



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
6/9/2023

DVN
000476104

FACILITY NAME
CANDYLAND

FACILITY ADDRESS
106 BOSA

CITY
ST ROBERT

ZIP CODE
65584

PHONE NUMBER
(573) 336-7061

COUNTY
PULASKI

ASSIGNED SPECIALIST
RADNEY, HEATHER E

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)2.

A caregiver personally shall admit each child upon arrival and personally shall dismiss each child upon departure. Children shall be dismissed only to the parent(s), guardian, legal custodian, or to individuals approved by the parent(s), guardian, or legal custodian.

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

Compliance Inspector (CI) Heather Radney conducted an investigation of the allegation that on 06/07/2023 at approximately 5:32 p.m., Parent A and Parent B went to pick their 3-year-old child up and there were no employees located at the facility and the door was locked. The child came to the door and was able to open the door to get outside. The child's teacher was Breanna Shoemaker who thought the child had been picked up and she left the facility around 5:09 p.m. The allegation is substantiated based on the following:

5 CSR 25-500.182(1)(A)1. which states "Caregivers shall not leave any child without competent adult supervision."

5 CSR 25-500.182(1)(A)2. which states "A caregiver personally shall admit each child upon arrival and personally shall dismiss each child upon departure. Children shall be dismissed only to the parent(s), guardian, legal custodian, or to individuals approved by the parent(s), guardian, or legal custodian."

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."

On June 9, 2023, Compliance Inspector (CI) Heather Radney conducted a walkthrough of the facility to observe the space. CI Radney observed the sign in and out sheets immediately inside the main door on the counter to the left. Immediately to the right, over a half wall, is the carpeted area and television. Beyond the carpeted area is a room, separated by a door. This room is the nap room where Child A was sleeping on his cot, unobserved. CI Radney observed the sign in/out sheet for June 5-9 laying on the counter and noted that Child A's sign out time for June 7, 2023 was written in as 5:35 p.m.

On June 9, 2023, CI Radney conducted interviews with Assistant Director Dona Jo Stillwell, Caregivers Brianna Shoemaker and Leesa Watkins, and Owner/Director Candy Holston. Dona Jo reported she would have been the last person to see Child A, as she observed him during the transition when children were coming to the carpet around 4:45 p.m. Dona Jo states Child A had told her his tummy hurt, and she believes as children were going to the carpet, he went into the nap room unnoticed and laid down on his cot. Brianna and Leesa deny seeing Child A on his cot or on the carpet. Brianna stated the last child left, and she clocked out at 5:09 p.m., and walked through the facility turning off lights and making sure doors were locked. Leesa stated her last child left and she clocked out before 5:00 p.m. but she had to wait for her ride, so she waited with Brianna and did the walkthrough of the facility with Brianna. They waited at the front door for about 10 minutes until Leesa's ride arrived. They walked outside and Leesa and Brianna left. No caregiver personally dismissed Child A to a parent/guardian at the end of the day when

he was left alone, unobserved on the premises. Child A was unobserved from approximately 4:45 p.m. when he is thought to have laid on his cot in the nap room to 5:32 p.m. when he pushed the door open and joined Parent A and Parent B outside of the daycare, including a period of approximately 12 minutes between when the caregivers left the premises and when Parent A and Parent B arrived.

CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The facility shall be put on close supervision.	Yes	4/26/2024

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 licensing violations cited. A copy of the memo, letter, or staff meeting agenda shall be submitted to the Office of Childhood.	Yes	9/21/2023

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The facility shall conduct a staff meeting to review the center's policies and all licensing rules and regulations regarding supervision. 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.	Yes	9/21/2023

DISPOSITION	DISPOSITION DATE
SUBSTANTIATED	8/22/2023

APPROVING SUPERVISOR
FOX, ROMENA