



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
12/20/2021

DVN
000776941

FACILITY NAME

KINDERCARE LEARNING CENTERS LLC

FACILITY ADDRESS

12821 PORTULACA DR

CITY

CREVE COEUR

ZIP CODE

63146

PHONE NUMBER

(314) 542-4030

COUNTY

ST LOUIS

ASSIGNED SPECIALIST

SPAULDING, STEPHANIE

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)(A)3.

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

5 CSR 25-500.102(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.

CONCLUSION SUMMARY

On December 20, 2021, the Office of Childhood received an allegation that on December 15, 2021, an unknown teacher noticed the gate cracked open on the playground and Child A, age 2, on the other side of the gate, running towards the front of the building. Based on interviews with staff at Kindercare Learning Centers LLC; this allegation is found to be substantiated and the following rule violation is being cited:

5 CSR 25-500.102(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.

The above rule was violated based on statements made to CI Spaulding on December 20, 2021 by director, Christine Davis, and caregiver Marley Yearnton that Parent A had told the facility that Child A was a runner and that caregiver Marley Yearnton knew she was supposed to be shadowing Child A, but failed to do so on December 15, 2021. Child A eloped and went out of the gate of the playground area and made it through the facility's parking lot and across the side street of Portulaca before being seen by caregiver Tyana Todd. Caregiver Maudia Hantak stated to CI Spaulding that she had only been working at the facility for two weeks and she knew Child A was quick and thought caregiver Marley Yearly had told her that Child A was a runner. Caregiver Tyana Todd stated that it was her first week in the classroom and she was not told that Child A was a runner and that Child A needed to be shadowed.

On January 5, 2021, Parent A stated to CI Stephanie Spaulding that she informed the previous director and assistant director that Child A was a runner.

The following additional rule violations are also being cited:

5 CSR 25-500.182(1)(A)1: Caregivers shall not leave any child without competent adult supervision.

AND

5 CSR 25-500.182(1)(A)3: Caregivers shall provide frequent, direct contact so children are not left unobserved on the premises.

On December 15, 2021, Child A (2 years old) was left unobserved on the the playground and without adult supervision when Child A went through the gate, across the parking lot and then went across a side street, Portulaca Drive, to an apartment complex adjacent to Kindercare Learning Centers LLC before being observed by caregiver Tyana Todd.

On December 20, 2021, caregiver, Tyana Todd stated that she was the caregiver to find Child A on December 15, 2021. Child A

had gone out of the playground gate, across the parking lot unsupervised to the adjacent apartment complex across the side street of Portulaca when she was located. She stated that a car leaving the apartment complex had to be stopped while Child A crossed back over Portulaca Drive (25 mph) so that Child A was not hit by the vehicle. Child A was left unsupervised after leaving the playground for about 2-3 minutes.

On December 20, 2021, director, Christina Davis stated that she is aware Child A left the playground area unsupervised on December 15, 2021. She contacted Parent A on December 15, 2021 and informed her of the incident involving Child A. An incident report was completed and training has occurred with all of the staff in the facility regarding safety. She was aware that Child A was a runner.

On January 6, 2021, caregiver, Maudia Hantak stated that she was aware that Child A was unsupervised after leaving the playground on December 15, 2021. Child A did go across the side street of Portulaca Drive from the facility and was behind a tree in the apartment complex. A vehicle coming down Portulaca Drive did have to be stopped in order for Child A to cross back over the side street to the facility. There were no injuries to Child A.

On December 20, 2021, CI Spaulding observed the distance from the playground gate to Fee Fee Road (45 mph) and observed the distance from the playground gate to the apartment complex adjacent to Kindercare Learning Centers LLC across the side street (Portulaca Drive-25 mph) where Child A was located. CI Spaulding estimated the distance to Fee Fee Road was 45 steps from the playground fence. CI Spaulding estimated the distance too Portulaca Drive is 90-100 steps from the playground fence.

On December 20, 2021, CI Spaulding captured photographs of the speed limit sign on Portulaca Drive, the playground area of Kindercare Learning Centers LLC, the parking lot area of Kindercare Learning Centers LLC, and the gate of the playground area at Kindercare Learning Centers LLC. CI Spaulding did observe a lock on the gate/fence of the playground area at the time of inspection. The lock was not in the lock position at the time of inspection.

On December 20, 2021, CI Spaulding received and reviewed a copy of the incident report involving Child A on December 15 2021. The incident report states that Child A left the playground at 11:45 am. However, the report does not indicate that Parent A was contacted. The report was completed by director, Christina Davis.

On December 20, 2021, CI Spaulding received and reviewed a screenshot of the text message conversation between Parent A and director, Christina Davis. The text message conversation confirms that Parent A was informed of the incident that involved Child A on December 15, 2021 and that an incident report was being completed.

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(s) shall be submitted to the Office of Childhood.	Yes	6/13/2022
CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
All staff and volunteers must obtain two clock hours on the supervision of children. The training must be held by an approved and qualified source, outside of the Kindercare Learning Centers LLC network. Training may be obtained from the Missouri Workshop Calendar. The training calendar can be found at http://www.moworkshopcalendar.org/ . Verification of training completion shall be from the Open Initiative Toolbox report.	Yes	6/13/2022
CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The facility shall create a plan regarding the care of children prone to elopement. The plan shall state how current and newly hired employees (paid employees and unpaid/paid volunteers) will be fully trained on the facility's plan and how they will ensure employees are implementing the plan at all times. A copy of the plan shall be submitted to the Office of Childhood.	Yes	6/13/2022

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

1/27/2022

APPROVING SUPERVISOR

CHRISCO, MARLA L