



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

**DATE OF REPORT**  
10/6/2021

**DVN**  
002486822

**FACILITY NAME**  
IMAGINE THIS, LLC

**FACILITY ADDRESS**  
408 N JEFFERSON ST

**CITY**  
MEXICO

**ZIP CODE**  
65265-2838

**PHONE NUMBER**  
(573) 582-1043

**COUNTY**  
AUDRAIN

**ASSIGNED SPECIALIST**  
MADDOX, CYNTHIA D

**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 25-500.182(1)(D)1.

Infants and toddlers shall have constant care and supervision. Home monitors or commercial devices marketed to reduce the risk of Sudden Infant Death Syndrome (SIDS) shall not be used in place of supervision while children are napping or sleeping.

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.

5 CSR 25-500.082(6)(B)1.

Outdoor play space for infants and toddlers shall be separate from that used for older children or the same space shall be used at different times. (This rule does not apply to group day care homes with a maximum of four (4) infant/toddlers or to day care centers licensed for a maximum of twenty (20) children, including no more than four (4) infant/toddlers. )

5 CSR 25-500.082(6)(B)2.

Staff/child ratios for infant/toddlers and two (2) -year olds shall be maintained at all times.

5 CSR 25-500.112(1)

The following staff/child ratios shall be maintained on the premises at all times:

5 CSR 25-500.112(1)(A)

Birth Through Two (2) Years. Groups composed of mixed ages through two (2) years shall have no less than one (1) adult to four (4) children, with no more than eight (8) children in a group;

**CONCLUSION SUMMARY**

The Office of Childhood, Child Care Compliance has determined that Imagine This, LLC violated the rules in regards to Child A being outside of the facility playground without staff on September 15, 2021. The following rules were violated:

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

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

5 CSR 25-500.182(1)(D)(1) which states: "Infants and toddlers shall have constant care and supervision. Home monitors or commercial devices marketed to reduce the risk of Sudden Infant Death Syndrome (SIDS) shall not be used in place of supervision while children are napping or sleeping."

Imagine This, LLC was found in violation of the above rule based on statements made to Compliance Inspector (CI) Cynthia Maddox by facility staff Layla Epperson, who stated that on September 15, 2021 between 4:15pm and 4:45pm; she noticed Child A outside the playground fence following a grandparent who had just left the facility through the playground fence gate and was on the sidewalk; and that she believes that Child A was outside the fence for a minute or so. It is based on statements by facility staff, Shirley Meuth, who stated that she knew of a situation where Child A was outside of the playground gate /fence; that she had come out of the facility door leading to the playground on that day and spotted Child A outside the gate and a teacher, Raven Azdell, was going after her. The statements provided by facility staff, Raven Azdell, who stated that on September 15,

2021, Child A potentially followed a parent out of the gate; other children at the fence started saying Child A's name; that is when she spotted Child A outside the fence and she ran out to get her; and that Child A was to the right of the playground fence gate between the fence and the side parking lot. Finally, it is based on the statements from Parent A (parent of Child A and staff member) who stated that when she returned to the playground after being inside for approximately 5 minutes, facility staff Raven Azdell informed her that Child A had followed a grandparent out of the gate and was on the sidewalk outside of the playground fence.

The Office of Childhood, Child Care Compliance has determined that Imagine This, LLC violated the rules in regards to staff not writing an incident report on September 15, 2021. The following rules were violated:

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

Imagine This, LLC was found in violation of the above rule based on statements made to CI Maddox by facility staff Layla Epperson who stated that she was on the playground the day of the incident and she was not told to write any type of incident report and therefore did not write one. It is based on statements by facility staff, Raven Azdell, who stated that she was on the playground when the incident took place and she did not write any incident/accident reports.

The Office of Childhood, Child Care Compliance has determined that Imagine This, LLC violated the rules in regards to Child A, who was under two years of age on September 15, 2021 was on the playground with children age 2 and older. The following rules were violated:

5 CSR 25-500.082 (6)(B)(1) which states: "Outdoor play space for infants and toddlers shall be separate from that used for older children or the same space shall be used at different times."

5 CSR 25-500.082 (6)(B)(2) which states: "Staff/Child ratios for infant/toddlers and two (2)-year olds shall be maintained at all times."

5 CSR 25-500.112 (1) which states: "The following staff/child ratios shall be maintained on the premises at all times:"

5 CSR 25-500.112 (1)(A) which states: "Birth Through Two (2) Years. Groups composed of mixed ages through two (2) years shall have no less than one (1) adult to four (4) children, with no more than eight (8) children in a group;"

Imagine This, LLC was found in violation of the above rules based on statements made to CI Maddox by facility staff Layla Epperson, who stated she was one of the teachers on the playground on September 15, 2021, and that she was outside with her seven children that ranged in age from 4 to 5 years old; that Child A was not 2 years of age when the incident occurred; and that Child A was the only child under the age of 2 years that was on the playground with children over 2 years of age. This is also based on statements by facility staff, Raven Azdell, who stated there were a total of 15 children on the playground at the time with her and the other teacher, Layla Epperson; she was with the 2 year old classroom at the time of the incident; Child A was not yet 2 years old; Child A was the only child on the playground that was under the age of 2 years; and that Parent A (parent of Child A and staff member) told her that she was leaving Child A on the playground when she went back into the facility. It is based on the statements of Parent A (parent of Child A and staff member) who stated that she was planning to leave the facility for the day when she signed Child A out of the infant/toddler classroom and went onto the playground; she walked back inside the facility; she left Child A on the playground; and she informed staff that she was leaving Child A on the playground while she went back inside. Finally, it is based on the observations of CI Maddox, who observed Child A's enrollment form which included her date of birth showing that Child A was 22 months old on date of the incident.

**CORRECTIVE MEASURES**

<b>CORRECTIVE MEASURE</b>	<b>COMPLETED (Y/N)</b>	<b>COMPLETED DATE</b>
All staff and volunteers must obtain at least one (1) clock hour of approved training on supervision. Training may be obtained from the Missouri Workshop Calendar. The training calendar can be found at <a href="http://www.moworkshopcalendar.org/">http://www.moworkshopcalendar.org/</a> . Verification of completion shall be on the OPEN website.	Yes	3/15/2022
The facility shall conduct a staff meeting to review the center's policies and all licensing rules and regulations regarding supervision, infants/toddlers in outdoor space, infant/toddler staff/child ratio and incident/accident reports. The facility must provide Child Care Compliance with a sign in sheet and agenda of the meeting.	Yes	3/15/2022

**DISPOSITION**

SUBSTANTIATED

**DISPOSITION DATE**

12/22/2021

**APPROVING SUPERVISOR**

BRUCE, CHRISTINA