



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
3/22/2022

DVN
002221410

FACILITY NAME

COMMUNITY DAY SCHOOL, LLC

FACILITY ADDRESS

1912 BROADWAY ST

CITY

CAPE GIRARDEAU

ZIP CODE

63701

PHONE NUMBER

(573) 335-9141

COUNTY

CAPE GIRARDEAU

ASSIGNED SPECIALIST

SPAULDING, STEPHANIE

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)3.

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

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.

5 CSR 25-500.082(2)(A)2.

Open windows and doors shall be screened securely. Barriers to prevent children from falling against windows or falling from windows shall be provided when windows are less than twenty-four inches (24") from the floor and not constructed of safety glass or other nonbreakable material.

CONCLUSION SUMMARY

Compliance Inspector (CI) Stephanie Spaulding investigated an allegation that on February 14, 2022, an unknown child left the center out of the front door and went across the street to a business across the street. Staff members were unaware that the child was gone. The business called the facility asking if the child belonged to them. Based on information from staff of Community Day School, LLC and businesses nearby; this allegation is found to be substantiated and the following rule violations are being cited.

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

AND

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

AND

5 CSR 25-500.082(2)(A)2. Open windows and doors shall be screened securely. Barriers to prevent children from falling against windows or falling from windows shall be provided when windows are less than twenty-four inches (24") from the floor and not constructed of safety glass or other nonbreakable material.

On March 28, 2022, managing member, Janet Gooden; director Kathy Moore; and caregivers Caroline Kurtz and Margaux McElreath all provided consistent statements that Child A left the facility unsupervised on February 14, 2022. Child A had gone to the bathroom with caregiver Theresa Zehnle and on the way back to the classroom, went out the propped open facility door while groceries were being carried in, unnoticed by any staff member. Child A then went across the parking lot of the facility and across a side street to a local business. The facility received a phone call from the business and Child A was returned to the facility within about ten minutes.

On March 28, 2022, Child A stated that she did run away from the daycare. She ran really fast and that it was cold outside. She stated that she went back to the facility after she ran away.

On March 28, 2022, Compliance Inspector (CI) Stephanie Spaulding received and observed an incident report for Child A from February 14, 2022. The incident report indicates that Child A was going to the bathroom up front and slipped out the door while groceries were being carried in, Child A ran to the neighbors and was brought back to the facility. CI Spaulding also observed the

path that Child A took on February 14, 2022 when she left the facility. Child A was determined to have gone out the back door of the facility, across a parking lot in the rear of the facility, traveled in between two homes on Carouthers Ave, crossed over Carouthers Ave, and was located on the porch of a business on the opposite side of Carouthers Ave from Community Day School. CI Spaulding did not observe the speed limit on Carouthers Ave because CI Spaulding didn't see a speed limit sign posted. The only speed limit sign posted is for a school zone when flashing of 20 mph.

On March 31, 2022, Compliance Inspector (CI) Stephanie Spaulding observed the weather history conditions on February 14, 2022 via the weather underground website for Cape Girardeau. Based on the website information, CI Spaulding observed the weather to be 28 degrees at 9:53 am and 32 degrees at 10:53 am on February 14, 2022.

On August 29, 2022, office manager, Kim Pickett stated that Child A did run from the facility on February 14, 2022. Child A was gone from the facility for less than five minutes and parents were contacted by her. A new fence and gate was put up at the rear of the building where Child A left the facility from as a means of preventing another child from eloping in the future .

On October 3, 2022, former caregiver, Theresa Zehnle stated that she took Child A to the bathroom at the front of the building on February 14, 2022 and when she arrived back at her classroom, she realized that Child A was no longer behind her after going back down the hall to her classroom at the rear of the building. She stated that the back door of the facility was closed when she took Child A to the bathroom but on the way back from the bathroom to the classroom , the back door had been propped open because groceries were being carried in. She noticed the propped door when she got back to her classroom and realized that Child A was not behind her.

CI Spaulding could not determine the exact length of time Child A was left unsupervised out of the facility on February 14, 2022 however, based on staff interviews, the length of time Child A was gone from Community Day School, LLC on February 14, 2022 was between three and ten minutes.

CI Spaulding determined the following additional rule violation also is being cited.

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.

On March 28, 2022, Compliance Inspector (CI) Stephanie Spaulding received and observed an incident report for Child A from February 14, 2022. The incident report indicates that Child A was going to the bathroom up front and slipped out the door while groceries were being carried in, Child A ran to the neighbors and was brought back to the facility . The incident report indicates that Child A left the facility at about 10:15 am on February 14, 2022.

On October 3, 2022, office manager, Kim Prickett stated that she believes Child A was picked up shortly after nap on February 14, 2022. She confirmed that Parent A was notified about Child A leaving the facility on February 14, 2022 when Child A was picked up on February 14, 2022. She also confirmed that naptime is usually over at about 3:00 pm daily. Child A eloped from the facility at 10:15 am and Parent A was not notified until around 3:00 pm which was not immediate.

The reporter was anonymous and therefore could not be interviewed.

CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
All staff and volunteers must obtain one clock hour on supervision . The training must be held by an approved and qualified source, outside of the Community Day School, LLC network. Training may be obtained from the Missouri Workshop Calendar. The training calendar can be found at http://www.moworkshopcalendar.org/ . Verification of training completion shall be from the Open Initiative Toolbox report.	Yes	1/25/2023
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	11/8/2022
CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The facility shall update their disaster and emergency preparedness plan to include a plan for child elopment from the facility. The plan shall be submitted to Office of Childhood for approval, and then the plan shall be reviewed with all staff members (paid employees and paid/unpaid volunteers). All staff members shall	Yes	1/8/2023

sign a statement confirming they have reviewed the plan and agree to follow it.
The signed statements shall be submitted to the Office of Childhood .

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

10/7/2022

APPROVING SUPERVISOR

CHRISCO, MARLA L