



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
10/26/2023

DVN
002354591

FACILITY NAME

CLAYTON EARLY CHILDHOOD CENTER

FACILITY ADDRESS

1 OAK KNOLL PARK

CITY

CLAYTON

ZIP CODE

63105-3009

PHONE NUMBER

(314) 725-2325

COUNTY

ST LOUIS

ASSIGNED SPECIALIST

OMALLEY, PATRICK

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.182(1)(A)1.

Caregivers shall not leave any child without competent adult supervision.

5 CSR 25-500.182(1)(A)3.

Caregivers shall provide frequent, direct contact so children are not left unobserved on the premises.

CONCLUSION SUMMARY

On October 26, 2023, the Office of Childhood (OOC) received an allegation that on Wednesday, October 25, 2023, at 11:45 a.m., Child A (11-months-old) was found by Clayton Early Childhood Center cook Billie Anna Thompson outside the toddler classroom alone and unsupervised. Teacher Jayla Knick left the toddler classroom to use the restroom, Child A followed her out and sat in the hallway, waiting for Ms. Knick to come back. 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(1)(A)1., which states the following: "Caregivers shall not leave any child without competent adult supervision."

AND

5 CSR 25-500.182(1)(A)3., which states the following: "Caregivers shall provide frequent, direct contact so children are not left unobserved on the premises."

On October 30, 2023, CI O'Malley conducted an unannounced inspection of the facility and observed the hallway outside of the toddler room. Directly to the left of the toddler room are two stairwells, one leading up and another leading down. The down staircase consists of five steps. There are no gates on either staircase. CI O'Malley conducted interviews with Ms. Knick, cook Billie Ann Thompson, teachers Meredith Davis, and Sierra Ellis. Ms. Thompson stated that on October 25, 2023, she entered the building through a side entrance at 11:45 a.m. Ms. Thompson saw Child A sitting on the floor of the hallway at the top of a five-step flight of stairs. The toddler room usually lined up to go outside in the hallway, but she was surprised to see a child by themselves. Ms. Thompson picked up Child A and carried them to the front desk. Ms. Thompson gave Child A to Ms. Ellis at the front desk, who was also the administrator in charge at the time.

Ms. Ellis stated that Ms. Thompson brought Child A to the front desk just before lunchtime on October 25, 2023. Ms. Thompson reported that she had found Child A sitting at the top of the stairs in the hallway outside the toddler room. Ms. Ellis returned Child A to the toddler room; teachers Morgan Kelly and Jenna Haas were present in the classroom when Child A was returned. Neither teacher was aware that Child A was missing. Parent A (parent of Child A) was informed immediately after Child A was returned to the toddler classroom. Ms. Kelly, Ms. Haas, and Ms. Knick were the teachers assigned to the toddler room on October 25, 2023.

Ms. Knick stated that she stepped out of the toddler classroom to use the restroom at about 11:40 a.m. There were eight children in the toddler classroom before she left. Ms. Knick thought that Child A must have followed her into the hallway when she opened the door. Child A was mobile and able to run; Child A was clingy and liked to stay close to her. Ms. Knick did not look down or behind herself after leaving the classroom. Ms. Knick had never had a toddler follow her out of the classroom before. Ms. Knick crossed the hallway and passed through a second door to access the restroom. Ms. Knick was in the

restroom for five to ten minutes; Child A had already been returned to the classroom when she returned.

Ms. Davis stated that she was the current interim director. Ms. Kelly and Ms. Haas had been suspended pending investigation. Headcounts were only performed during class transitions, not while classes were stationary in their rooms. Ms. Davis had already implemented a policy of four headcounts per half-day, to be performed while the classes were in their rooms. The facility did not have cameras.

On November 2, 2023, CI O'Malley conducted phone interviews with Ms. Haas, Ms. Kelly, and Parent A. Ms. Haas stated that she and Ms. Morgan were floaters; Ms. Knick was the only regular teacher in the room. Ms. Morgan left the room at 11:30 a.m. and brought up the class's lunch at 11:40 a.m. Ms. Morgan prepared the children's lunches; the toddlers still needed to have their meals cut into bite-sized pieces. Ms. Haas was attending to a child with a double ear infection; her back was to the door. Ms. Knick reported that she was leaving the classroom to use the restroom. A few minutes later, Ms. Ellis entered the room carrying Child A. Ms. Haas had not noticed Child A was missing as she was not familiar with class. Ms. Haas was placed on suspension later that day. Ms. Davis stated that she contacted CAN/HU to report the incident the same day.

Ms. Kelly stated that she and Ms. Haas were floaters; Ms. Knick was the only regular teacher in the room. Ms. Kelly left the classroom at 11:25 a.m. to pick up the class's lunch. Ms. Kelly returned to the classroom at 11:35 a.m. Ms. Kelly began cutting up the children's lunches; Ms. Haas was tending to a sick child on the floor of the classroom. Ms. Kelly and Ms. Haas both had their backs to the door. Ms. Knick reported that she was going to use the restroom and left the classroom. Ms. Ellis entered the classroom a few minutes after Ms. Knick left. Ms. Kelly still had her back to the door when Ms. Ellis entered. Ms. Ellis asked where Ms. Knick had gone, and Ms. Kelly turned to the door; Ms. Ellis was holding Child A. Ms. Ellis did not say anything about Child A being out of the classroom. Ms. Kelly did not learn that Child A had been out of the classroom until the afternoon when she was called to the office, where she was informed that she was being suspended.

Parent A stated that they were contacted by the facility on October 25, 2023, a little after noon and informed that Child A had been left alone in the facility's hallway for less than five minutes. Parent A had no other concerns regarding the facility. Child A was still enrolled at the facility.

CORRECTIVE MEASURES

CORRECTIVE MEASURE

The facility shall notify all staff members of the violations which were substantiated, and specify the actions to be taken by all staff in order to comply with all violations cited. A copy of the memo, letter, or staff meeting agenda shall be submitted to the Office of Childhood.

COMPLETED (Y/N)

Yes

COMPLETED DATE

2/1/2024

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

12/18/2023

APPROVING SUPERVISOR

CHRISCO, MARLA L