



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

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

DATE OF REPORT
12/14/2022

DVN
002812764

FACILITY NAME
KIDS UNLIMITED

FACILITY ADDRESS
1108 FAIRGROUNDS RD

CITY
JEFFERSON CITY

ZIP CODE
65109-5442

PHONE NUMBER
(573) 893-7123

COUNTY
COLE

ASSIGNED SPECIALIST
CHRISCO, MARLA L

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.092(3)(A)

All outdoor equipment shall be constructed safely, in good condition and free of sharp, loose or pointed parts. Only lead-free paint shall be used.

5 CSR 25-500.082(6)(A)1.

A fenced outdoor play area shall be available on or adjoining the day care property . The play area shall be located so it is convenient and the children can gain access to it without hazard. For facilities initially licensed after the effective date of these rules or for the installation of new fences in existing facilities, the fence shall be at least forty-two inches (42") high. An outdoor play area used exclusively for school-age children shall not be required to have a fence. Fences shall be constructed to prevent children from crawling or falling through or becoming entrapped.

5 CSR 25-500.082(6)(B)1.

Outdoor play space for infants and toddlers shall be separate from that used for older children or the same space shall be used at different times. (This rule does not apply to group day care homes with a maximum of four (4) infant/toddlers or to day care centers licensed for a maximum of twenty (20) children, including no more than four (4) infant/toddlers.)

CONCLUSION SUMMARY

On December 14, 2022, The Office of Childhood received an allegation that the playground equipment , specifically the swings, are rusty and unsafe and the fence is old and appears unsafe. Compliance Inspection Supervisor (CIS) Marla Chrisco and CIS Nancy Smith conducted an investigation and found the allegation to be substantiated based on the following evidence:

5 CSR 25-500.082(6)(A)1. which states: "A fenced outdoor play area shall be available on or adjoining the day care property . The play area shall be located so it is convenient and the children can gain access to it without hazard. For facilities initially licensed after the effective date of these rules or for the installation of new fences in existing facilities , the fence shall be at least forty-two inches (42") high. An outdoor play area used exclusively for school-age children shall not be required to have a fence. Fences shall be constructed to prevent children from crawling or falling through or becoming entrapped. "

AND

5 CSR 25-500.082(6)(B)1. which states: "Outdoor play space for infants and toddlers shall be separate from that used for older children or the same space shall be used at different times. (This rule does not apply to group day care homes with a maximum of four (4) infant/toddlers or to day care centers licensed for a maximum of twenty (20) children, including no more than four (4) infant/toddlers.)"

On December 14, 2022, CIS Chrisco and CIS Smith conducted a walkthrough of the outdoor the outdoor playground and observed the gate leading from the preschool playground to the infant and toddler playground was off the hinges and laying up against the fence.

5 CSR 25-500.092(3)(A). which states: "All outdoor equipment shall be constructed safely, in good condition and free of sharp, loose or pointed parts. Only lead-free paint shall be used."

On December 14, 2022, CIS Chrisco and CIS Smith conducted a walkthrough of the outdoor the outdoor playground and observed two swings had rubber grips covering the swing chains that were ripping. The swing chains were rusty underneath the

grips.

CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The gate that separates the infant/toddler and preschool playgrounds shall be secured.	Yes	12/14/2022

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The swings shall be in good condition, without any areas of rust.	Yes	12/14/2022

DISPOSITION	DISPOSITION DATE
SUBSTANTIATED	2/14/2023

APPROVING SUPERVISOR
CHRISCO, MARLA L