



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
12/17/2021

DVN
000410166

FACILITY NAME

OZARKS REGIONAL YMCA

FACILITY ADDRESS

2120 S VENTURA AVE

CITY

SPRINGFIELD

ZIP CODE

65804-2718

PHONE NUMBER

(417) 234-3923

COUNTY

GREENE

ASSIGNED SPECIALIST

DONSON, ANGEL

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.132(6)

A child who has a special physical, developmental, or behavioral need shall have on file an individualized plan for specialized care from a professionally qualified source.

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 25-500.182(1)(A)7.

Caregivers shall provide special attention on an individual basis for new children having problems adjusting, distressed children, etc. Children shall be encouraged, but not forced to participate in group activities.

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 25-500.102(1)(E)

Caregivers shall have knowledge of the needs of children and shall be sensitive to the capabilities, interests, and problems of children in care.

5 CSR 25-500.102(1)(F)

Caregivers shall be capable of handling emergencies promptly and intelligently.

CONCLUSION SUMMARY

Compliance Inspector (CI) Donson conducted an investigation regarding Child A running and hiding from staff on different occasions. After conducting the investigation, CI Donson finds there is sufficient evidence to substantiate this complaint. This conclusion is based on the following evidence of licensing rule violations which occurred at the facility:

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

AND

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 December 17, 2021, CI Donson interviewed Caregivers Rosie Bolyard and Eric Smith-Rosenkrans who admitted they did not know Child A's whereabouts. Child A was checked in by Ms. Bolyard that morning. CI Donson arrived at the facility at 8:15 and did not see Child A until 8:40 a.m. On December 17, 2021, CI Donson observed the following:

- Staff were not aware of Child A's whereabouts and that Child A was hiding until CI Donson asked staff about a previous incident with Child A and asked where Child A was.
- One staff went to the small gym to look for Child A and came back without Child A.
- Another child pointed out that Child A had gone to the small gym but was now hiding behind the stage.
- CI Donson observed Child A sitting crouched behind the steps to the stage.

- Child A was unattended from at least 8:15 a.m. to 8:40 a.m.

5 CSR 25-500.102(1)(F) which states: "Caregivers shall be capable of handling emergencies promptly and intelligently."

After discovering Child A was missing, staff did not promptly go search for Child A. CI Donson had to ask staff to go look for Child A.

5 CSR 25-500.182(1)(A)7 which states: "Caregivers shall provide special attention on an individual basis for new children having problems adjusting, distressed children, etc. Children shall be encouraged, but not forced to participate in group activities."
AND

5 CSR 25-500.102(1)(E) which states: "Caregivers shall have knowledge of the needs of children and shall be sensitive to the capabilities, interests, and problems of children in care. "

Caregivers stated they knew Child A had struggles and that Child A has a history of hiding but failed to demonstrate special attention on an individual basis and did not demonstrate sensitivity to problems that Child A had been having such as running and hiding. Child A's mother stated that Child A told her when he brought to staff's attention that someone was bothering him, he was often told to just ignore it.

5 CSR 25-500.132(6) which states: "A child who has a special physical, developmental, or behavioral need shall have on file an individualized plan for specialized care from a professionally qualified source."

Caregivers stated that they are aware of the struggles Child A has. Child A's mother also stated the facility is aware that Child A has special needs but did not ask her for an Individualized Plan for Specialized Care.

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."

Child A's mother stated she was never notified prior to December 17, 2021 that her child has been running and hiding from staff. Child A's mother believes that the reason she was notified of the incident on December 17, 2021 is because CI Donson was present during the incident of her son hiding and staff knew CI Donson would call Child A's mother.

CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
Facility shall submit a plan addressing how current and new staff will pass information about special needs children and a plan showing steps how they will reassure the incident does not occur again.	Yes	12/29/2022
CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
Facility shall obtain two hours of training on children with special needs. Facility shall submit a sign in sheet for all staff members that attended the training .	Yes	5/8/2023

DISPOSITION	DISPOSITION DATE
SUBSTANTIATED	9/13/2022

APPROVING SUPERVISOR
NURNBERG, TONY A