



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

**DATE OF REPORT**  
10/28/2021

**DVN**  
000954203

**FACILITY NAME**  
PRESBYTERIAN PRESCHOOL

**FACILITY ADDRESS**  
324 MADISON

**CITY**  
JEFFERSON CITY

**ZIP CODE**  
65101

**PHONE NUMBER**  
(573) 636-2149

**COUNTY**  
COLE

**ASSIGNED SPECIALIST**  
RAYWARNKE, LAUREN R

**RULE/STATUTE VIOLATION(S)**

**VIOLATION(S)**

RSMo 210.254.2.

The notice of parental responsibility shall include the following:

RSMo 210.254.2.(3)

The staff/child ratios for enrolled children under two years of age, for children ages two to four and for those five years of age and older as required by the department of health and senior services regulations in licensed facilities, the standard ratio of staff to number of children for each age level maintained in the exempt facility, and the total number of children to be enrolled by the facility;

5 CSR 25-300.040 (1)

Supervision and basic care shall be provided at all license-exempt facilities.

**CONCLUSION SUMMARY**

Child Care compliance has determined the allegations of this complaint to be substantiated. The determination is based on documentation reviewed through the course of the investigation, observations made by CI Ray-Warnke and interviews conducted with the director Marilyn Hoffman, caregiver Amanda (Mandy) Engelbrecht, Laurie Koestner, Rebecca Miner, The Mother of Child A and The Father of Child A.

RSMo 210.254.2.(3) states; The staff/child ratios for enrolled children under two years of age, for children ages two to four and for those five years of age and older as required by the department of health and senior services regulations in licensed facilities, the standard ratio of staff to number of children for each age level maintained in the exempt facility , and the total number of children to be enrolled by the facility;

On Wednesday November 10, 2021 at 10:00am CI Ray-Warnke observed Laurie Koestner with 12 children, six children age 4 and six children age 5. The NPR for Presbyterian Preschool states; There are to be no more than 13 four and five year olds on Mondays, Tuesday, Wednesday, Thursdays and Fridays with a teacher and assistant. These ratios meet those required for licensing which are 1 adult to 8 children for 2 year old's, 1 adult to 10 children for 3 and 4 year old's, and 1 adult to 16 children who are 5 year's old. CI Ray-Warnke discussed with the director Marilyn Hoffman and caregiver Laurie Koestner upon arrival that the NPR was observed as not followed in the preschool room. At 10:15am Laurie Koestner and Marilyn Hoffman moved two children age 4 to Rebecca Miner's room. Rebecca Miner at 10:00am was observed with 5 children age 4. (NPR Age 4 1:10). At 10:15am Rebecca Miner's room was observed with 7 children age 4. (NPR Age 4 1:10). Laurie Koestner's room was observed at 10:17 am to have 10 children, four children age 4 and six children age 5. (NPR Age 4 1:10, NPR Age 5 1:16).

On Wednesday November 10, 2021 Laurie Koestner stated that she is not normally in a room alone with more than 10 children. Laurie stated that she usually has an assistant in the room with her. Laurie Koestner said that she did not know why an assistant was not in her room. Laurie Koestner stated that that the ratio in her room is 1 to 10 for children age 4. Marilyn Hoffman stated on November 10, 2021 that she did not know that the NPR did not clearly state that on Wednesday's a teacher can be in a classroom without an assistant and 13 children ages 3 and 4. Marilyn Hoffman said that she did know that the NPR stated that children age 4 are at 1 adult to 10 and children age 5 are at 1 adult to 16. Marilyn Hoffman stated on November 10, 2021 that she did not know that if you mixed children that were age 4 and 5 that you could only have 10 children in the classroom, because the NPR for children age 4 is stated in the NPR and parent handbook as 1 adult to 10. Marilyn Hoffman said that she did know that the NPR stated that; there will be no more than 13 four year old's on Mondays, Wednesday and

Fridays (or all five days if the family chooses this option) with a teacher and assistant. Marilyn Hoffman stated that she would revise her NPR immediately at the conclusion of the interviews, because she didn't realize how unclear and confusing her NPR was. Marilyn Hoffman on November 10, 2021 stated that she did know that it was Wednesday. Marilyn Hoffman stated on November 10, 2021 that she is usually the assistant in the room with Miss Laurie but she had to leave the building to run errands.

License Exempt Rule 5 CSR 25-300.040 (1) states; Supervision and basic care shall be provided at all license-exempt facilities.

