



**MISSOURI DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
OFFICE OF CHILDHOOD - CHILD CARE COMPLIANCE
COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS**

DATE OF REPORT
12/1/2022

DVN
002741555

FACILITY NAME

CSS EARLY LEARNING CENTER

FACILITY ADDRESS

1401 W AUSTIN ST

CITY

WEBB CITY

ZIP CODE

64870-1617

PHONE NUMBER

(417) 673-4940

COUNTY

JASPER

ASSIGNED SPECIALIST

MERTZ, CAYLIN

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.182(1)(A)1.

Caregivers shall not leave any child without competent adult supervision.

5 CSR 25-500.182(1)(A)2.

A caregiver personally shall admit each child upon arrival and personally shall dismiss each child upon departure . Children shall be dismissed only to the parent(s) , guardian, legal custodian, or to individuals approved by the parent(s) , guardian, or legal custodian.

5 CSR 25-500.182(1)(A)3.

Caregivers shall provide frequent, direct contact so children are not left unobserved on the premises.

5 CSR 25-500.212(1)(A)

The provider shall be responsible for the care, safety and supervision of children on field trips or at any time they transport children away from the facility.

5 CSR 25-500.212(3)(G)

Children shall not be left unattended in a vehicle at any time.

5 CSR 25-500.212(3)(L)

Head counts shall be taken before leaving the facility, after entering the vehicle, during a field trip, after taking the children to bathrooms, after returning to the vehicle and when back at the facility.

5 CSR 25-500.212(3)(M)

When children leave the vehicle, the vehicle shall be inspected to ensure that no children are left on or under seats.

CONCLUSION SUMMARY

On December 1, 2022, the Office of the Childhood received an allegation that the facility left a child unsupervised in a facility van . After conducting an investigation, Compliance Inspector (CI) Caylin Mertz has found this allegation to be substantiated based on the following evidence and rule violations:

5 CSR 25-500.212(1)(A) which states "The provider shall be responsible for the care, safety and supervision of children on field trips or at any time they transport children away from the facility."

AND

5 CSR 25-500.212(3)(G) which states "Children shall not be left unattended in a vehicle at any time."

AND

5 CSR 25-500.182(1)(A)1 which states "Caregivers shall not leave any child without competent adult supervision."

AND

5 CSR 25-500.182(1)(A)3 which states "Caregivers shall provide frequent, direct contact so children are not left unobserved on the premises."

On December 2, 2022, an unannounced inspection was conducted at the facility. Director, S.G. reported that she was notified by staff S.W. that Child A (two-years-old) had been located in the facility van by herself. Staff S.W. described locating the child in the rear of the van where cargo is stored. Based on the documentation received from the facility, the van arrived at 8:20 am and the child was located by S.W. at approximately 8:43 am, leaving the Child A (two-years-old) unattended and unsupervised for approximately 23 minutes. The child was alone for most of that period and when the driver was in the van with her, he was unaware of her presence and did not provide supervision.

5 CSR 25-500.212(3)(M) which states "When children leave the vehicle, the vehicle shall be inspected to ensure that no children are left on or under seats."

On December 2, 2022, director S.G. and several staff admitted that Child A (two-years-old) was left unsupervised in the facility van. The child was located in the rear storage area of the van. Both the driver, J.W., and bus aide, M.W., admitted they did not inspect the vehicle after unloading despite having been trained to do so. Driver J.W. indicated he also signed a bus safety checklist stating he did check the van. The bus aide, M.W., indicated she did not take a head count at the time of unloading the van and the driver, J.W., indicated he was not responsible for taking a head count. S.W. reported it was not her responsibility to check the van, that it was the responsibility of the driver. The director, S.G., acknowledges that the facility provides transportation for Child A (two-years-old) to and from her home.

5 CSR 25-500.182(1)(A)2 which states "A caregiver personally shall admit each child upon arrival and personally shall dismiss each child upon departure. Children shall be dismissed only to the parent(s) , guardian, legal custodian, or to individuals approved by the parent(s) , guardian, or legal custodian."

AND

5 CSR 25-500.212(3)(L) which states "Head counts shall be taken before leaving the facility, after entering the vehicle, during a field trip, after taking the children to bathrooms, after returning to the vehicle and when back at the facility."

Compliance Inspector (CI) Caylin Mertz interviewed driver, J.W., who stated he did not take Child A (two-years-old) into the building. Bus aide, M.W. also indicated she unbuckled the child but did not take her into the building. M.W. admitted that she signed Child A (two-years-old) in to her classroom, however, she did not personally admit her to the classroom.

CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The facility shall notify all staff members of the violations which were substantiated and specify the actions to be taken, in writing, by all staff in order to comply with all licensing violations cited. A copy of the memo, letter, or staff meeting agenda shall be submitted to the Office of Childhood.	Yes	2/23/2023
The facility shall conduct a staff meeting to review the center's policies and all licensing rules and regulations regarding supervision. Specifically rules 5 CSR 25-500.182(1)(A)1, 5 CSR 25-500.182(1)(A)2, 5 CSR 25-500.182(1)(A)3, 5 CSR 25-500.212(1)(A), 5 CSR 25-500.212(3)(G), 5 CSR 25-500.212(3)(L) and 5 CSR 25-500.212(3)(M). The facility must provide the Office of Childhood with a statement, signed by all staff members (paid employees and paid/unpaid volunteers), to indicate they understand and agree to follow those rules and regulations.	Yes	2/23/2023
All staff and volunteers must obtain two clock hours on supervision. Training may be obtained from the Missouri Workshop Calendar. The training calendar can be found at http://www.moworkshopcalendar.org/ . Verification of training completion shall be from the Open Initiative Toolbox report.	Yes	2/23/2023
The facility shall create a plan to ensure how current and new hire employees (paid employees and unpaid/paid volunteers) are fully trained on the facility's policy for transportation before caring for children. A copy of the plan shall be submitted to the Office of Childhood.	Yes	2/23/2023

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

1/27/2023

APPROVING SUPERVISOR

NURNBERG, TONY A