



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
11/2/2022

DVN
002549620

FACILITY NAME

DELTA AREA ECONOMIC OPPORTUNITY CORPORATION

FACILITY ADDRESS

310 S PEMISCOT ST

CITY

HAYTI

ZIP CODE

63851-9274

PHONE NUMBER

(573) 359-6400

COUNTY

PEMISCOT

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 25-500.182(1)(C)5.

Brief, supervised separation from the group may be used based on a guideline of one (1) minute of separation for each year of the child's age.

5 CSR 25-500.182(1)(C)7.

Physical punishment including, but not limited to, spanking, slapping, shaking, biting, or pulling hair shall be prohibited.

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

On November 7, 2022, Compliance Inspector (CI) Jessica Graham investigated the allegation that on 11/2/2022, at 7:46am, a staff, G.J. (hire date 4/19/22) was observed on video shoving Child A, (DOB: 9/30/19), 5-7 times. G. J. was also observed jerking Child A by the arm or shirt and pulling him hard, towards her body with his face landing into her chest. Audio on the video showed G. J. speaking harshly to Child A. This allegation is substantiated based 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 25-500.182(1)(C)7. which states: "Physical punishment including, but not limited to, spanking, slapping, shaking, biting, or pulling hair shall be prohibited."

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 November 7, 2022, caregivers JM, CM, and HM said that they have worked with GJ in the classroom at some point and found her tone to be concerning. She would talk harsh at times and would have an attitude with staff and children. JM said that she would see GJ grab children by the hand then hold them up by the arm. She would not console children when needed and would make them sit in time out for long periods of time. None of the caregivers ever said anything to anyone about GJ's behavior. They never heard GJ cuss or seen her mishandle the children.

BK, central office staff, was at the center the morning of November 2, 2022, and was reviewing the video footage of Classroom G for instructional purposes. BK observed the interaction between GJ and Child A and immediately pulled GJ out of the classroom.

GJ was addressed about the situation but had nothing to say. She escorted GJ out of the building and she was terminated that day.

EA, assistant director, had never had any concerns with GJ other than her interactions with the caregivers and her not engaging with the children. She had a conversation with GJ a few months back about this and she felt that GJ had been doing better since then. She was not aware of GJ ever having physical interactions with the children or cursing at them and had never been told by other caregivers that this was happening. When the incident between Child A and GJ was seen, GJ was terminated immediately.

CI Graham interviewed Parent A and Parent C and neither one had any concerns with their child's care or any interactions with GJ previously. Parent A said that Child A was having some behavior issues recently but she thought it was because she was not working at the center any more with him. He would come home hitting, which was not typical behavior for him. Parents were not allowed to walk the children to the classrooms so she never saw interactions with Child A and GJ. Parent C said that Child C said one day last week that she was scared to go to school but she could not remember the day and she did not say why she was scared.

On November 7, 2022, CI Graham observed video footage from Delta Area Economic Opportunity Corporation with Chief of Police, Shane Wiseman, at the Hayti Police Department. The footage was dated November 2, 2022, and showed Classroom G with caregiver GJ. There is audio on the footage. Footage began at 7:52:02am with GJ and two other children in the room. The footage is seven minutes long. The following was observed:

- GJ is sitting at a table with papers while Child B, age 3-years-old, is walking around the room and Child C, age 3-years-old, is on the carpet with toys.

- 7:52:25am: GJ calls Child B over to her and begins asking her questions about things on the paper.

- GJ continuously asks Child B what color something is on the paper.

- Child B is responding but can not make out what she is saying.

- GJ asks Child B again what color something is on the paper.

- 7:52:45am: GJ grabs Child B by the right arm and walks her to the corner (off screen).

- GJ then turns around to Child B tells her to "shut your mouth" and says something else to her as she is walking away (inaudible).

- GJ returns to the table with the papers.

- 7:53:22am: Child A, age 3-years-old, arrives.

- Child A is not greeted when he walks in the room. He places a paper on the table by the door and slowly walks towards GJ.

- GJ is looking at an iPad.

- GJ looks up at Child A who is standing in front of her and says "what do you need to do?"

- 7:53:50 am: Child A walks towards the sink and washes his hands.

- 7:54:23am: GJ says "get over here" to Child A, who walks towards her.

- 7:54:34am: GJ picks up flash cards and shows them to Child A.

- She tells Child A to "get over here, right here" and he moves closer.

- GJ tells Child A to not say something, but it is not clear what she is saying.

- She then shows him a card and asks "what number is this?"

- 7:54:51am: Child A answers (unheard) and she pulls him by the collar of his shirt up to her face.

- GJ grabs him behind the head and says "when you start counting, you start with number one, do not say six".

- She releases him and he backs up from her.

- 7:54:56am: GJ asks Child A again what number she is showing him.

