

**Iowa Department of Human Services
CHILD CARE CENTER COMPLAINT**

Name of Center: Risen Christ Little Blessings DC	Enrollment: 51	License ID: 4182000024
Street: 6021 NW Blvd	City: Davenport	IA Zip Code: 52806
County: Scott		
Mailing Address: 6021 NW Blvd		
Mailing City: Davenport	IA Zip Code: 52806	
Director's Name: Terrie Burkey	Center Phone Number: 563-386-1738	
On-Site Supervisors: None	E-Mail Address: lbdc@risenchristdavenport.org	

Date of Complaint: 6/4/2014

Date of Visit: 6/17/2014

Scheduled Unannounced NA

Non-Compliance with Regulations Found Compliance with Regulations Found NA

RECOMMENDATION FOR LICENSE

NO CHANGES to licensing status recommended

PROVISIONAL license from _____ **to** _____

SUSPENSION of License

REVOCATION of License

Summary of Complaint:

Staff member seen smoking cigarettes in the presence of the children while outside. The director was informed and "seemed not to care".

Licensing Rules Relevant to the Complaint:

109.10(11) Smoking. Smoking and the use of tobacco products shall be prohibited at all times in the center and in every vehicle used to transport children. Smoking and the use of tobacco products shall be prohibited in the outdoor play area during hours of operation of the center. Nonsmoking signs shall be posted at every entrance of the child care center and in every vehicle used to transport children.

NOT VIOLATED

Inspection Findings:

An unannounced visit was completed at the center on 6/17/14 to address the reported concerns. The center director, Terrie Burkey, was interviewed.

Terrie stated she was aware of the situation. She stated she found out about it the day after it happened from staff Ann who is no longer employed at the center. Terrie stated her understanding of the situation was that it occurred when staff Ann and staff Amy took the toddlers for a walk on the property. Terrie stated it was her understanding that staff Amy smoked away from the children and actually outside of the church/center property line. Terrie stated it was her understanding that the group remained in ratio because only one staff was needed. Terrie stated she was not present at the center at the actual time of the incident because it happened toward the end of the day.

Terrie stated staff Amy came to Terrie the following day after the incident and told on herself. Terrie stated other staff also came to her and told her about the incident after they heard about it from others.

Terrie stated she informed Amy that Amy can not do this again. Terrie stated she told Amy that if Amy were caught doing this again, Amy would be fired. Terrie stated she felt certain that this is the only time this has happened.

Terrie stated Amy has been at the center for the past one and one half years. Terrie stated there has never been any other concern or complaint for Amy.

Terrie stated staff Amy is not at the center until later today.

It is noted that the center did display the required non smoking posting at the entrance to the center. Terrie stated it is the center's policy for staff to go to the far end of the property by the shed to smoke when they are on break and when there are no children outside. Terrie stated staff may smoke in their vehicles in the parking lot if the weather is bad. Terrie stated they would have to be where no one could see them in their vehicle.

Terrie stated she would have to check her computer for the record of what she had documented for when this incident occurred and how many children would have been present at the center for that group at the time, however, the computer was down at present. Terrie stated she would send email information to the licensing consultant yet today.

Email received from Terrie Burkey on 6/17/14. Terrie stated she still did not have her computer functioning, however, had come to the following conclusions:

Incident happened on 5/21/14 around 4:30pm when the group took a walk on the church property. The two staff had a group of four children when they left for the walk. Two children's parents came to pick up during the walk, so the two staff returned to the building with two children. Staff Amy was in the trees where the children could not see her and was not on the church property when she smoked.

Special Notes and Action Required:

There is not definitive evidence at this time to indicate that there was a licensing violation related to this reported concern. The staff did smoke, however, this was reportedly off property and where the children could not see this. The staff also was not needed to be in ratio at the time. The center director indicates she had already spoken to the staff member and advised that staff that it would be the center's policy that this would not be appropriate and that what occurred is outside of the center's policy on smoking. The center director states she informed the staff that if there was another incident that the staff member would no longer be employed at the center. There are no other actions required by the center at this time.

Heidi Hungate, MSW
DHS Child Care Licensing Consultant

Consultant's Signature:



Date:

06/20/2014