



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
11/17/2022

DVN
002177906

FACILITY NAME

THE GUARDIAN ANGEL SETTLEMENT ASSOCIATION

FACILITY ADDRESS

1127 N VANDEVENTER AVE

CITY

ST LOUIS

ZIP CODE

63113-3427

PHONE NUMBER

(314) 231-3188

COUNTY

ST LOUIS CITY

ASSIGNED SPECIALIST

FYFE, IAN

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.192(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(s') written instructions.

5 CSR 25-500.192(5)(B)

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

CONCLUSION SUMMARY

On November 17, 2022, the Office of Childhood (OOC) received an allegation that Parent A (parent of Child A) was not properly notified of an injury that Child A (4-years-old) received at The Guardian Angels Settlement Association. After conducting an investigation, Compliance Inspector (CI) Fyfe has found this allegation to be substantiated based on the following evidence:

5 CSR 25-500.192(5)(A), which states the following: "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(s') written instructions."

AND

5 CSR 25-500.192(5)(B), which states the following: "Information regarding the date and circumstance of any accident or injury shall be noted in the child's record."

On November 17, 2022, Compliance Inspector (CI) Ian Fyfe conducted an interview with Parent A (parent of Child A). On November 16, 2022, Parent A arrived to the facility to pick up Child A. During this time, Parent A did not have any staff members approach Parent A to inform them about any incidents or accidents involving Child A. Child A informed Parent A that their lip and fingers hurt because another child had stomped on them. Parent A then observed a gash on Child A's top lip but did not observe any injuries to Child A's fingers. Throughout the day on November 16, 2022, Parent A did not receive any form of notification from the facility regarding an accident or injury involving Child A. Parent A contacted the facility to address the situation with the facility staff but the facility staff were unable to provide Parent A with an explanation regarding Child A's injury. Parent A attempted to talk to Director VO in person regarding Child A's injury but was escorted out of the building by VO.

On November 18, 2022, CI Fyfe conducted an interview with Child A at Parent B's residence (grandparent of Child A). Child A goes to school and is in the Leaping Frogs classroom. EM is Child A's teacher. Child A knows what it means to be safe but does not feel safe at their school. A child in Child A's class, Child B, busted Child A's lip at school. Child B busted Child A's lip with their hand and stepped on Child A's hand. Child B did not say anything to Child A when this happened. Even though EM tells Child B to stop being mean to Child A, Child B does not stop. When Child B hit Child A, Child A's lip bled. When this happened, no one made Child A feel better. EM did not help Child A because EM did not know about the hit. When talking to CI Fyfe, Child A's finger still hurt. While present at Parent B's residence, CI Fyfe observed Child A to have a swollen, red bump on the inside of Child A's top lip. The bump was observed to be in the middle of Child A's lip.

On November 18, 2022, CI Fyfe conducted an unannounced inspection to the facility and interviewed Facility Director VO, Director of Grants and Evaluations ML, Assistant Director AL, and staff member RS. CI Fyfe also interviewed Child C (4-years-old). On November 17, 2022, Assistant Director TT contacted VO and informed VO that they needed to come speak

with an upset parent, namely Parent A. TT informed VO that Parent A was upset about another child stomping on Child A. No staff members observed any marks or injuries on Child A. Child A's lips did appear to be cracked at the time. VO did not receive any information regarding an accident or injury involving Child A on November 16, 2022, and was first notified of the reported concerns on November 17, 2022. On the day that the reported concerns occurred, staff member RS and Assistant Director AL were the caregivers for Child A. Neither staff member stated that they observed Child A get hurt when interviewed by VO. There are cameras present in the classrooms, however VO did not review them prior to CI Fyfe's arrival. Assistant Director AL recalls Parent A calling RS on November 16, 2022, and RS talking to Parent A about Child A. All staff members interviewed informed CI Fyfe that Parent A was aggressive towards staff when they arrived to the facility and that staff requested that Parent A leave. During the week of the reported concerns, AL worked with RS in their classroom. According to AL, RS had been properly documenting all incidents as necessary during this week. RS, who is familiar with Child A and Child B (4-years-old), recalled an incident in which Child B hit Child A on their mouth on November 16, 2022, at approximately 10:30 AM. RS examined Child A and did not observe any injury. RS did not create an accident report for this incident due to the fact that the day had been hectic. Parent A called RS towards the end of the day but RS stated that they did not call Parent A regarding the incident initially. RS has been disciplined in the recent past for not properly completing accident reports. CI Fyfe did conduct an interview with Child C, who is a classmate of Child A and Child B. Child C is familiar with both children and observed Child B hit Child A in their head. RS stopped Child B after it had happened and cheered Child A up after the fact. Child B was not present at the facility and could not be interviewed by CI Fyfe.

While present at the facility on November 18, 2022, CI Fyfe received two relevant documents from VO. The first document received appeared to be a written warning issued to staff member RS, from Director VO and Assistant Director AL. This document states that RS had a performance evaluation done on October 19, 2022, and that during this meeting, VO informed RS that they needed to follow protocol regarding accident reports. The second document was the previously mentioned performance evaluation that was conducted on October 19, 2022. The evaluation states that RS has failed to properly notify administrative staff and parents when accidents occur in their classroom on multiple occasions.

CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
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 Child Care Compliance Section with a statement, signed by all staff (paid employees or unpaid volunteers), to indicate they understand and agree to follow those rules and regulations.	Yes	1/24/2023

DISPOSITION	DISPOSITION DATE
SUBSTANTIATED	1/14/2023

APPROVING SUPERVISOR
CHRISCO, MARLA L