

CHILD CARE CENTER COMPLAINT

Name of Center: Rising Stars Learning Center LLC	Enrollment: 30	License ID: 52499
Street: 20 Bennett AVE	City: Council Bluffs	IA Zip Code: 51503
County: Pottawattamie		
Mailing Address: 3805 AVE D		
Mailing City: Council Bluffs	IA Zip Code: 51501	
Director's Name: Shala Toole	Center Phone Number: 712-406-6388	
On-Site Supervisors:	E-Mail Address: shala@risingstarslc.org	

Date of Complaint: 01-24-2025**Date of Visit:** 01-27-2025
☐ 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:**

1/23/2025 When a child was picked up for the day the informant asked staff if the three month old child was rubbing their face because the child's face was red, staff told informant babies sleep with a boppy in the crib to keep them from rolling. Also, once before informant dropped child off and they offered the child to stay in car seat, not to interrupt his sleep. Concerns about safe sleep practices.

Licensing Rules Relevant to the Complaint:

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

109.9(1)b All files contain: A signed copy of DHS criminal history record check or any other permission form approved by the Department of Public Safety for conducting an Iowa or national criminal history check. A copy of Request for Child Abuse Information. Copies of the results of Iowa records checks conducted. Copies of national criminal history check results. Any Department-issued documents sent to the center related to records check.

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(4) Sufficient toilet articles are provided for handwashing. Sufficient and safe indoor play equipment, materials, and furniture that conforms with CPSC or ASTM. Play equipment, materials, and furniture meet the developmental, activity, and special needs of the children. Room's arrangement does not obstruct the direct observation of children. Individual covered mats, beds, or cots, and appropriate bedding is provided for all children who nap. Procedures are developed and implemented to maintain equipment and materials in a sanitary manner. Sufficient spacing is maintained between equipment to reduce transmission of disease and allow ease of movement by children and staff to respond to activities and care needs. Sanitary procedures are followed for use and storage of personal hygiene articles.

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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.

109.12(5)e The provider shall follow safe sleep practices recommended by AAP for infants under one year of age: Infants shall always be placed on their back for sleep. Infants shall be placed on a firm mattress with a tight fitted sheet that meets Consumer Product Safety Commission federal standards. Infants shall not be allowed to sleep on a bed, sofa, air mattress or other soft surface. No child will be allowed to sleep in any items not designed for sleeping but not limited to, an infant seat, car seat, swing, bouncy seat. No toys, soft objects, stuffed animals, pillows, bumper pads, blankets, or loose bedding shall be allowed in the sleeping area with the infant. No co-sleeping shall be allowed. Sleeping infants shall be actively observed by sight and sound. If an alternate sleeping position is needed, a signed physician or physician assistant authorization with statement of medical reason is required.

Inspection Findings:

An unannounced visit was made to Rising Stars Learning Center LLC on 1-27-2025. I met with the director Shala Tolle and discussed the complaint. Shala said they don't have boppy pillows in the cribs except for one child who's parent works at the center and that parent wants a boppy pillow in her child's crib. Shala said there was a misunderstanding between the parent and a staff person about the child sleeping in the car seat, Shala said the staff person offered to take the car seat with the child in it and they would take the child out of the car seat. Shala said this misunderstanding was discussed with the parent. Shala reported that the parent discontinued child care services at the center on Friday 1-24-2025.

While at the center I discussed the complaint with four staff in the infant room. Staff denied having boppy pillows in cribs except for one child who's parent works at the center. Staff stated they didn't offer to let the infant child sleep in his car seat, they said they would take the car seat and get the child out of the car seat, they feel this was a misunderstanding.

During my visit several noncompliance items were noted.

1. A staff person in the infant rooms didn't wash their hands or the child's hand after a diaper change. The diaper changing table was dirty underneath the diaper changing mat. I asked a staff person to tell me the diaper changing procedure, they showed me a can of Lysol they use on the diaper changing table and they didn't know about the three step procedure 1. Soap/water for cleaning, 2. Water for rinsing and 3. Your EPA and child care approved product for sanitizing and disinfecting. Please make sure you have three separate bottles for both sanitizing and disinfecting.
2. There were 12 children and three or four staff in the infant room, the cribs weren't adequately spaced as children were reaching through the slats to the child in the next crib. Shala and staff said the children are usually separated in two rooms - one room is for children 6 weeks to 10 months and the other room is for 10 months and older infants. Shala said the room was combined due to a staff coming in late. Please separate the rooms to allow for spacing of cribs, less chaos, better supervision with less distractions etc.
3. There were 11 children with two staff in a room with two to five year olds. It was nap time and none of the cots were covered. Staff said they hadn't put the covers on the cots yet and said something about them being washed. Neither comment made sense as they had clean cot covers that they chose not to put on the cots. The diaper changing table was dirty on top of the diaper changing mat and underneath the mat. I emailed Shala the ratio/age of separation requirement on 1-28-2025 - You can't have two year olds with four and five year olds.
4. The center had a lot of clutter in the hallway, rooms and counter tops, plastic bags were accessible to the children, the bathroom floor in the hall bathroom was dirty. Please move plastic bags out of reach of the children and remove push pins/tacks from hallways and classrooms as these are a health and safety hazard. The center should be cleaner. Please make sure the classrooms, bathrooms are cleaned daily.

