which is humiliating or frightening or causes pain or discomfort is not allowed. Mechanical restrains shall never be used. If part of a treatment plan for a child with a disability, staff shall receive training.
109.11(3)a Center shall ensure that: Facility and premises are sanitary, safe, and hazard free.
Tonya stated as soon as the situation was known regarding the staff having inappropriate conduct/inappropriate discipline towards the two children they acted immediately and dealt with the staff with termination of employment.

Tonya reported the second complaint wasn't true as the staff never had a gun at the child care center. She sated the parents of the children who were treated inappropriately were notified.

At the time of the complaints Tonya Stokes was the director, she has since left employment at the center. Annie McKinley is the new director.

Please review discipline policies with staff and appropriate conduct with children on an ongoing basis.

Consultant's Signature:

Kathy DeGeorge-Evans

Date:

07-12-2023