- 7:55:00am: Child A responds and she grabs him by the shirt again, his head falling back.

- GJ says in his face "I just told you when you start counting, you start with one" and then releases him again.

- Child A takes a step back.

- Child C is on the carpet watching the interaction.

- Child B is still off screen in the corner.

- GJ holds up the card again for Child A and he responds.

- 7:55:10am: GJ leans into Child A's face and says "when you start to count you start with number one" and pushes Child A's face back twice.

- 7:55:15am: GJ asks Child A the number again.

- 7:55:23am: Child A is not responding so GJ tells him to move closer to her.

- Child A steps forward.

- 7:55:27am: GJ takes the card and shoves it into Child A's face saying "one, this is one".

- Child A steps back.

- GJ places the card down and picks up another card to show to Child A.

- Child A does not respond so she tells him to "get over here".

- Child A takes one step towards GJ.

- She asks him what number she has.
- 7:55:38am: Child A does not respond so GJ takes the card and pushes it into his face saying "two bitch, it's two".
- Child A is pushed away from her and she drops the card on the ground.
- She tells Child A to pick up the card and as he is picking it up she is saying something to him.
- Child A takes the card back to her and she grabs it from him saying "this is two".
- 7:55:55am: GJ places that card down and gets another card.
- She holds the card up for Child A and then tells him to "get right here"; him moving towards her.
- 7:56:02am: GJ asks him what number she has and then takes the card, shoving it into his face again saying "three, bitch, it's three" and pushes him away from her with the card in his face.
- Child A steps back.
- GJ grabs another card and asks him the number.
- She makes him step towards her again.
- Child A answers that number card correctly and she moves on.
- 7:56:21am: GJ shows Child A another card.
- Child A does not respond.
- GJ takes the card and pushes Child A in the face with it saying "five, bitch, it's five".
- GJ tells him to "get right here" making him move closer.
- Child A steps towards GJ.
- 7:56:32am: GJ shows Child A another card asking him "what number is this".
- Child A does not respond, so she takes the card and pushes Child A in the face with it.
- Child A's head goes back as she is pushing him.
- GJ is saying "six bitch, it's six" while pushing him and the card falls to the floor.
- Child A picks up the card and GJ takes from it his hands.
- Child A walks back towards GJ.
- 7:56:41am: GJ shows Child A another card.
- Child A says something and then GJ grabs him by the shirt.
- She says something to Child A and tells him to "pay attention".
- 7:56:48am: She takes the card and hits him in the face with it saying "seven".
- GJ shows Child A three more cards and he answers them correctly.
- GJ starts over with the stack of cards.
- 7:57:00am: director EA walks into the classroom.
- GJ is showing Child A the card.
- Child B is sitting on the carpet with toys and Child C is still in the corner of screen.
- EA is talking to GJ.
- GJ is sitting, holding the card up to Child A while EA is talking.
- 7:57:33am: EA leaves the room.
- GJ is holding the card up for Child A.
- 7:57:36am: GJ grabs Child A by the shirt and pulls him towards her.
- She pulls him up by the shirt (feet coming off the ground) and holds him behind his neck and by the front of the shirt.
- GJ says something to Child A in his face and then releases his shirt.
- She holds the card up to Child A and says "one, say one".
- She then shows the cards to Child A and he answers up to the number five card.
- 7:58:02am: GJ shows Child A number five and he does not answer.
- She takes the card to Child A's face and says "five" and shoves the card in his face.
- Child A answers the remaining cards correctly.
- 7:58:20am: GJ starts over with card one and shows it to Child A.
- She asks Child A what number the card is.
- 7:58:26am: GJ grabs Child A by the shirt and pulls him towards her.
- GJ is saying something to Child A in his face.
- She says "one" and then pushes him away.
- She holds the card up to him and asks "what number is this".
- 7:58:44am: GJ stands up and grabs Child A by the hood.
- She tells Child B to get up out of the corner and walks Child A over to the spot that Child B was sitting.
- 7:58:57am: GJ tells Child B to sit down in a chair at the table.

5 CSR 25-500.182(1)(C) 5. which states: "Brief, supervised separation from the group may be used based on a guideline of one (1) minute of separation for each year of the child's age."

Observed from video footage, GJ places Child B, age 3-years-old, in time out at 7:52:45. Child B is off screen from the video footage. At 7:58:44am, GJ tells Child B to get up from where she was sitting and then places her in a chair at a table. Child A was sitting in time out for at least six minutes.

CORRECTIVE MEASURES

CORRECTIVE MEASURE

All staff members (paid employees or unpaid volunteers) must take the 1.0 clock hour 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

1/31/2023

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

4/6/2023

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

12/31/2022

APPROVING SUPERVISOR

CHRISCO, MARLA L