Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Hills & Dales Childcare **Enrollment:** 81 **License ID:** 18820

Street: 3505 Stoneman Rd **City:** Dubuque **IA** **Zip Code:** 52001 **County:** Dubuque

Mailing Address: 1011 Davis Street

Mailing City: Dubuque **IA** **Zip Code:** 52001

Director's Name: Dawn Fleming **Center Phone Number:** 563-583-5033

On-Site Supervisors: **E-Mail Address:** dfleming@hillsdales.org

Date of Complaint: 09-26-2022 **Date of Visit:** 10-03-2022

[ ] 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:

On 9/26/22 the following concerns were reported:
1. Today (9/26/22) there are no staff in the two year old room so the center is combining the two and three year old children and is out of ratio.
2. Last week one staff member was alone with 18 children of mixed ages.
3. Minor staff are being left in charge of children due to understaffing.

On 10/11/22 the following concerns were reported in addition to the above concerns:
1. On 8/25/22 one staff person was responsible for 22 children age three through 12.
2. On 9/22/22 one staff person was responsible for 12 two and three year old children in the restroom.
3. In September there was a day when the center director left for a couple of hours to talk to another director, and the center was out of ratio while she was gone.
4. In September staff left the children alone in the classroom to go get children off of the school bus because there were not enough staff.
5. In September a child was brought in with a contagious disease and the director refused to send the child home. The child spent the day in the office in a wagon.

Licensing Rules Relevant to the Complaint:

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

109.8(2)d At least one staff shall be present in every room.Brief absence of staff person permitted for 5 or less minutes when another staff person is present.

109.10 Center shall establish health policies, including criteria for excluding a sick child. Policies shall be consistent with the recommendations of the National Health and Safety Performance Standards.

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.

Inspection Findings:

The center was first visited on 10/3/22 and then again on 10/14/22 to discuss the reported concerns. The center director, Dawn Fleming, the Chief Program Officer for Hills and Dales, Michelle Schmitt, and several staff were spoken with at one or both of those visits.

The evaluation of the concerns revealed the following:

109.8(1) Staff requirements. Persons counted as part of the staff ratio shall meet the following requirements: a. Be at least 16 years of age. If less than 18 years of age, the staff shall be under the direct supervision of an adult. VIOLATED
Dawn stated that there is a staff person who is not yet 18 years old (turns 18 in December). Dawn stated this staff person has been alone with the school age children in the afternoons starting over the summer. It is noted that the rule did not change to allow minor staff to be left alone caring for school age children until 10/1/22.

109.8(2) Ratio maintained in center as required by age. VIOLATED
109.8(2)d At least one staff shall be present in every room. VIOLATED
Dawn stated they have had to combine two and three year old children in the three year old room. Dawn denied that the center has been out of ratio, however, various other staff were interviewed individually throughout the center and reported different information from Dawn. Staff in the toddler room stated they have had to supervise school age children just outside of the toddler room while also supervising their own children within the toddler room when staff have to take children out to the school bus. A toddler staff stated the staff person was also out of ratio when the staff person had to take their four children out with the staff person to get school kids off the bus. Another staff stated the center has been out of ratio in the mornings a few times. She stated she was out of ratio with 18 children age two through four years before 8:30am when Dawn left the center to take school age children to school. Staff generally reported that there are simply not enough staff to allow the center to be able to transport children to/from school or to leave the building to take children to or get them from the school bus.

With regard to the allegations of the various ratio violations, it is determined that more information than not is provided to indicate there have been violations, thus the center is cited as noted above.

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. VIOLATED
One staff reported been left with two one year old children and two school age children mixed together in the lunchroom while waiting for staff who were gone on a van run.

109.10 Center shall establish health policies, including criteria for excluding a sick child. Policies shall be consistent with the recommendations of the National Health and Safety Performance Standards. NOT VIOLATED
Dawn and Michelle discussed an incident where a child was diagnosed with Hand Foot Mouth Disease. They stated the child was sent home and then remained out of the center for at least 24 hours per the center's illness policy. When the child returned and still had signs of the illness, the child remained in the office with her for approximately an hour during the time that Dawn looked into the situation. Dawn stated the parents were notified and they informed Dawn that the child had been cleared by the child's doctor to return to child care. Michelle forwarded email correspondence that she received from the child care nurse consultant on 8/24/22 regarding questions about the center's discharge policies relative to this illness. It is determined that there is not information to indicate that a licensing violation occurred relative to this concern.

Special Notes and Action Required:

Dawn and Michelle acknowledged that the center has been short staffed and that there has been a recent turnover of five staff in the past two weeks from the date of the initial complaint. The situation is further complicated because Dawn has to teach the statewide voluntary preschool program because there are no other qualified staff. Michelle states the center has recently hired another co-director and that they will be restructuring the director/co-director roles to assist with better managing the center. It will be important for the center administration to provide the new (and remaining) staff with adequate training and then support in order to facilitate a positive work environment. This will help to stem the staff turnover and stabilize the center.

The center is reminded that if they are using other Hills and Dales staff to fill in at the child care center, these staff have to meet DHS requirements for staff prior to involvement with child care activities.

Consultant's Signature:

Heidi Hungate

Date:

11-09-2022