



MISSOURI DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
OFFICE OF CHILDHOOD - CHILD CARE COMPLIANCE

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT

6/28/2023

DVN

002978961

FACILITY NAME

LEGACY EARLY LEARNING ACADEMY, LLC

FACILITY ADDRESS

1225 S ASH ST

CITY

BUFFALO

ZIP CODE

65622-9327

PHONE NUMBER

(417) 383-5055

COUNTY

DALLAS

ASSIGNED SPECIALIST

MERTZ, CAYLIN

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.192(5)(A)

In case of accident or injury to a child, the provider shall notify the parent(s) immediately. If the child requires emergency medical care, the provider shall follow the parent's(s') written instructions.

CONCLUSION SUMMARY

On June 28, 2023, the Office of Childhood received a report alleging that Child A suffered a hairline fracture in her leg while at the facility and the facility is not sure what happened. 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 25-500.192(5)(A) which states "In case of accident or injury to a child, the provider shall notify the parent(s) immediately. If the child requires emergency medical care, the provider shall follow the parent's(s') written instructions."

On July 30, 2023, CI Mertz conducted an unannounced inspection at the facility. A walkthrough of the facility was conducted as well. CI Mertz interviewed LLC Member Tiffany Hill, Caregiver Amanda Murphy, Caregiver Mylissa Carver, and Caregiver Anna Bailey. CI Mertz also interviewed Parent A. Parent A reported she was contacted around 2:30 p.m. on 6/23/23 by Amanda. She was told that Child A sat on her leg wrong earlier and since then she is wincing and would not touch it. Child A was picked up from the facility and taken to urgent care, followed by the emergency room, where she was diagnosed with a hairline fracture of the tibia.

Caregiver Amanda Murphy was present at the time of the incident. She reported she was sitting on the floor with two children when Child A attempted to sit down from a standing position. Caregiver Murphy was using one arm to support Child A as she lowered herself to the floor and sat on her ankle wrong. Caregiver Murphy stated she immediately examined Child A when she started crying but did not observe any injuries. She did not call the child's parents but did check on the child multiple times between the time of the incident, which was around 10:30 a.m., and the time she contacted Child A's parents around 2:15 p.m. Caregivers Mylissa Carver and Anna Bailey denied having concerns that any caregiver caused injury to Child A. They also denied observing any injuries on Child A. All caregivers interviewed reported that Child A appeared fine until she woke up from her nap. While there is insufficient evidence to conclude that Child A was hurt by a caregiver, there is sufficient evidence to conclude that caregivers should have contacted Child A's parents at the time of injury. When Caregiver Amanda was concerned enough to check on Child A multiple times throughout the day, this would warrant contacting the child's parent.

CORRECTIVE MEASURES

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The facility shall notify all staff members of the violations which were substantiated, and specify the actions to be taken 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.

COMPLETED (Y/N)

Yes

COMPLETED DATE

9/23/2023

DISPOSITION SUBSTANTIATED		DISPOSITION DATE 8/25/2023
APPROVING SUPERVISOR FOX, ROMENA		