Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: The Tot Spot **Enrollment:** 30 **License ID:** 51483

Street: 904 J Ave **City:** Milford **IA** **Zip Code:** 51351 **County:** Dickinson

Mailing Address: 904 J Ave

Mailing City: Milford **IA** **Zip Code:** 51351

Director's Name: Mandy Robertson Davis **Center Phone Number:** 712-338-2730

On-Site Supervisors: **E-Mail Address:** mandyrobertson45@gmail.com

Date of Complaint: 07-30-2023 **Date of Visit:** 08-04-2023

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

[X] 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 ☒ No

Did this complaint result in a death to a child? ☐ Yes ☒ No

Summary of Complaint:

Several concerns were alleged and are as follows:

1. It is alleged that a staff member/mom of own child left child age 4 months on a cot at the daycare that was stacked up 6-7 cots high unattended in a room for approximately 10 minutes. All of the children were left unattended for 10 minutes. Children are left unattended when they use the restroom. 2. Unauthorized person allowed access to children 3. A staff member engaged in improper discipline by spanking their own child while in care. 4. Rooms are not in ratio 5. Insufficient portions for meals . 6. Children are left for an excessive amount of time in high chairs and not diapered all day.

Licensing Rules Relevant to the Complaint:

109.4(2)h Develop a policy to ensure that people do not have unauthorized access to children at the center. Include:Criteria for allowing people on the property when children are present.How people will be supervised or monitored.How responsibility will be delegated to staff.How the policy will be shared with parents.

109.8(2) Ratio maintained in center as required by age.

109.10(16)a The center and supervisor shall ensure that staff knows names and number of children assigned. Staff shall provide careful supervision.

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

109.12(5) Environment for children under age two protects from harm but does not unduly restrict development.

109.12(5)b Infants diapered in a sanitary manner as needed in central diapering area.One changing table for every 15 infants/toddlers needing diaper changes.Diapering, sanitation, and handwashing procedures posted and implemented in central diapering area.

109.15(2) Center shall follow minimum CACFP menu patterns for meals and snacks.Menus planned one week in advance, made available to parents, and kept on file with substitutions noted.Avoid foods with high incident rate of causing choking.

Inspection Findings:

Licensing along with additional HHS persons completed a visit to The Tot Spot Child Care Center on 08 -04-23. The following is based upon observations while on-site, a face-to-face interview with director Mandy Robertson and staff.

Several items were addressed at the time of the visit as well as follow up visits on 08-10-23 & 08-17-23.

Director Mandy Robertson Davis stated that she had just let go of a staff member due to the staff member not following center policies and feels that they are trying to retaliate towards her and the rest of the staff at the center.

109.10(16)a The center and supervisor shall ensure that staff knows names and number of children assigned. Staff shall provide careful supervision. RULE NOT VIOLATED
-Visited with the staff member who had their 4 month child on a cot. Staff member did state that she had breast fed her child and laid child on a cot for a moment while she was getting situated. Staff was next to cot and the cots were stacked no higher than 6" off the floor. Staff denied leaving child unattended. Discussion was also made with staff member if they were in ratio at the time of breast feeding. Staff member was breast feeding child in the one year old room while the 1 year olds were present. It was discussed that breast feeding should not be done while in ratio as safety things could occur and staff would not be able to get to right away. Also, addressed with Director Mandy who stated they would change that practice.

109.4(2)h Develop a policy to ensure that people do not have unauthorized access to children at the center. Include:
Criteria for allowing people on the property when children are present.
How people will be supervised or monitored.
How responsibility will be delegated to staff.
How the policy will be shared with parents.
RULE NOT VIOLATED
-Discussed with Director Mandy regarding the presence of someone who is unauthorized to be at the center. Director stated that person does not come to the center when children are present. That person is her handy man and she is aware that they are not allowed when the center is open unless she gets approval. Licensing also visited with all staff and all have denied that person is at the center when they have been working.
-There is not enough preponderance of evidence of a violation.

109.12(2)a Center does not use corporal punishment including spanking, shaking, or slapping. RULE NOT VIOLATED
-Visited with staff member that was alleged to spank their own child at the center. Staff denied spanking their child at the center. Staff member did staff that she took child into the bathroom to discuss child's behavior but did not spank. Visited with other staff as well as director who deny staff spanking child. There is not enough preponderance of evidence that a violation has occurred.

109.8(2) Ratio maintained in center as required by age. RULE VIOLATED
-When licensing arrived on 08-04-23 there were two rooms out of ratio for the ages of children they served. Director was not present at the time. Staff stated that a parent had dropped off children who were not scheduled to come causing the rooms to be out of ratio. Licensing visited with staff regarding the importance of being in ratio. Licensing also visited with director regarding ratio. Director stated that they do allow parents to drop kids off until 11:00am and most of the time the center is in ratio. Director stated that she will lower time to 9:00am that kids need to do drop in and if have room child may attend.

109.15(2) Center shall follow minimum CACFP menu patterns for meals and snacks.
Menus planned one week in advance, made available to parents, and kept on file with substitutions noted.
Avoid foods with high incident rate of causing choking. RULE NOT VIOLATED.
-Licensing spoke with director regarding meals as well as with staff. Director denies not providing enough food and stated that they tend to throw out food that is not eaten. Licensing observed lunch and appeared to be adequate amounts of food. Menus were posted.
There is not enough preponderance of evidence of a violation.

109.12(5) Environment for children under age two protects from harm but does not unduly restrict development. RULE NOT VIOLATED
109.12(5)b Infants diapered in a sanitary manner as needed in central diapering area. RULE NOT VIOLATED
-Director Mandy and staff deny that children are left in high chairs for great lengths or are not diapered. Children that are fed in high chairs staff feed them according to their meal pattern. Children who can feed themselves may take longer to eat than those that staff help feed. But when the child is done they will take out of the high chair, sometimes if feeding several at a time then they may wait for each other to be done especially if only 1 staff for 4 children.
The center uses the Bright Wheel app in documenting daily activities for children under age two. In visiting with director and staff diapering is done every 2 hours. Then they document on the Bright Wheel App. Most of the time this is documented right after diapering, however depending on how busy the room is documentation may be later to when children are resting or quieted down. In viewing the Bright Wheel app for daily activities the center had documentation of diapering.
There is not enough preponderance of evidence that a rule was violated.

Special Notes and Action Required:

Consultant's Signature:

Jana Drew

Date:

08-25-2023