



MISSOURI DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
OFFICE OF CHILDHOOD - CHILD CARE COMPLIANCE
COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
8/17/2022

DVN
002367068

FACILITY NAME

CREATIVE NURSERY AND PRESCHOOL, LLC

FACILITY ADDRESS

6500 ARSENAL ST

CITY

ST LOUIS

ZIP CODE

63139-2433

PHONE NUMBER

(314) 781-4011

COUNTY

ST LOUIS CITY

ASSIGNED SPECIALIST

FYFE, IAN

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

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

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

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

Infants and toddlers shall have constant care and supervision. Home monitors or commercial devices marketed to reduce the risk of Sudden Infant Death Syndrome (SIDS) shall not be used in place of supervision while children are napping or sleeping.

5 CSR 25-500.192(5)(A)

In case of accident or injury to a child, the provider shall notify the parent(s) immediately. If the child requires emergency medical care, the provider shall follow the parent's(s') written instructions.

CONCLUSION SUMMARY

On August 17, 2022, the Office of Childhood (OOC) received an allegation that there have been several biting incidents that have occurred and kids have been seen hitting each other while the teachers are sitting not observing what is going on. The allegation is substantiated based on the following information:

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

AND

5 CSR 25-500.182(1)(D)1. which states: "Infants and toddlers shall have constant care and supervision. Home monitors or commercial devices marketed to reduce the risk of Sudden Infant Death Syndrome (SIDS) shall not be used in place of supervision while children are napping or sleeping."

On August 23, 2022, director Erica Schmitt stated that there was a biting incident between children on August 15, 2022. Elizabeth Peck and Lydia Parker were the staff members present in the classroom during the incident. Ms. Peck was on her phone during the August 15, 2022, biting incident and was not directly supervising the children.

On August 23, 2022, caregiver Elizabeth Peck stated that there are currently three children enrolled at the facility that that bite frequently. During the biting incident on August 15, 2022, she was approximately five feet away from the children but was on her phone, ordering lunch.

On August 23, 2022, caregiver Lydia Parker stated that when a child gets bit, staff will separate the children, examine the children to ensure that they are okay, provide them with first-aid if necessary, explain to them why biting is wrong, and create an accident report. She was on her phone during the August 15, 2022, biting incident.

On August 23, 2022, caregiver Keisha Moore stated that when they are in the classroom together, Ms. Peck and Ms. Parker are often next to one another instead of spread out amongst the children.

5 CSR 25-500.192(5)(A) which states: "In case of accident or injury to a child, the provider shall notify the parent(s) immediately. If the child requires emergency medical care, the provider shall follow the parent's(s') written instructions."

On August 23, 2022, director Erica Schmitt stated that accident reports are created and placed in each child's record any time there is a biting incident, but parents are not notified immediately.

On August 23, 2022, caregiver Elizabeth Peck stated that she will then call the parent if needed, but will not call the parent if it is not bad.

On August 23, 2022, caregiver Lydia Parker stated that she will notify the parents of any biting incidents at the end of the day , when parents arrive to pick up their child.

On August 23, 2022, CI Fyfe requested and received copies of nine accident reports from five separate biting incidents during the month of August. All accident reports show that the method in which the parents were notified were once the parent arrived to pick up the child as opposed to an immediate notification.

CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
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.	Yes	1/17/2023

DISPOSITION	DISPOSITION DATE
SUBSTANTIATED	1/13/2023

APPROVING SUPERVISOR
CHRISCO, MARLA L