5. Staff person record check not totally completed, when a staff has a conviction you are required to complete the evaluation process. Also when you are completing a criminal record check and the results say Further Research Required you will need to wait until the process is complete and you need to go back in the system to print the results. The record check guide/directions were re sent to Shala on 1-27-2025.

I discussed my findings with Shala, she said staff have been trained on diaper changing, hand washing, placing covers on the cots etc. It is clear that staff need training and it is obvious that staff are choosing not to follow the instructions that Shala has trained them on. I am recommending that after you train staff on licensing and center issues please have them sign and date a document stating all the items they were trained on.

6. Staff that work at the center need to follow all center rules relating to their children. Staff must comply with safe sleep requirements for their own children just as they are required for all children who attend the center. Discontinue the use of boppy pillows for staff to use for their own children. Nothing should be in the crib but the child.

Special Notes and Action Required:

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Non-Compliance with Regulations Found.

Many noncompliance items were noted in my visit on 1-27-2025. Please refer to the specific rule and make the necessary corrections as soon as possible and send me an email by February 11th, 2025 letting me know how the items have been corrected.

A referral to your child care nurse consultant is being made to provide consultation and training on diaper changing, hand washing, sanitizing and disinfecting - three step procedure etc.

A referral will be made to Child Care Resource and Referral for consultation and training on record checks and licensing rules, ratio, removing clutter, cleaning requirements, how to train staff etc.

Staff deny that boppy pillows are in children's cribs, except for one child who's parent works at the center - Follow safe sleep requirements for all children, discontinue the use of boppy pillows. Shala and staff report that there was a misunderstanding with the parent regarding having the child sleep in the car seat as staff said they could take the car seat and take the child out of the car seat.

noncompliance items:

Records

109.9(1)b All files contain:

1. A signed copy of DHS criminal history record check or any other permission form approved by the Department of public Safety for conducting an Iowa or national criminal history check.
2. A copy of Request for Child Abuse Information.
3. Copies of the results of Iowa records checks conducted.
4. Copies of national criminal history check results.
5. Any Department-issued documents sent to the center related to records check.

Facility Requirements

109.11(3)a Center shall ensure that:

Facility and premises are sanitary, safe, and hazard free.

Infant environment

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.

Play Equipment and Material

109.12(4)

Sufficient toilet articles are provided for handwashing.

Sufficient and safe indoor play equipment, materials, and furniture that conforms with CPSC or ASTM.

Play equipment, materials, and furniture meet the developmental, activity, and special needs of the children.

Room's arrangement does not obstruct the direct observation of children.

Individual covered mats, beds, or cots, and appropriate bedding is provided for all children who nap.

Procedures are developed and implemented to maintain equipment and materials in a sanitary manner.

Sufficient spacing is maintained between equipment to reduce transmission of disease and allow ease of movement by children and staff to respond to activities and care needs.

Sanitary procedures are followed for use and storage of personal hygiene articles.

Infant environment

109.12(5)e

The provider shall follow safe sleep practices recommended by AAP for infants under one year of age:

Infants shall always be placed on their back for sleep.

Infants shall be placed on a firm mattress with a tight fitted sheet that meets Consumer Product Safety Commission federal standards.

Infants shall not be allowed to sleep on a bed, sofa, air mattress or other soft surface. No child will be allowed to sleep in any items not designed for sleeping but not limited to, an infant seat, car seat, swing, bouncy seat.

No toys, soft objects, stuffed animals, pillows, bumper pads, blankets, or loose bedding shall be allowed in the sleeping area with the infant.

No co-sleeping shall be allowed.

Sleeping infants shall be actively observed by sight and sound.

If an alternate sleeping position is needed, a signed physician or physician assistant authorization with statement of medical reason is required.

Ratio

109.8(2)

Ratio maintained in center as required by age. I emailed Shala the ratio/age of separation requirements.

One room had two year old to five years olds. You can't have two year olds with four and five year olds.

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Consultant's Signature:

Kathy DeGeorge-Evans

Date:

01-28-2025