Iowa Department of Human Services

CHILD CARE CENTER COMPLAINT

Name of Center: All Star Day Care **Enrollment:** 100 **License ID:** 25462

Street: 1408 E Court Ave **City:** Des Moines **IA** **Zip Code:** 50316 **County:** Polk

Mailing Address: 1408 E Court Ave

Mailing City: Des Moines **IA** **Zip Code:** 50316

Director's Name: Karen Newcomb **Center Phone Number:** 515-282-6516

On-Site Supervisors: **E-Mail Address:** allstardaycare@live.com

Date of Complaint: 12-27-2023 **Date of Visit:** 01-08-2024

[ ] 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:

It's alleged that two staff got into a physical altercation in the presence of children.
It's alleged that staff are smoking marijuana wax, out of vape pens, in the classrooms in the presence of children.

Licensing Rules Relevant to the Complaint:

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

Inspection Findings:

1/8/24 This worker went to the center for an unannounced visit. The purpose of the visit was explained to Karen Newcomb, director/owner. Karen was aware of a situation in which two staff members had gotten into a verbal and physical fight in a classroom. This occurred on 12/22/23 in the 2/3's classroom. There were fourteen children in the class. Three staff were working in the classroom. She talked with all three staff right after the incident as she went to the classroom right after the incident. The two staff that were involved in the fight were terminated from employment that same date. Staff B.D. and M.C. were the ones who were involved in the fight. Staff H.J. was in the room and she is still working at the daycare and is present today. She could hear voices coming from the classroom and staff also yelled for her to come to the classroom. Staff stated the physical part of the fight was very short and happened near the doorway of the classroom. The staff had some words before it escalated. Children weren't in that area of the classroom. She sent a letter to parents about the incident. A copy of the letter was provided. She had the three staff write up a statement about the incident. Copies of these statements were provided.

Karen has no concerns about staff using marijuana while at work or working under the influence. She does not allow staff to smoke cigarettes on site. Staff have to go across the street on their breaks to smoke. There are cameras in all the classrooms except the 2/3's classroom, as that room was just added as a classroom and a camera hasn't been installed. There have not been any concerns reported to her about this. She has a notice on the entryway telling parents if they appear under the influence of marijuana she will report this to DHS. Staff know she has no tolerance for substance abuse and she has no concerns about this. She believes these complaints are coming from the grandparent of one of the staff members she has to terminate. This grandmother contacted her and was very agitated with her.

This worker spoke with H.J. She stated B.D. and M.C. were in the entryway of the classroom when they fought. They fought for less than thirty seconds. B.D. had said some things to M.C. prior to that. B.D. was changing diaper and had asked for help and she thought M.C. was talking about her. They both got mad and they yelled a little bit and called her each other "bitches". She thought she should get Karen or another staff at this point so she yelled for staff. She saw M.C. on the ground. B.D. kicked M.C. so she and a couple other staff stopped the fight. The children were watching a video on the tablet. This happened before lunch time. None of the children acted upset or asked about the incident.

Special Notes and Action Required:

109.10(16)a
The center and supervisor shall ensure that staff knows names and number of children assigned. Staff shall provide careful supervision.
VIOLATION
Two staff were involved in an argument and a physical altercation in the 2/3's classroom while they were working and in ratio. Although there was a third staff in the classroom at the time, this was still inappropriate to occur as these staff were in ratio and were responsible for caring and supervising children. Children should not be exposed to this behavior while in a child care setting.

There are no additional recommendations being made. Karen terminated the two employees involved in the fight on the day of the incident.

Consultant's Signature:

Melinda Larson, Child Care Licensing Consultant

Date:

01-22-2024