



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT

11/9/2023

DVN

002664826

FACILITY NAME

BRIGHT STARS LEARNING ACADEMY, LLC

FACILITY ADDRESS

331 N MAIN ST

CITY

POPLAR BLUFF

ZIP CODE

63901-5154

PHONE NUMBER

(573) 772-5044

COUNTY

BUTLER

ASSIGNED SPECIALIST

GRAHAM, JESSICA

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

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 25-500.102(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 the allegation that on November 8, 2023, at approximately 3:50 p.m., Child A (3-years-old), was pushed by another child, receiving a spiral fracture of his left leg. Staff did not notify the parents of the incident until the child was picked up at 4:12 PM. The allegation is substantiated based on the following information:

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."

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. "

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 November 13, 2023, caregiver Haleigh Taylor stated that she was aware of the incident but was inside cleaning the classroom after nap time and another caregiver, Deonte, was outside with the kids. When she went outside, Child A was sitting at the picnic table. Child A does not talk clearly, but was pointing and saying Child B's name. She told Child A he was okay and just to sit for a while. She does not recall what Deonte was doing at that time but Deonte never said anything had happened to Child A. Child A was not crying, just whining a bit and saying Child B's name. When Parent A arrived, Parent A went to stand Child A up and Child A started screaming. Child A was crying, screaming and kept saying Child B's name.

On November 13, 2023, caregiver Celina McCain stated that she talked to Deonte about how long it took him to get the incident reported.

On November 13, 2023, CI Graham observed video footage from November 8, 2023. The footage shows Deonte Hubrins on the playground with the preschool class, including Child A. Child A is wearing a long sleeve blue shirt and jeans. The video is 7:38 minutes long and has audio but is not easily heard.

00:00-Child A is on the slide and Deonte is sitting at the picnic table.

00:18-Child A is with some children.

00:28-Child A runs to the swings and Child B joins.

00:40-Child A and Child B are running around and appear to be fighting or play fighting. Child A falls to the ground several times.

00:53-Child A runs to the middle of the playground and Child B pushes him down again while he is running . Child A lands with his left leg bent behind him.

1:05-Child A rolls onto his stomach and a couple of children approach him . Deonte is at the picnic table, looking at his phone or tablet.

1:15-The children run off from Child A, who remains on the ground but sits up.

1:37-Another child walks over to Child A, leans down to Child A, then walks away and goes back.

1:55-The child looks to try to help up Child A from the ground by pulling on Child A's arm.

2:05-The child pushes Child A backward and then kicks him in the leg and walks off .

2:15-Deonte looks up from the device.

2:29-Deonte walks over to Child A.

2:47-Deonte stops to talk to Child A.

3:03-Deonte reaches his hand out to Child A but Child A does not take it .

3:12-Deonte holds his hand out again for Child A and Child A takes it .

3:18-Deonte gets Child A to stand but Child A does not put pressure on his left leg .

3:36-Deonte carries Child A to the picnic table and sits Child A on the bench .

3:58-Deonte is talking to Child A then sits back at the table .

4:18-Deonte gets back on his device.

5:51-Hailey Taylor walks outside.

On November 13, 2023, CI Graham reviewed the incident report dated November 8, 2023, at 4:12pm. The report notes: "[Child A] was running and was pushed on his shoulder by another student and fell in the far grassy area. He fell in a half split with his right leg forward and his left leg backward (he landed on his left leg). The teacher on duty went to him and assisted him to the picnic table. Incident happened at 3:50pm."

On November 14, 2023, caregiver Deonte Hubrins stated that he didn't know that Child A had been pushed, he just thought Child A had fallen. Child A told him that he fell. He tried getting Child A up but Child A wouldn't walk. He carried Child A to the table and Child A was crying and whining. Child A sat at the picnic table while he was filling out an incident report and checking kids out on the Brighwheel app. Right after he got Child A to the picnic table he had to attend to another child . Then, he did an incident report that noted how Child A fell outside. He thought that Child A had hit the rocks so that is what he put in the report . He did not see that Child A was pushed.

CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The facility shall notify all caregivers (paid employees and paid or unpaid volunteers) of the violations which were substantiated and specify the actions to be taken by all caregivers, in order to comply with all violations cited. A copy of the memo, letter, or meeting agenda shall be submitted to the Office of Childhood.	Yes	2/29/2024

DISPOSITION	DISPOSITION DATE
SUBSTANTIATED	1/8/2024

APPROVING SUPERVISOR
CHRISCO, MARLA L