



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
3/2/2022

DVN
002551733

FACILITY NAME

KIDZ OF JOY DEVELOPMENT CENTER, LLC

FACILITY ADDRESS

6100 MADISON AVE

CITY

BERKELEY

ZIP CODE

63134-2104

PHONE NUMBER

(314) 736-4300

COUNTY

ST LOUIS

ASSIGNED SPECIALIST

GRAHAM, JESSICA

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.102(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.

CONCLUSION SUMMARY

On March 3, 2022, Compliance Inspector (CI) Jessica Graham investigated the allegation that yesterday morning, 3/1/2022, the reporter witnessed a toddler and small child running toward the Hanley intersection going north toward Airport Rd. These kids were running up a hill from a parking lot across from the childcare center they attend. Before they could get to the street, a staff person or person responsible for the kids was seen running up the hill after the kids. This allegation is being substantiated. The following rule was violated.

5 CSR 25-500.102(1)(E) which states: "Caregivers shall have knowledge of the needs of children and shall be sensitive to the capabilities, interests, and problems of children in care."

The above rule is being violated based on statements made by staff members of Kidz of Joy, Parent A, Child A and Child B that the children in the center were allowed to play in a grassy area across the street from the daycare, near a busy road.

On March 3, 2022, Compliance Inspector (CI) Jessica Graham observed the outside area that the children were using for play spaces. Both areas are across the street (Madison Ave) from the daycare. The concrete area that they were using is 4 feet from the sidewalk that runs next to Madison Ave and is 8 feet from North Hanley Road. The grassy area that they are using is 4 feet from the sidewalk running next to Madison Ave and is 9 feet from North Hanley Road. The speed limit on North Hanley Road is 35 miles per hour.

Kenndis Joy, managing member, stated that the playground is getting a new fence and so the children have been playing on the concrete and grassy area across the street from the daycare. She said that the teachers will always be outside with the kids. She said that there has never been a time that a child has been by themselves out there or have ever gotten away from the teachers.

Caregivers Taylor Ousley, Jackie Smithey and director, Marcia Fischer stated that they have been taking the kids outside across the street to play since the playground is getting a new fence. They said that the kids know to stay away from the street and know that they have boundaries while they are playing out there.

Child A, age 5-years-old, and Child B, age 4-years-old, stated that they have been going outside to play across the street for a while since their playground fence is messed up. They said that they have to hold the teachers hands when they cross the street to play. They said that they are not supposed to play up by the road unless the teachers are up there with them. CI Graham also conducted a phone interview with Parent A who stated that she gave permission for Child A to play across the street in the grassy area and has observed the children playing there when she has come to 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 licensing violations cited. A copy of the memo, letter, or staff meeting agenda(s) shall be submitted to the Office of Childhood."		COMPLETED (Y/N) Yes	COMPLETED DATE 8/23/2022
DISPOSITION SUBSTANTIATED		DISPOSITION DATE 5/1/2022	
APPROVING SUPERVISOR CHRISCO, MARLA L			