



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

COMPLAINT INVESTIGATION OF  
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT  
5/12/2023

DVN  
000181020

FACILITY NAME

LEMAY CHILD AND FAMILY CENTER

FACILITY ADDRESS

9828 S BROADWAY

CITY

ST LOUIS

ZIP CODE

63125-2749

PHONE NUMBER

(314) 544-3338

COUNTY

ST LOUIS

ASSIGNED SPECIALIST

OMALLEY, PATRICK

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.182(2)(C)4.A.

A child under twelve (12) months of age shall be placed on his/her back to sleep;

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

An individually assigned crib, portable crib, or playpen shall be provided and used for each infant and toddler. Stack cribs shall not be used.

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 May 12, 2023, the Office of Childhood (OOC) received an allegation that Lemay Child and Family Center was not following safe sleep practices, teachers were placing babies to sleep on boppy pillows in their cribs, young babies were being placed to sleep on the floor on boppy pillows or blankets, sometimes on their stomachs, one of the teachers places blankets on young babies while sleeping, this occurs mostly during nap time, between 11:30 AM and 2:30 PM, but happens all day. After conducting an investigation, Compliance Inspector (CI) Patrick O'Malley has found this allegation to be substantiated based on the following evidence:

5 CSR 25-500.182(2)(C)4.A., which states the following: "A child under twelve (12) months of age shall be placed on his/her back to sleep;"

AND

5 CSR 25-500.092(1)(B)2.A., which states the following: "An individually assigned crib, portable crib, or playpen shall be provided and used for each infant and toddler. Stack cribs shall not be used."

AND

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 May 15, 2023, CI O'Malley conducted an unannounced inspection of the facility during naptime and did not observe any children sleeping on the floor of the infant/toddler unit. CI O'Malley did not observe any children sleeping in boppy pillows or on blankets. CI O'Malley did not observe any children sleeping under blankets. CI O'Malley conducted an interview with director Molly McCue, who stated that in April 2023, the facility enrolled twin infants who slept in swings at home. Ms. McCue stated that the twins refused to sleep in cribs at the facility but would sometimes fall asleep while propped in boppy pillows. Ms. McCue stated that the twins would always wake while staff attempted to transfer them from boppy pillows to cribs; staff allowed the twins to sleep in the boppy pillows for about fifteen minutes at a time so they would get some sleep. Ms. McCue stated that the boppy pillows were removed from the infant/toddler unit on May 11, 2023. Ms. McCue stated that blankets were never placed in cribs or over sleeping children.

CORRECTIVE MEASURES

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| <b>CORRECTIVE MEASURE</b><br>The facility shall conduct a staff meeting to review the center's policies and all licensing rules and regulations regarding safe sleep. This shall include a review of the facility's safe sleep policy. The facility must provide the Office of Childhood with a statement, signed by all staff members (paid employees and paid/unpaid volunteers), to indicate they understand and agree to follow those rules and regulations. |  | <b>COMPLETED (Y/N)</b><br>Yes        | <b>COMPLETED DATE</b><br>8/22/2023 |
| <b>DISPOSITION</b><br>SUBSTANTIATED                                                                                                                                                                                                                                                                                                                                                                                                                              |  | <b>DISPOSITION DATE</b><br>7/11/2023 |                                    |
| <b>APPROVING SUPERVISOR</b><br>CHRISCO, MARLA L                                                                                                                                                                                                                                                                                                                                                                                                                  |  |                                      |                                    |
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