Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: Community Early Childhood Center **Enrollment:** 120 **License ID:** 7446

Street: 1315 S 24th St **City:** Fort Dodge **IA** **Zip Code:** 50501 **County:** Webster

Mailing Address: 1315 S 24th St

Mailing City: Fort Dodge **IA** **Zip Code:** 50501

Director's Name: Karen Stevens (interim) **Center Phone Number:** 515-573-5461

On-Site Supervisors: **E-Mail Address:** cecc@mediacombb.net

Date of Complaint: 06-14-2024 **Date of Visit:** 06-17-2024

[X] Scheduled **[ ]** 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:

A complaint was received that an employee of the Community Early Childhood Center had been working at the center while under the influence of an illegal drug.

Licensing Rules Relevant to the Complaint:

106.6(7) Use of controlled substances and medications: All owners, personnel, and volunteers shall be free of the use of illegal drugs and shall not be under the influence of alcohol or of any prescription or nonprescription drug that could impair their ability to function.

Inspection Findings:

A scheduled visit was made to the Community Early Childhood center on 06-17-24 where this worker and DHHS co-worker Melissa Allison met with the interim center director Karen Stevens. Karen was aware of the concern and stated that she first became aware of the situation on Thursday, 06-13-24. Karen stated that one of her staff (SB) came to her and told another employee had approached SB about concerns regarding the Identified Employee (IE) in the complaint. Karen stated she spoke with one of the board members about how to address the situation and what could be done legally. Karen stated that they did contact law enforcement, and also requested that the employee complete a drug test per the center's employee policies. Karen stated that the employee was not able to comply with that testing request immediately, but that the employee also resigned her employment at the center.

Karen was able to provide information about the employees who had information or contact with (IE) on the day of the concern. Karen was asked if she observed any behavior or other indications that she thought suggested (IE) was impaired. Karen stated that she not in the morning, but possibly in the afternoon as (IE) had a lot of hand movements when talking, and was swaying a bit. Karen did confirm that she has not had any prior experience in dealing with anyone whom she knew to be using drugs, or what to look for. When asked what indicators she would look for Karen stated she would probably look for similar indications of someone who was drunk such as red eyes or an odor of alcohol. Karen stated she did not ask (IE) if they had used anything.

Melissa and I were able to speak to the staff who were identified as having knowledge of the situation. We spoke (SB) who confirmed she was aware of the situation. SB stated that on Thursday Karen asked

her to help check on (IE) because her position at the center allows her to provide breaks, and SB has prior experience regarding individuals using illegal substances. SB stated she entered the room to offer (IE) an opportunity to take a break to do some curriculum planning and immediately knew that (IE) was "high" but she didn't know what (IE) had taken. SB stated that she observed (IE) couldn't stand still, had body and jaw movements, and (IE)'s eyes were wide and would droop down. SB stated that another employee had spoken with her on Wednesday regarding concerns with (IE) and she told that employee they needed to talk to Karen, or someone else higher up in administration. SB was asked if she had any concerns regarding (IE) or any other employee being impaired prior to that Thursday. SB stated she did not.

We next spoke with (AK) who stated she had received a call from a family member of (IE) with concerns that (IE) had relapsed to using illegal substances. AK stated that she did inform Karen and a board member of that concern. AK stated she did not work with (IE) much. AK stated that she does have prior experience regarding individuals who have used illegal substances in the past and based on that experience could tell that (IE) did have a past history of use just based on the physical impact illegal substances can have to the body such as to the skin and teeth. AK stated she did not have any concerns regarding (IE) or any other employee of the center being impaired prior to the current concern.

We next spoke with (JS) who stated she had been asked to cover the classroom (IE) was assigned to as (IE) was late arriving for their scheduled shift. JS stated that when (IE) entered the room they were "really antsy, jabbering, and talking". JS stated that about 30 minutes later (IE) requested a restroom break and she observed the same behavior. JS stated that about 30 minutes after that (IE) asked to leave to go home to deal with a plumbing issue at their house and JS told (IE) they would need to talk to Karen about that. JS stated that about 30 minutes after that (IE) requested another bathroom break and JS said she told Karen it would probably be better to just let (IE) leave and she did not see (IE) after that. JS stated that she did not have any concerns regarding (IE) or any other employee being impaired prior to that day.

We next spoke with (SS) who stated she spoke with (IE) on the day of the concern but had not really worked with (IE) but did cover for (IE) when they had to leave to deal with a plumbing issue. SS stated that she is aware that (IE) is having some personal issues and was taking a prescription medication that (IE) had not been taking. SS stated that she had noticed some difference in (IE) but assumed it was due to being off that medication. SS stated that she noticed a "big time" change on Thursday with (IE) not being able to stop moving, and (IE) told SS that the police were there. SS stated that she asked (IE) why they were there and (IE) said, "I didn't do it". SS stated she asked (IE) what that meant but (IE) walked away without responding. SS stated that (IE) kept saying, "Oh the kids are so loud" and covering their ears, but SS stated the children were not any louder than they normally are when getting ready to go outside. SS stated that she did not have any concerns about (IE) or any other employee prior to that situation.

Based on the information obtained this complaint is SUBSTANTIATED for violation of Licensing Standard 106.6(7) which requires that all owners, personnel, and volunteers shall be free of the use of illegal drugs and shall not be under the influence of alcohol or of any prescription or nonprescription drug that could impair their ability to function. All parties agree that the Identified Employee (IE) was acting in a manner that they believed were consistent with an individual who was under the influence of an illegal drug. Several of the individuals interviewed identified that they had prior personal experience in dealing with individuals who were known be using and under the influence of illegal drugs and they observed those same behavioral and physical indicators in (IE). This included making repetitive movements of the arms, body, and jaw, widened and drooping eyes, and sensitivity to noise. One employee did provide information that they were aware (IE) had a prescription medication which (IE) had not been taking and assumed prior observed behaviors were a result of this, but also noted that there was a substantial difference in observed behavior on the day it was reported that (IE) was under the influence of an illegal substance. Reported impairments in the ability of (IE) to provide care and supervision to the children included repeated frequent requests for restroom breaks and other absences from the room, the inability to focus attention, and heightened sensitivity/reaction to normal stimulation levels of child behavior.

Special Notes and Action Required:

CHILD CARE CENTER COMPLAINT

This complaint is SUBSTANTIATED for violation of the identified Licensing Standards. The center administration did respond to the concern in an appropriate manner by contacting law enforcement, and requesting a drug screen as per their center policies. A full license will remain in effect. The following actions are required and/or recommended.

RECOMMENDED:
1. During the complaint investigation it was reported that several staff had approached other co-workers about concerns regarding the identified employee prior to speaking to administration. It is recommended that the center review with all staff policies and procedures for reporting concerns regarding care provided by co-workers for considerations of all levels of responsibility that include suspected child abuse, licensing violation, and center policy.

Consultant's Signature:

Ray Salsbury

Date:

06-25-2024