



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

**DATE OF REPORT**  
3/13/2020

**DVN**  
001994552

**FACILITY NAME**

UPTOWN CHILDREN'S ACADEMY

**FACILITY ADDRESS**

20950 HWY T

**CITY**

WAYNESVILLE

**ZIP CODE**

65583

**PHONE NUMBER**

(573) 774-2304

**COUNTY**

PULASKI

**ASSIGNED SPECIALIST**

KOETTING, SHELBY N

**RULE/STATUTE VIOLATION(S)**

**VIOLATION(S)**

19 CSR 30-62.182 (1)(A)(1)

Caregivers shall not leave any child without competent adult supervision.

19 CSR 30-62.182 (1)(A)(3)

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

19 CSR 30-62.182 (1)(A)(5)

A caregiver shall remain in the room with preschool and school-age children while they are napping or sleeping and shall be able to see and hear them if they have difficulty during napping or when they awaken .

19 CSR 30-62.182 (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.

19 CSR 30-62.082 (2)(B)(2)(B)(III)

If a unit for infants and toddlers is auxiliary to a facility for older children, centers initially licensed for infant/toddler care after the effective date of these rules or facilities adding new infant/toddler space, shall have play, sleeping and bathroom space in the infant and toddler unit. This space shall be separated from the space used for older children by floor-to-ceiling walls.

19 CSR 30-62.112 (1)

The following staff/child ratios shall be maintained on the premises at all times.

19 CSR 30-62.112 (1)(A)

Birth Through Two (2) Years. Groups composed of mixed ages through two (2)- years shall have no less than one (1) adult to four (4) children, with no more than eight (8) children in a group.

19 CSR 30-62.112 (1)(E)

Mixed Age Groups Two Years (2) and Up. Groups composed of mixed ages of children two (2) years of age and older shall have no less than one (1) adult to ten (10) children with a maximum of four (4) two (2)-year olds. When there are more than four (4) two (2)-year olds in a mixed group, the staff/child ratio shall be no less than one (1) adult to eight (8) children.

**CONCLUSION SUMMARY**

Based on statements made by director, Jennifer O'Donnell, current staff member, Kristen Todd, and previous employees, Jeanette Ramirez and Katelyn Miller, this allegation will be substantiated that staff are required to leave the classroom unsupervised for a few minutes to make lunch and grab cleaning supplies from other areas of the facility. Ms. O'Donnell stated that she will leave the classroom to run and put pans of food in the oven for lunch while the infants and toddlers are left in the classroom. Ms. Todd stated that she has left the classroom to get lunch from a friend in the driveway . Ms. Ramirez and Ms. Miller both stated that they have had to leave the classroom to get a vacuum from another area of the facility to clean the downstairs classroom. Ms. Ramirez stated that she was told to strap infants into the high chairs before leaving the room unsupervised to go make lunch for the facility in the kitchen.

Based on observations made by CCFS Koetting on March 17, 2020, this allegation will also be substantiated that Uptown Children's Academy had 1 staff member, Jennifer O'Donnell, caring for 16 children in the infant and toddler unit by herself. There was one volunteer under the age of 18 in the classroom to help, but did not count in ratio. There were two school-age children in care under the emergency school closing procedure without a staff member to adhere to ratio requirements as well . Statements made by previous staff members, Katelyn Miller and Jeanette Ramirez, as well as current staff member, Kristen Todd, further

support that ratio requirements are not adhered to during pick up in the afternoons between 4:00 PM and 5:00 PM. Ms. Todd stated that recently she has been closing the infant and toddler classroom in the evening by herself and combines 5 preschool children with the infants and toddlers around 4:00 PM.

**PROVIDER COMMENTS**

When hired, new employees attend orientation and go over in detail the rules, regulations, ratios and any other relevant info that pertains to UCA and licensing. Ratios are discussed daily with reminders of what is/is not acceptable. Teachers are never permitted to leave classrooms unattended for any reason. Supplies needed are in each classroom's closets. I make lunches daily. Classrooms are combined in the afternoon when ratios drop usually at 4:15pm and there is always 2 teachers. 3/17/20, I was over ratio due to my teacher calling in for a family death & my other teacher just up and quit without notice. My sub couldn't work due to being high risk for COVID. The world was under a pandemic. Parents were stressed about childcare since schools were closed. The only reason Caitee, Kristen, & Janette were sustained as employees was to meet ratio until I could replace them due to repeat offences of calling in sick, being late and other instances of them not performing well in their job

**CORRECTIVE MEASURES**

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The facility shall create a plan as to how meals will be prepared and supplies will be retrieved without leaving the classroom out of ratio or children unsupervised. The plan shall be reviewed and signed by all staff indicating that they agree to follow the plan. The plan shall be submitted to the Section for Child Care Regulation.

**COMPLETED (Y/N)**

Yes

**COMPLETED DATE**

7/23/2020

**CORRECTIVE MEASURE**

The facility shall conduct a staff meeting to review the center's policies and all licensing rules and regulations regarding supervision, specifically 19 CSR 30-62.182 (1)(D)(1) & 19 CSR 30-62.182 (1)(A)(1), and staff/child ratio, specifically 19 CSR 30-62.112 (1)(E). The facility must provide the Section for Child Care Regulation with a statement, signed by all staff (paid employees or unpaid volunteers), to indicate they understand and agree to follow those rules and regulations.

**COMPLETED (Y/N)**

Yes

**COMPLETED DATE**

7/23/2020

**CORRECTIVE MEASURE**

The director shall submit 2 consecutive weeks worth of arrival and departure attendance for both staff and children. This should also include which staff were responsible for which age group. The attendance record shall be sent to the Section for Child Care Regulation.

**COMPLETED (Y/N)**

Yes

**COMPLETED DATE**

9/24/2020

**DISPOSITION**

SUBSTANTIATED

**DISPOSITION DATE**

5/29/2020

**APPROVING SUPERVISOR**

TODARO, KAYLA