



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

**DATE OF REPORT**  
2/5/2021

**DVN**  
002462517

**FACILITY NAME**

COURTYARD EARLY LEARNING CENTER

**FACILITY ADDRESS**

1302 CREEK TRAIL DR

**CITY**

JEFFERSON CITY

**ZIP CODE**

65109-9240

**PHONE NUMBER**

(573) 659-7550

**COUNTY**

COLE

**ASSIGNED SPECIALIST**

TODARO, KAYLA

**RULE/STATUTE VIOLATION(S)**

**VIOLATION(S)**

19 CSR 30-62.182 (1)(C)(3)

Only constructive, age-appropriate methods of discipline shall be used to help children develop self-control and assume responsibility for their own actions.

19 CSR 30-62.222 (3)

Health information shall be retained in each child's individual file and shall include:

19 CSR 30-62.222 (3)(D)

Any significant information learned from observing the child.

**CONCLUSION SUMMARY**

The Section of Child Care Regulations has determined that this complaint is substantiated based on interviews with Candace Goff, Christa Luebbering, Krista Fork, Mary Kemna, Rebecca Dryer, The Mother of Child A, and observations made by CCS Kayla Todaro.

On February 3, 2020, Child A knocked a doll house off of a shelf and it landed on Child B and Child C. Krista Fork, caregiver, stated that accident reports were written for Child B, who had a scratch on her shoulder and Child C, who had a red mark on her eye.

Mary Kemna, caregiver, stated that she has completed accident reports on things that Child A has done. She completes the accident reports for the victim child, but not for the aggressor. Mary stated that the information about Child A has not been documented in Child A's file.

Candace Goff, office staff, stated that Child A was put on a behavioral plan on 4/1/20. Accident reports were completed on the children that Child A bit or hit but the information was not documented in Child A's file. Child A. She stated that the facility does not complete incident reports. The mother of Child A would get called when these incidents occurred. Sometimes they would keep record of the call but sometimes they wouldn't. Candace stated that this behavior was constant. Child A started biting on 12/6/19. There is a bite log that they keep.

Christa Luebbering, director, stated that accident reports were completed on children that Child A has hurt if a mark was left. She does not know if there is any written documentation of his behavior. A lot of the communication was one on one with the Mother of Child A. She stated that Child A's teachers would talk to the Mother of Child A at the end of the day.

CCS Todaro observed Child A's file. There was no documentation of Child A's behavior documented in Child A's file.

CCS Todaro observed the facilities bite log. Since February 5, 2021, Child A is listed as the biter ten times. The bite log does not have signatures from the teacher or parents to indicate that the parents were notified of these incidents.

CCS Todaro observed two accident reports from February 3, 2020. One was for Child C that stated a friend has pushed a doll house onto Child C. The second one was for Child B that stated a friend was mad and pushed a doll house onto Child B. There is no documentation of this behavior in Child A's file.

CCS Todaro observed video footage from February 2, 2021 and February 3, 2021 which shows Child A pulling papers off the wall, pushing items off of tables and cabinets, climbing the cubbies, crawling on the table, climbing on totes and jumping off of them, pushing a plastic doll house off a shelf, pushing down chairs and attempting to kick a teacher. There are no documentation in Child A's file for this behavior.

In addition, on February 2, 2021, CCS Todaro observed video footage of Mary Kemna holding Child A in her arms while she sits in a chair for ten minutes, from 10:27 to 10:37. Child A is not given any activities or redirection during this time. Mary Kemna keeps Child A in her arms until the Mother of Child A walks into the classroom to pick him up.

Christa Luebbering stated that the teachers of Child A prepared and presented several learning and fun activities for the class that morning and Child A refused to participate. Child A would hurt friends and damage classroom materials. Child A refused to sit at the table and participate with the class. Child A also proceeded to climb on cots and other classroom objects leaving risk of self injury, requiring constant one on one supervision and redirection. The parent of Child A had been called to come pick up Child A. After multiple times of trying to integrate the child into the classroom activities, it was apparent that he was not willing and would/could not participate in any activities that were provided to him, which is why the teacher chose to hold him for 10 minutes while the parent drove to pick him up.

**PROVIDER COMMENTS**

This allegation has been substantiated because a teacher held a child for 10 minutes, while waiting for a parent to pick up. We prevented violating 19 CSR 30-61.182 (1) (C)(11)-Children shall not be permitted to intimidate or harm others, harm themselves, or destroy property. All children were kept safe.

This allegation has also been substantiated due our form documentation regarding Child A's behavior. Over the last 7 years, we have never written incident reports to have the parents sign. We have documented the behavior using other methods. Parents enjoy that we have verbal conversations directly with them. This parent acknowledges that she was aware of his behavior in the allegation, so we are unsure why this rule is being cited. Documentation was not a concern.

Child A had no medical or documents provided, that indicates Child A has any special needs. We are unsure why we are being asked to do an inclusion training, as this expectation does not correlate with the allegation.

**CORRECTIVE MEASURES**

<b>CORRECTIVE MEASURE</b>	<b>COMPLETED (Y/N)</b>	<b>COMPLETED DATE</b>
All staff and volunteers of Courtyard Early Learning Center must obtain at least one (1) clock hour of training regarding inclusion, as approved by the Section for Child Care Regulation. The training hour must be recorded in OPEN for SCCR to view.	Yes	5/10/2022
All staff and volunteers of Courtyard Early Learning Center must obtain one (1) clock hour of training approved by the the Section for Child Care Regulation, on age appropriate discipline. The training hour must be recorded in OPEN Toolbox for SCCR to view.	Yes	5/10/2022
Courtyard Early Learning Center shall create or update their policy related to when documentation is needed regarding a child's behavior. The new or updated policy shall be submitted to SCCR for review. Once approved by SCCR, the facility shall conduct a staff meeting with all staff and volunteers of Courtyard Early Learning Center to review the policy. All staff shall sign a statement indicating that they understand and agree to follow the policy. The signed statement shall be submitted to SCCR.	Yes	5/10/2022

**DISPOSITION**

SUBSTANTIATED

**DISPOSITION DATE**

3/29/2021

**APPROVING SUPERVISOR**

TODARO, KAYLA