



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
5/5/2023

DVN
001810839

FACILITY NAME

KIDDIE KORNER, LLC

FACILITY ADDRESS

302 N OLIVE ST

CITY

ROLLA

ZIP CODE

65401

PHONE NUMBER

(573) 364-6595

COUNTY

PHELPS

ASSIGNED SPECIALIST

OMALLEY, PATRICK

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.182(1)(A)1.

Caregivers shall not leave any child without competent adult supervision.

5 CSR 25-500.182(1)(C)9.

Punishment or threat of punishment shall not be associated with food, rest, or toilet training.

5 CSR 25-500.082(2)(B)1.C.

Floor space shall not include kitchens, bathrooms, closets, staff lounges, office space, hallways used exclusively as passageways or floor space occupied by furniture or shelving not used by the children or for their activities.

CONCLUSION SUMMARY

On May 5, 2023, the Office of Childhood (OOC) received an allegation that an unknown child was left crying alone in a hallway at Kiddie Korner, LLC. After conducting an investigation, Compliance Inspector (CI) Patrick O'Malley has found this allegation to be substantiated based on the following evidence:

5 CSR 25-500.182(1)(A)1., which states the following: "Caregivers shall not leave any child without competent adult supervision."
AND

5 CSR 25-500.082(2)(B)1.C., which states the following: "Floor space shall not include kitchens, bathrooms, closets, staff lounges, office space, hallways used exclusively as passageways or floor space occupied by furniture or shelving not used by the children or for their activities."
AND

5 CSR 25-500.182(1)(C)9., which states the following: "Punishment or threat of punishment shall not be associated with food, rest, or toilet training."

On May 9, 2023, CI O'Malley conducted an unannounced inspection of the facility and did not observe any children seated in the hallway. CI O'Malley conducted an interview with teacher Paige Hensley, who stated that children were seated in the hallway within the teacher's line of sight when they were being disruptive during naptime. CI O'Malley conducted a phone interview with director Chelsea Negrete, who also stated that children were seated in the hallway within the teacher's line of sight when they were being disruptive during naptime. Chelsea Negrete stated that children were never seated in the hallway for more than two minutes at a time.

VIOLATION(S)

5 CSR 25-500.132(6)

A child who has a special physical, developmental, or behavioral need shall have on file an individualized plan for specialized care from a professionally qualified source.

CONCLUSION SUMMARY

On May 5, 2023, the Office of Childhood (OOC) received an allegation that Kiddie Korner, LLC was not accommodating Child A's (4-years-old) Individualized Educational Plan (IEP) or his special needs and refuses to take a copy of Child A's IEP. After conducting an investigation, Compliance Inspector (CI) Patrick O'Malley has found this allegation to be substantiated based on the following evidence:

5 CSR 25-500.132(6), which states the following: "A child who has a special physical, developmental, or behavioral need shall have on file an individualized plan for specialized care from a professionally qualified source."

On May 9, 2023, CI O'Malley conducted an unannounced inspection of the facility and did not observe an IEP in Child A's file. CI O'Malley conducted phone interviews with managing member Melissa Negrete and director Chelsea Negrete. Melissa Negrete stated that she was aware that Child A had an IEP for behavioral issues. Melissa Negrete stated that she did not accept a copy of Child A's IEP and she does not accept IEPs for any of the children enrolled at the facility. Melissa Negrete stated that the facility was too small to accommodate IEPs and the staff was not trained to implement them. Chelsea Negrete stated that she was aware that Child A had an IEP for behavioral issues. Chelsea Negrete stated that Parent A (parent of Child A) never provided the facility with Child A's IEP and Parent A never offered to provide the facility with Child A's IEP.

On May 15, 2023, CI O'Malley conducted a phone interview with Parent A (Parent of Child A), who stated that Child A was enrolled at the facility from January 9, 2023, until mid-May 2023 and she offered Child A's IEP at least three times to Chelsea Negrete during that time. Chelsea Negrete reported that having a copy of Child A's IEP was not necessary.

CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The facility shall review all children's records and ensure that any child with special physical, behavioral, or developmental needs has a specialized care plan on file. A signed statement that this task has been completed and all children's records are in compliance shall be submitted to the Office of Childhood.	Yes	7/11/2023
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 violations cited. A copy of the memo, letter, or staff meeting agenda shall be submitted to the Office of Childhood.	Yes	7/11/2023

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

7/3/2023

APPROVING SUPERVISOR

CHRISCO, MARLA L