



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

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

DATE OF REPORT
12/17/2018

DVN
002481327

FACILITY NAME

CREATIVE KIDS LEARNING CENTER, LLC

FACILITY ADDRESS

564 LOOSE CREEK HIGHWAY

CITY

LOOSE CREEK

ZIP CODE

65054

PHONE NUMBER

(573) 897-4000

COUNTY

OSAGE

ASSIGNED SPECIALIST

BANNING, AMY

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

19 CSR 30-62.182 (1)(A)(7)

Caregivers shall provide special attention on an individual basis for new children having problems adjusting, distressed children, etc. Children shall be encouraged, but not forced to participate in group activities.

19 CSR 30-62.182 (1)(C)(7)

Physical punishment including, but not limited to, spanking, slapping, shaking, biting or pulling hair shall be prohibited.

19 CSR 30-62.182 (1)(C)(8)

No discipline technique which is humiliating, threatening or frightening to children shall be used. Children shall not be shamed, ridiculed or spoken to harshly, abusively or with profanity.

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

Caregivers shall be alert to various needs of the child such as thirst, hunger, diaper change, fear of or aggression by other children and the need for attention.

19 CSR 30-62.102 (1)(E)

Caregivers shall have knowledge of the needs of children and shall be sensitive to the capabilities, interests and problems of children in care.

19 CSR 30-62.112 (1)(A)

Birth Through Two (2) Years. Groups composed of mixed ages through two (2)- years shall have no less than one (1) adult to four (4) children, with no more than eight (8) children in a group.

CONCLUSION SUMMARY

SCCR determined that Creative Kids Learning Center, LLC violated these licensing rules on December 6, 2018, based on statements made by facility director, Jill Schaefer, and the facility's security camera video of the classroom on December 6, 2018. Facility director, Jill Schaefer, stated that she watched the facility's camera video of the classroom on December 6, 2018, and saw caregiver, Brenny Montgomery, being inappropriate with one-year-old Child A. Ms. Schaefer also stated that this was Child A's first day in this classroom and he was having a difficult time transitioning. On December 18, 2018, Child Care Facility Specialist (CCFS) Amy Banning viewed the facility's security camera video. CCFS Banning observed that Child A was crying. Caregiver, Brenny Montgomery, yanked Child A by the arm as Ms. Montgomery sits down on the floor. Ms. Montgomery then forces Child A to sit down by grabbing Child A under the arms and forcing Child A to sit down. Child A leans back while Ms. Montgomery attempts to get Child A to sit three times. The third time Child A is forced to sit on his bottom in a forceful manner. Child A raises his arm several times as teachers enter the room. Ms. Montgomery forcefully pushes Child A's arm each time.

In addition, the video showed that caregiver Brenny Montgomery was the only caregiver in a room with 8 infant/toddlers for a short period of time on December 6, 2018.

PROVIDER COMMENTS

The situation on Dec. 6 has been very sad and frustrating for CKLC and the family of Child A. I am thankful for the SCCR for checking into this situation and I want to give clearer additional details than what this report states. At no time or ever will this behavior be allowed by CKLC. After watching the video footage of the situation, Mrs. Montgomery was terminated. It is unfortunate that these violations fall on the center versus the individual that acted in such a manner. I was one of 2 teachers that walked through the classroom when the report states "Child A raises his arm several times as teachers enter the room" at no time did we see this action take place or we would have stopped it immediately and Montgomery would have been terminated.

Creative Kids Learning Center is at fault for breaking ratio for a few seconds while the other caregiver retrieved a paci for the upset child. We have put in place new policies to handle this matter differently.

CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
All staff at the facility must review Licensing Rule 19 CSR 30-62.102(1)(E), Licensning Rule 19 CSR 30-62.112(1)(A), Licensing Rul 19 CSR 30-62.182(1)(A)(7) and Licensing Rule 19 CSR 30-62.182(1)(C)(7). Creative Kids Learning Center LLC must provide the Section for Child Care Regulation with a statement, signed by all staff, to indicate they understand and agree to follow those rules and regulations.	Yes	3/20/2019

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
All staff and volunteers of Creative Kids Learning Center must obtain one clock hour of appropriate discipline in a child care setting. Once training is completed, all staff must submit a copy of the training certificate to the Section for Child Care Regulation.	Yes	5/10/2019

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
Signs shall be posted at all entrances of the child care rooms displaying the required staff/child ratios. The facility will notify the Section for Child Care Regulation when this is completed.	Yes	3/20/2019

DISPOSITION	DISPOSITION DATE
SUBSTANTIATED	3/7/2019

APPROVING SUPERVISOR
UNKNOWN CENTRAL DISTRICT SPECIALIST