



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
4/26/2023

DVN
002324818

FACILITY NAME

THE BRAIN STATION

FACILITY ADDRESS

450 BAILEY RD

CITY

CRYSTAL CITY

ZIP CODE

63019-1820

PHONE NUMBER

(636) 933-7355

COUNTY

JEFFERSON

ASSIGNED SPECIALIST

GRAHAM, JESSICA

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.182(1)(C)2.

Expectations for a child's behavior shall be appropriate for the developmental level of that child.

5 CSR 25-500.182(1)(C)3.

Only constructive, age-appropriate methods of discipline shall be used to help children develop self-control and assume responsibility for their own actions.

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.

CONCLUSION SUMMARY

Compliance Inspector Jessica Graham investigated that on 04/25/23, the facility placed a rope with a silicone piece at the end of it, around Child A, age 2's neck. The rope had no quick release mechanism, if the child was to get hung on something, or another child was to pull it. The guardian was not asked for permission to do this and did not sign anything saying she was okay with it. This allegation is substantiated on the following rule violations.

5 CSR 25-500.182(1)(C)2. which states: "Expectations for a child's behavior shall be appropriate for the developmental level of that child."

AND

5 CSR 25-500.182(1)(C)3. which states: "Only constructive, age-appropriate methods of discipline shall be used to help children develop self-control and assume responsibility for their own actions."

AND

5 CSR 25-500.102(1)(A) which states: "Child care personnel shall be of good character and intent and shall be qualified to provide care conducive to the welfare of children."

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."

On May 3, 2023, Brent Jones, caregiver, stated that he asked Parent A if he could place a chewy toy around Child A's neck to help with her biting. The necklace is made by the facility and is made out of aquarium tubing and yarn. Parent A told him that she was fine with Child A wearing the necklace because she did not want Child A to be kicked out of the daycare.

Caregivers Lindsey Montgomery, Grace Young and Jazzmyne Cotton, caregivers, said that the children that bite will wear a necklace made out of a piece of yarn with tubing at the end of it. Management are the ones that make the necklaces and put them on the children. They think that Parent A was told about the necklace because of Child A biting. Lindsey and Jazzmyne said that the children will wear the necklaces all day except for outside play and nap time. Grace said that the children will wear the necklaces outside but not at nap time. When children are biting, they will go see Brent and he will talk with them and then will talk to their parents.

Child B, age 5-years-old, and Child C, age 4-years-old, have seen the necklaces. They said that the babies will wear the necklaces when they bite someone so they can chew on them.

CI Graham observed the materials used to make the necklaces. The materials shown were yarn and aquarium tubing. A completed necklace was also observe. This necklace had tubing around the a portion of the yarn and a knot tied in the back.

On May 22, 2023, Parent A said that Child A had been biting at the facility and Brent told her about making her a string with a silicone piece around the end of it to use. He showed her a picture of a teething necklace on Amazon because she was not aware of what he was talking about. She told Brent that she did not feel that Child A was the appropriate age for the necklace and did not approve of them using it for her. When she picked up Child A from the facility on 4/25/2023, Child A had a necklace around her neck made out of a rope and tubing.

VIOLATION(S)

5 CSR 25-500.182(1)(C)11.

Children shall not be permitted to intimidate or harm others, harm themselves, or destroy property.

5 CSR 25-500.182(1)(C)3.

Only constructive, age-appropriate methods of discipline shall be used to help children develop self-control and assume responsibility for their own actions.

5 CSR 25-500.182(1)(C)8.

No discipline technique which is humiliating, threatening, or frightening to children shall be used. Children shall not be shamed, ridiculed, or spoken to harshly, abusively, or with profanity.

CONCLUSION SUMMARY

Compliance Inspector Jessica Graham investigated the allegation that Brent has gotten in Child A 's face and yelled at her, making her cry. He has told her he was going to call Jesus. He encourages the children to hit instead of bite. Child A was encouraged to bite Brent and a pen. This allegation is substantiated based on the following rule violations.

5 CSR 25-500.182(1)(C)11. which states: "Children shall not be permitted to intimidate or harm others, harm themselves, or destroy property."

AND

5 CSR 25-500.182(1)(C)3. which states: "Only constructive, age-appropriate methods of discipline shall be used to help children develop self-control and assume responsibility of their own actions.

AND

5 CSR 25-500.182(1)(C)8. which states: "No discipline technique which is humiliating, threatening, or frightening to children shall be used. Children shall not be shamed, ridiculed or spoken to harshly, abusively or with profanity.

On May 3, 2023, caregivers Lindsey Montgomery, Grace Young and Jazzmyne Cotton said that they have heard Brent Jones , caregiver, tell Child A that he was going to call Jesus when she did something wrong and Child A got upset . Brent talks to the children in a stern voice, but they do not feel that it is inappropriate. The children are sent to Brent when they get in trouble.

Child B, age 5-years-old said that Brent will yell sometimes when kids get in trouble. He is loud and scary when he yells and it makes him cry. He does not like going to see Brent when he is in trouble.

Brent Jones has told Child A to bite on a pen because she was biting other children . He has never encouraged a child to hit instead of bite. Brent said when he talks to the children, he will get on their level and use a stern voice.

On May 22, 2023, Parent A said that Brent has told her that he would rather the kids hit each other children than bite each other. Brent has also told Child A that he was going to call Jesus and Santa on her because of her biting issues . He told Parent A that he got in Child A's face and screamed at her until she cried.

CORRECTIVE MEASURES

CORRECTIVE MEASURE

All staff members (paid employees or unpaid volunteers) must take the online training course titled, "Making a Difference: Protecting Health and Keeping Children Safe" available at <https://dese.mo.gov/childhood/child-care/training-info>. Verification of attendance shall be through the Toolbox report.

COMPLETED (Y/N)

Yes

COMPLETED DATE

7/22/2024

CORRECTIVE MEASURE

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(s) shall be submitted to the Office of Childhood."

COMPLETED (Y/N)

Yes

COMPLETED DATE

7/28/2023

CORRECTIVE MEASURE

The facility will have all staff attend at least one clock hour of training regarding

COMPLETED (Y/N)

Yes

COMPLETED DATE

7/19/2024

strategies on handling children who bite, as approved by the the Office of Childhood. The training hour must be held by an approved and qualified source, outside of The Brain Station network. Verification of training completion shall be from the Toolbox report.			
CORRECTIVE MEASURE The facility shall develop a plan to ensure that all employees are fully trained, prior to caring for children, on the facility's procedures as they pertain to children with special needs. The plan shall identify specifically how staff should handle children with aggressive behaviors and biting tendencies. A copy of the plan shall be submitted to the Office of Childhood.		COMPLETED (Y/N) Yes	COMPLETED DATE 3/13/2024
DISPOSITION SUBSTANTIATED		DISPOSITION DATE 7/5/2023	
APPROVING SUPERVISOR CHRISCO, MARLA L			