



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
6/1/2021

DVN
000269427

FACILITY NAME

MAGIC KINGDOM, INC.

FACILITY ADDRESS

704 SALEM

CITY

OAK GROVE

ZIP CODE

64075

PHONE NUMBER

(816) 690-3933

COUNTY

JACKSON

ASSIGNED SPECIALIST

FOX, ROMENA

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

19 CSR 30-62.182 (1)(A)(3)

Caregivers shall provide frequent, direct contact so children are not left unobserved on the premises.

19 CSR 30-62.192 (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) written instructions.

19 CSR 30-62.192 (5)(B)

Information regarding the date and circumstance of any accident or injury shall be noted in the child's record.

CONCLUSION SUMMARY

Section for Child Care Regulation determined this allegation to be substantiated. On June 4, 2021, Child Care Facility Specialist (CCFS) Romena Fox interviewed Parent A via telephone. On June 7, 2021, CCFS Romena Fox completed an unannounced inspection at Magic Kingdom, Inc. and interviewed Director Jamie Ballowe, Caregiver Debbie Cundiff, Caregiver Marie Criswell and Caregiver Tammy Sudduth. On July 21, 2021, CCFS Regina Grillo completed phone interviews with Parent C and Parent E. CCFS Regina Grillo attempted to complete phone interviews with Parent B and Parent D with no contact made.

Parent A confirmed the allegations and reported that Child A had a bite mark on the back of his calf. She stated that none of the staff members knew what happened. All of the staff members and the director reported that Child A throws fits and will throw himself on the floor. None of the staff members nor the director saw a child bite Child A or observe the bite mark. Director Jamie Ballowe reported that she has seen marks on Child A when he has come to daycare and they all appear to be typical for his age. Caregiver Debbie Cundiff reported seeing a bruise on Child A's face and that Parent A said it happened at home. She denied seeing any marks that Child A received while at daycare. Caregiver Marie Criswell reported that Child A did have bruising on his face from throwing himself down and may have had scrapes on his knees but she wasn't sure. Caregiver Tammy Sudduth reported that Child A is very active and all of his marks are not accounted for. She stated that there was one day when Child A didn't have a bruise on his face when he came in but did have a bruise on his face within the first couple of hours. She stated that she wrote it down on the back of Child A's daily form that they send home with the parents. She reported that they did have a stealth biter who bit two other children. She stated that when they became aware of this, they started paying more attention and became more mindful.

All of the staff members reported that they write incident/accident reports and then give it to the director when a child gets hurt. Caregiver Tammy Sudduth reported that they do an incident/accident report, give it to the director and then someone will call the parent if needed. Parent C and Parent E both reported receiving incident/accident reports but not being notified until they picked the children up. They reported no concerns with the program.

CCFS Romena Fox received a picture from Parent A via email. The picture shows two red half circles across from each other with space in between on the back of Child A's calf. CCFS Romena Fox observed a "Report of Accident, Injury and/or Emergency Medical Care". Under "Description of Incident", the report states
"9:50 fell into gate leaving red mark on forehead
11:30 noticed bruise on left cheek".
Under "Description of Action Taken", the report states
"Always hugs when upset"

ice pack when he'll allow us".

The report shows the date of 6/2/2021 with staff, supervisor and parent signatures. There is no information under "Notice to Parent". There was no incident/accident report for the bite mark.

Based on the interviews and observations, there is sufficient evidence to show that staff wasn't adequately supervising children and that the facility is not immediately notifying parents when children have an accident or are injured. Therefore, the allegation is substantiated.

CORRECTIVE MEASURES

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All staff members (paid employees or unpaid volunteers) must take the 1.5 clock hour DHSS online training course titled, "Supervision in Child Care" available at <https://health.mo.gov/safety/childcare/onlinetraining.php>. Verification of attendance shall be through the Toolbox report.

COMPLETED (Y/N)

Yes

COMPLETED DATE

9/24/2021

CORRECTIVE MEASURE

The facility shall conduct a staff meeting to review the center's policies and all licensing rules and regulations regarding accidents and injuries. The facility must provide the Section for Child Care Regulation with a statement, signed by all staff (paid employees or unpaid volunteers), to indicate they understand and agree to follow those rules and regulations.

COMPLETED (Y/N)

Yes

COMPLETED DATE

9/15/2021

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

8/4/2021

APPROVING SUPERVISOR

NURNBERG, TONY A