



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

**COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS**

DATE OF REPORT

3/20/2023

DVN

002950105

FACILITY NAME

TYKE TOWN

FACILITY ADDRESS

8368 MEXICO RD

CITY

ST PETERS

ZIP CODE

63376-1106

PHONE NUMBER

(636) 294-5746

COUNTY

ST CHARLES

ASSIGNED SPECIALIST

OMALLEY, PATRICK

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.092(1)(B)2.I.

Sitting devices such as car safety seats, strollers, swings, infant carriers, infant slings, and other sitting devices shall not be used for sleep/nap time. Infants who fall asleep anywhere other than a crib, portable crib, or playpen shall be placed in the crib or playpen for the remainder of their sleep or nap time.

CONCLUSION SUMMARY

On March 20, 2023, the Office of Childhood (OOC) received an allegation that children under 12-months-old, were put to sleep in a swing and left there. After conducting an investigation, Compliance Inspector (CI) Patrick O'Malley has found this allegation to be substantiated based on the following evidence:

5 CSR 25-500.092(1)(B)2.I., which states the following: "Sitting devices such as car safety seats, strollers, swings, infant carriers, infant slings, and other sitting devices shall not be used for sleep/nap time. Infants who fall asleep anywhere other than a crib, portable crib, or playpen shall be placed in the crib or playpen for the remainder of their sleep or nap time."

On March 27, 2023, CI O'Malley and Compliance Inspection Supervisor (CIS) Marla Chrisco conducted an unannounced inspection at Tyke Town. CI O'Malley and CIS Chrisco interviewed facility director Kelly Mareschal, who stated that allowing infants to sleep in swings and bouncy seats has been an ongoing issue. Ms. Mareschal stated that she has spoken to the infant teachers several times about not leaving infants in swings to sleep. Ms. Mareschal stated that the most recent incident was the previous week.

VIOLATION(S)

5 CSR 25-500.202(2)(D)

Until infants can hold a bottle comfortably, they shall be held by a caregiver during bottle feeding. Bottles shall not be propped.

CONCLUSION SUMMARY

On March 20, 2023, the Office of Childhood (OOC) received an allegation that bottles were being propped up for children who were unable to hold their own bottle. After conducting an investigation, Compliance Inspector (CI) Patrick O'Malley has found this allegation to be substantiated based on the following evidence:

5 CSR 25-500.202(2)(D), which states the following: "Until infants can hold a bottle comfortably, they shall be held by a caregiver during bottle feeding. Bottles shall not be propped."

On March 27, 2023, CI O'Malley and Compliance Inspection Supervisor (CIS) Marla Chrisco conducted an unannounced inspection at Tyke Town. CI O'Malley and CIS Chrisco interviewed facility director Kelly Mareschal, who stated that propping bottles for infants has been an ongoing issue. Ms. Mareschal stated that she has spoken to the infant teachers several times about not propping bottles. Ms. Mareschal stated that the most recent incident was the previous week.

CORRECTIVE MEASURES

CORRECTIVE MEASURE

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

COMPLETED (Y/N)

Yes

COMPLETED DATE

5/5/2023

with all violations cited. A copy of the memo, letter, or staff meeting agenda shall be submitted to the Office of Childhood.

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

5/4/2023

APPROVING SUPERVISOR

CHRISCO, MARLA L