



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
8/23/2023

DVN
002119782

FACILITY NAME

SCHROEDER, MARCIA KAY

FACILITY ADDRESS

1309 GILMORE ST

CITY

TRENTON

ZIP CODE

64683-1633

PHONE NUMBER

(660) 359-5437

COUNTY

GRUNDY

ASSIGNED SPECIALIST

IBBOTSON, JESSICA

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.132(1)

The provider shall establish, implement, and maintain written policies pertaining to the program goals, admission, safe sleep practices for children less than one (1) year of age, care, and discharge of children, and shall provide a copy to the parent(s) at the time of enrollment.

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.

CONCLUSION SUMMARY

Compliance Inspector (CI) Jessica Ibbotson conducted an investigation regarding the allegation that Provider Marcia Schroeder hit Child A on the head, pulled him by his ears and scratched him. After conducting the investigation, CI Ibbotson finds this allegation is substantiated. This conclusion is based on the following evidence of licensing rule violations which occurred at the facility:

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."

On August 24, 2023, CI Ibbotson interviewed Child A who stated that Provider Schroeder had hit him on the top of his head two different times and pulled his ear on the same day. Child A also stated that Provider Schroeder attempted to grab him and when he moved, she scratched the right side of his stomach. He stated that Provider Schroeder hit him on his head because he talked back to her when she instructed for him to clean up, telling her that he already was. He stated that he had to place his own hand on top of Provider Schroeder's to get her to stop pulling his ear. He stated that it did not leave any marks but it hurt really bad, making his ear red and warm to the touch. He stated that he believed Provider Schroeder was attempting to get his attention, so she grabbed him.

On August 24, 2023, CI Ibbotson interviewed Provider Schroeder and Child B. Child B stated that teachers would often times grab his arms and his friends arms too tight when taking them to timeout. Child B stated that it hurt him and his friends when his teachers grabbed them. Provider Schroeder stated that she had "bopped" Child A on the top of his head with an open hand once because he was not following directions. Provider Schroeder also stated that she also probably pulled his ear but was unsure. She stated that pulling children's ears was not a typical behavior she would do towards any of the children but she could see herself doing so with Child A because of his challenging behaviors. She stated that talking with Child A about his behaviors typically did not work so she would resort to physical touch. She also stated that it was possible that she accidentally scratched

Child A when she grabbed his neck on August 21, 2023, for chasing another child around the room. Physical punishment was not part of the facility's discipline policy.

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."

On August 24, 2023, CI Ibbotson interviewed Caregiver Flores and Caregiver Collins. Caregiver Flores stated that she would place Child A in timeout by sitting at the table with his head down or have him stand in the corner of the room for approximately 10 minutes. She stated that all other staff followed the same discipline policy for all of the children. Caregiver Collins stated that she would instruct a child to sit in timeout at the table for approximately two minutes, no matter their age. She also stated that on August 23, 2023, she instructed for Child A to sit at the table for approximately 30 minutes because he was not following directions. She stated that she had Child A sit for 30 minutes with no activity provided until one his guardians picked him up.

5 CSR 25-500.132(1) which states: "The provider shall establish, implement, and maintain written policies pertaining to the program goals, admission, safe sleep practices for children less than one (1) year of age, care, and discharge of children, and shall provide a copy to the parent(s) at the time of enrollment."

On August 24, 2023, CI Ibbotson interviewed Provider Schroeder, Caregiver Flores and Caregiver Collins. All staff stated that physical punishment was not part of the facility's discipline policy. Caregiver Flores and Caregiver Collins stated that they were unaware of state licensing rules regarding sitting a child in timeout for one minute per the child's age. Caregiver Flores stated she would instruct a child to sit in timeout for approximately 10 minutes. Caregiver Collins stated she would instruct a child to sit in timeout for approximately two minutes, regardless of their age. Caregiver Collins also stated that she instructed for Child A to sit at the table with no activity provided for approximately 30 minutes due to him not following directions. Provider Schroeder stated that talking with Child A about his negative behaviors did not work so she resorted to physical touch by grabbing him and "bopping" him on the head with an open hand. She stated that she did not have a conference with Guardian A regarding Child A's behaviors but would communicate with her each day about any offenses he may have done.

CI Ibbotson reviewed the facility's discipline policy, which states: "Redirection and encouragement for positive behavior is utilized. Children will be disciplined by verbal warnings for the first offense. Then time out will be implemented if offense occurs again. Time out is measured by a minute per year of age. If an offense occurs a third time, parent/guardian will be notified, and a conference held. If the offense is extreme, no warning or time out will be given. The parent/guardian will immediately be notified, and a conference will be held."

CORRECTIVE MEASURES

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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

11/20/2023

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

10/20/2023

APPROVING SUPERVISOR

FOX, ROMENA