



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

COMPLAINT INVESTIGATION OF  
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT  
12/4/2023

DVN  
002722978

FACILITY NAME

KIDS KOUNTRY DAY CARE

FACILITY ADDRESS

717 S STATE ROUTE J

CITY

PECULIAR

ZIP CODE

64078-9579

PHONE NUMBER

(816) 779-8687

COUNTY

CASS

ASSIGNED SPECIALIST

EDDINS, COLE

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.182(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.

5 CSR 25-500.182(1)(C)6.

Firm, positive statements or redirection of behavior shall be used with infants and toddlers.

5 CSR 25-500.182(1)(C)7.

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

CONCLUSION SUMMARY

Compliance Inspector (CI) Cole Eddins completed an unannounced inspection regarding the allegation that Caregiver Ferguson used physical discipline on Child A. After conducting the investigation, CI Eddins finds the allegation is substantiated. This conclusion is based on the following evidence of licensing rule violations which occurred at the facility:

5 CSR 25-500.182(1)(C)3. Which states: "Only constructive, age-appropriate methods of discipline shall be used to help children develop self-control and assume responsibility for their own actions."

AND

5 CSR 25-500.182(1)(C)6. Which states: "Firm, positive statements or redirection of behavior shall be used with infants and toddlers."

AND

5 CSR 25-500.182(1)(C)7. Which states: "Physical punishment including, but not limited to, spanking, slapping, shaking, biting, or pulling hair shall be prohibited."

On December 1, 2023, CI Eddins interviewed Assistant Director Erin Manion, Caregiver Taylor Eason, and Director Danyl Moore. Child A (1-years-old) was too younger to be interview. Assistant Director Manion and Director Moore provided consistent information. They both stated that they had observed Child A standing on a chair in the classroom through the recorded video footage caught on the facility cameras. They both observed Caregiver Ferguson telling Child A to get off of the chair. They observed Caregiver Ferguson tapping Child A on the bottom and then they observed her lifting Child A by one arm off the chair and onto the ground a few seconds later. Director Moore and Assistant Director Manion observed Child A crying on the floor just a few seconds before Parent A arrived to pick Child A up from daycare through the recorded video footage. Caregiver Eason stated that she worked with Caregiver Ferguson on the day that Child A was pulled by one arm. She stated that she was focused on changing another child's diaper at the time of the incident and she did not observe what had happened.

On December 1, 2023, CI Eddins conducted a walkthrough of the facility and observed multiple caregiver-to-student interactions. CI Eddins observed the caregivers using kind words and redirection with children when needed. CI Eddins did not observe any physical discipline between the caregivers and their children. CI Eddins observed the facilities' disciplinary policy which states that caregivers are to follow the Stat of Missouri licensing regulations or disciplinary actions will be taken against them.

On December 5, 2023, CI Eddins interviewed Caregiver Ferguson and Caregiver Whalen. Caregiver Ferguson stated that she observed Child A climbing on the back of the chair. She stated that she told Child A to get off of the chair and that she had tapped Child A on his bottom so he would listen to her. She then grabbed Child A by one arm and placed him on the floor. She observed Child A crying on the floor only after she grabbed Child A by one arm. She stated that she had walk away from Child A to tend to the classroom. She did not observe any bruising on Child A's arm. She told Parent A that Child A was crying because she moved him off of the chair and onto the floor. Caregiver Whalen stated that she observed Caregiver Ferguson hitting Child A at the corner of her eye through Child A's classroom window. She stated that she did not get a clear look at the physical interaction that took place between Child A and Caregiver Ferguson and that she observed Child A getting hit by Caregiver Ferguson while he was standing on the recliner.

On December 12, 2023, CI Eddins interviewed Parent A who stated that she was unaware of Child A being grabbed by one arm. She did not observe any bruising or any marks on Child A's arm.

On December 14,2023 CI Eddins interviewed Caregiver Roberts. She stated that she works in the classroom next to Caregiver Hobbs and that she did not observe the incident that took place between Child A and Caregiver Hobbs.

## CORRECTIVE MEASURES

### CORRECTIVE MEASURE

The facility shall notify all caregivers (paid employees and paid or unpaid volunteers) of the violations which were substantiated and specify the actions to be taken by all caregivers, in order to comply with all violations cited. A copy of the memo, letter, or meeting agenda shall be submitted to the Office of Childhood.

### COMPLETED (Y/N)

Yes

### COMPLETED DATE

3/14/2024

### DISPOSITION

SUBSTANTIATED

### DISPOSITION DATE

12/26/2023

### APPROVING SUPERVISOR

FOX, ROMENA