



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
8/10/2023

DVN
000186025

FACILITY NAME

GOLDEN VALLEY DAY CARE CENTER

FACILITY ADDRESS

408 W ROGERS

CITY

CLINTON

ZIP CODE

64735

PHONE NUMBER

(660) 885-8016

COUNTY

HENRY

ASSIGNED SPECIALIST

RADNEY, HEATHER E

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

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)7.

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

5 CSR 25-500.102(2)(A)1.

An approved certificated group child care home provider or center director shall be responsible for planning, monitoring, and managing the facility's daily program.

CONCLUSION SUMMARY

Compliance Inspector (CI) Heather Radney conducted an investigation of the allegations that the facility does not have a director; On Monday, August 7, 2023 at approximately 12:15 p.m., a staff member named Kathy restrained Child A (4 years old), who has a diagnosed learning disability, while Christy Foster recorded it. The allegations are substantiated based on the following information:

5 CSR 25-500.102(2)(A)1. - An approved certificated group child care home provider or center director shall be responsible for planning, monitoring, and managing the facility's daily program.

On August 15, 2023, CI Radney conducted an interview with Caregiver Christy Foster. She reported she just took over the director position about a month ago when their other director left. She is the interim director. She is working on her credits to be the director. On December 12, 2023, CI Radney conducted a telephone interview with Christy Foster. She reported she is still working on the credits required to be the approved director. They do not have an approved director at this time. She is the interim director. Caregiver Cassie Hardy reported on July 28, 2023, Brittany Riecke left as the director. Christy is the interim director.

On December 20, 2023, CI Radney conducted a review of the facility's status in CCRIS. There is no approved director on file.

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.

AND

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.

On August 15, 2023, CI Radney conducted interviews with Caregivers Christy Foster, Cassie Hardy, Peggy Schmidli, Child B and Child C. Christy Foster reported she recorded the incident where Cassie was holding Child A on her lap. Cassie had Child A on her lap, facing her. Cassie was attempting to get Child A to stop hitting other children and teachers. No staff are trained to use physical restraints. Cassie Hardy reported Child A was having trouble in her classroom. Child A ran around the room and was hitting, kicking and smacking her. She sat down and held Child A in her lap for a couple of minutes to keep her from hitting her. Child A tried to take her glasses off and Child A punched her in the face multiple times. She wasn't making Child A stay there but she didn't want to let her up so that she could run around and hurt other kids or her again. She has not been trained to use physical restraints. Peggy Schmidli reported she wasn't out there with Cassie and Child A but Child A throws chairs and

toys, runs around, hits, kicks and scratches. Child A will hit teachers in the face. She has sat Child A on her lap to try to calm her down. She will hold Child A's arms down if Child A is trying to hit her in the face. She has not been trained on physical restraints.

On December 14, 2023, CI Radney attempted to reach Parent A. A voicemail was left but no return call was received.

On August 15, 2023, CI Radney received and reviewed video footage provided by Cathy Foster at Golden Valley Day Care Center. The video is time stamped August 7 at 12:23 p.m. and is approximately thirty-eight seconds long. The video begins while Child A is on Cassie's lap facing her. Child A's left leg is in between Cassie's two legs. Child A's right leg is on the outside of Cassie's left leg. Cassie's arms and hands are overlapped around Child A's waist. Child A is actively hitting Cassie with her left open hand on Cassie's right upper arm. Christy states "I don't think Mommy is going to be happy when she sees this. Do you think it's okay for you to be hitting her?" Child A hits Cassie approximately 24 times. Child A begins to wiggle in Cassie's lap. Child A is grunting, looking around and not crying. Child A leans her upper body back and raises her left arm and hits Cassie in the collarbone area two times. Christy states "Its not a game." Child A then begins using her rights open hand and alternates hitting Cassie on her left and right upper arms using both of her open hands approximately 11 times. Child A leans back at the waist. Cassie moves her left and right hands to around Child A's waist and then under Child A's arms. Child A hits Cassie once in the stomach area while leaned back. Child A leans to hear right and appears to be trying to get out of Cassie's lap. Cassie readjusts her arms and hands around Child A's waist. Child A hits Cassie twice then puts her arms around Cassie's upper arms and begins wiggling. Cassie says "No, you're not running." Child A says "I'm not gonna run." Cassie says "Yes you will." The video ends.

Using a physical restraint of any kind would not be using constructive, age-appropriate methods of discipline that would help a child to develop self-control and assume responsibility for their own actions. Additionally, physical punishment is prohibited.

CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
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 shall be submitted to the Office of Childhood.	Yes	2/16/2024
CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The facility shall submit all necessary paperwork to approve a center director or group home provider by January 31, 2024.	Yes	6/27/2024

DISPOSITION	DISPOSITION DATE
SUBSTANTIATED	12/20/2023

APPROVING SUPERVISOR
FOX, ROMENA