On Friday January 14, 2022 The Mother of Child A stated that on Tuesday October 26, 2021 Amanda (Mandy) Engelbrecht told her that Child A had a possible incident. The Father of Child A on January 14, 2022 stated that he was verbally told by The Mother of Child A that an incident possibly occurred at the child care center. The Father of Child A stated on January 14, 2022 that they were both present for afternoon pick up of Child A. The Father of Child A stated on January 14, 2022 that he was talking to the director Marilyn Hoffman at pick up on October 26, 2021, when The Mother of Child A came over and told him what Amanda (Mandy) Engelbrecht said to her. The Mother of Child A stated that Miss Mandy told her that she found Child A crying by a climbing toy in the gym. The Mother of Child A said that Miss Mandy tried to ask Child A what had happened. The Mother of Child A said that Miss Mandy told her that Child A couldn't tell her what happened. The Mother of Child A stated on Friday January 14, 2022 that Miss Mandy told her on Tuesday October 26, 2021 that she did not know what happened to Child A because she was not in the gym supervising Child A. The Mother of Child A said that Mandy Engelbrecht told her on October 26, 2021 that she had stepped into the hallway to help another child with the bathroom door.

The Father of Child A stated on January 14, 2022 that he asked the director Marilyn Hoffman if there were any other caregivers in the gym with Child A. The Father of Child A stated that Marilyn Hoffman told him on October 26, 2021 that the other caregivers were on a field trip. The Father of Child A stated on January 14, 2022 that Marilyn Hoffman told him that no other caregivers were in the building on October 26, 2021 with Miss Mandy.

The Mother of Child A (January 14, 2022) and Mandy Engelbrecht (November 10, 2021) both stated that they looked over Child A for an injury on October 26, 2021. The Mother of Child A and Mandy Engelbrecht both stated that they looked over Child A for bruises. The Mother of Child A and Mandy Engelbrecht did not see any injuries on Child A on October 26, 2021. The Mother of Child A and Mandy Engelbrecht did not see any bruises on Child A on October 26, 2021. The Mother of Child A and The Father of Child A both stated on January 14, 2022 that they did not take Child A to the doctor on October 26, 2021. The Mother of Child A and The Father of Child A both stated that Child A did not have a black eye on October 26, 2021.

CI Ray-Warnke observed the location of the gym equipment and location of the bathroom. If a caregiver is in the gym alone by the playground equipment children cannot be supervised in the bathroom. If a caregiver is in the gym alone children cannot be supervised in the hallway by the bathrooms. If a caregiver is alone in the hallway supervising children in the bathroom children cannot be supervised in the gym. Rebecca Miner stated on Wednesday November 10, 2021 that supervision of the gym cannot be maintained from the bathrooms or hallway. On October 26, 2021 CI Ray-Warnke observed that Mandy Engelbrecht crossed three thresholds to assist a child with the bathroom door. Mandy Engelbrecht stated on November 10, 2021 that she knows that children in the gym cannot be seen from the hallway. Mandy Engelbrecht stated on November 10, 2021 that she knows that children in the gym cannot be seen from the bathrooms in the hallway. Mandy Engelbrecht stated that she only left to help a child open the door to the bathroom. Mandy Engelbrecht stated that she was the only one present in the building on October 26, 2021, so she had no option not to help the child. Mandy Engelbrecht stated that October 26, 2021 she walked out of the climbing area, out of the gym, into the hallway and to the bathroom door of the girl's bathroom to help a child.

CI Ray-Warnke observed the staff handbook to state; Teacher Responsibilities: to be with the children in the classroom or gym at all times unless the assistant is present. (This is a crucial safety issue!) On November 10, 2021 Mandy Engelbrecht and Marilyn Hoffman both stated that there is usually an assistant in the gym. Marilyn Hoffman and Mandy Engelbrecht both stated on November 10, 2021 that there was no assistant available in the gym because staff was still helping out on the field trip.

## CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The facility will provide Child Care Compliance with a statement, signed by all staff (paid employees or unpaid volunteers), stating that all caregivers will agree to follow the Notice of Parental Responsibility.	Yes	3/4/2022
The facility shall conduct a staff meeting to review 5 CSR 25-300.040 (1) and RSMo 210.254.2.(3). The facility must provide Child Care Compliance with a statement, signed by all staff (paid employees or unpaid volunteers), to indicate they understand and agree to follow the license exempt rules.	Yes	3/4/2022
The facility will use and complete the state Child Care Compliance Notice of	Yes	3/4/2022

Responsibility form located at;  
<https://dese.mo.gov/media/pdf/mo500-3294-religious-organization-child-care-facility-notice-parental-responsibility>

**DISPOSITION**  
SUBSTANTIATED

**DISPOSITION DATE**  
2/4/2022

**APPROVING SUPERVISOR**  
SCHEUERMAN, KELLY L