



MISSOURI DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
OFFICE OF CHILDHOOD - CHILD CARE COMPLIANCE
COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
2/2/2021

DVN
002634439

FACILITY NAME

OZARK PRESCHOOL CIRCLE OF FRIENDS

FACILITY ADDRESS

1517 S 4TH AVE

CITY

OZARK

ZIP CODE

65721-9407

PHONE NUMBER

(417) 731-4115

COUNTY

CHRISTIAN

ASSIGNED SPECIALIST

DONSON, ANGEL

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

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 30-62.102 (1)(E)

Caregivers shall have knowledge of the needs of children and shall be sensitive to the capabilities, interests and problems of children in care.

19 CSR 30-62.222 (3)

Health information shall be retained in each child's individual file and shall include:

19 CSR 30-62.222 (3)(C)

Information concerning any accident or injury to the child while at the facility or any emergency medical care.

19 CSR 30-62.222 (3)(D)

Any significant information learned from observing the child.

CONCLUSION SUMMARY

The Section for Child Care Regulation (SCCR) determined the facility violated these licensing rules on January 27, 2021 based on interviews with the facility director, Stefanie Luder, Child A's mother, Child A father, Dakota Raxter (CAC), Caregivers Katherine Carr, Amy Day and Amber Rice and review of documentation including a medical report.

On January 27, 2021, Child A was dropped off around 9:00 a.m. Child A seemed normal and was not in distress at drop off according to caregivers Katherine Carr, Amy Day, and Amber Rice. Caregiver Amber Rice reported about 20 minutes after Child A was dropped off, she notice Child A "favoring her left arm". Ms. Rice also reported she saw Child A crying when the children were lining up to go to the bathroom. When she asked Child A, Child A said her elbow was hurting.

Caregiver Katherine Carr reported Child A first complained about her arm around 9:30 during "Station time". Ms. Carr stated she told Amy Day and Amber Rice about Child A's arm. Ms. Carr reported at nap time, Child A did not want to lay on her left arm so she helped her lay on her right side. Caregiver Amy Day reported around 10:15 a.m. while the other children were watching a movie, she noticed Child A was holding her arm and had her back turned to the TV. Ms. Day stated Child A told her that Child B hit her. Ms. Day removed Child A's shirt and reported she did not see any swelling or bruising on Child A's arm.

Director Stefanie Luder reported she was contacted by Amy Day at the end of the day. Ms. Day told her Child A complained a few times about her arm but she looked at Child A's arm and did not see anything. Child A's mother reported she came to pick Child A up around 2:00 p.m. and Child A was sleeping; she was told that Child A was emotional all day and was favoring her left arm so she decided to leave and let Child A sleep more. Child A' mother stated she came back about 45 minutes later and noticed Child A holding her left arm. Child A's mother stated caregiver Katie told her "she really is not using her left arm now."

Child A told her mother her arm "was hurting really bad" and would not let her mother see her arm. Child A's mother asked caregiver Katie to write an incident report. Child A's mother reported she took Child A immediately to Urgent Care, Child A's arm was put in a sling and the next day Child A's arm was put in a cast. On February 3, 2021, CCFS Donson observed an incident report from the facility stating Child A was complaining about her left arm hurting but they did not observe any incident /accident. Caregivers and Child A's mother confirmed the incident report was written after Child A's mother requested it.

On February 4, 2021, CCFS Donson observed an email from Child A's father where Child A was reportedly "holding her left arm all day." On February 4, 2021, CCFS Donson observed an email from Child A's mother with an attachment of the medical report for Child A. The medical report had a finding of joint space effusion buildup of fluid and stated a hidden fracture cannot be ruled out. The medial report stated no visible fracture was observed on the x-ray.

Caregivers reported they did not see Child A get hit or fall down on January 27, 2021; however, all caregivers described Child A favoring her arm. According to interviews with caregiver, Child A was fine and behaving normally when she arrived at the facility on January 27, 2021. Then at about 9:20 a.m. Child A reportedly did not seem her "normal self" and caregivers described her as "very down, very reserved, sluggish and emotional". Child A told three caregivers her arm was hurt and refused to lay down on it at nap time. Child A was observed crying and whimpering at different times while in care. Caregivers failed to recognize Child A's injury or act upon it. Caregivers shall have knowledge of the needs of children and shall be sensitive to the capabilities, interests and problems of children in care, this was not demonstrated in their interaction with Child A.

Caregivers were repeatedly told by Child A she was hurting and failed to notify the parents immediately per licensing rules. Finally, caregiver failed to document with an incident report until Child A's mother requested one. Caregivers all report not seeing an injury to Child A but Child A was observed by caregivers throughout the day holding her left arm, not wanting to use her left arm, not playing and down all day while she favored her left arm and did not want to lay on her left side during nap time. This was not documented and no observations of Child A were recorded in the child's individual file.

CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
All caregivers, Director, and volunteers counting in staff/child ratio shall review rules pertaining to parental notification and incident report documentation. All caregivers shall sign a statement that they have reviewed the Licensing rules and agree to abide by those rules. Caregivers shall also complete a minimum of one (1) hour of training on the importance of documentation and parental notification.	Yes	5/7/2021

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
All caregivers and volunteers counting in child staff ratio shall obtain a minimum of one clock hour of training relating to the problems and needs of children that are experiencing distress.	Yes	5/7/2021

DISPOSITION	DISPOSITION DATE
SUBSTANTIATED	4/1/2021

APPROVING SUPERVISOR
WHITE, LEAH