



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
7/27/2023

DVN
002817152

FACILITY NAME

LEARN AND GROW ORGANIC DAYCARE

FACILITY ADDRESS

1879 N STATE HIGHWAY CC

CITY

NIXA

ZIP CODE

65714-8015

PHONE NUMBER

(417) 494-5099

COUNTY

CHRISTIAN

ASSIGNED SPECIALIST

MERTZ, CAYLIN

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.182(1)(C)3.

Only constructive, age-appropriate methods of discipline shall be used to help children develop self-control and assume responsibility for their own actions.

5 CSR 25-500.182(1)(C)7.

Physical punishment including, but not limited to, spanking, slapping, shaking, biting, or pulling hair shall be prohibited.

CONCLUSION SUMMARY

On July 27, 2023 the Office of Childhood received a report alleging on July 26, 2023, around 12:45 p.m., Caregiver Shannon McGee was "overly aggressive" with Child A (3 years old). Staff heard Shannon screaming, and when staff went in the room to check, staff witnessed Shannon hovering over Child A's cot screaming at Child A. Staff called Shannon but did not get response back from Shannon. Shannon then "cradled Child A with one arm around her neck area and the other arm underneath her knee" and took Child A to the restroom. Shannon dropped Child A on the changing table. Child A was crying very loudly. The director was called and Child A was removed from Shannon's care and then placed in another classroom. Child A said "Ms. Shannon hurt me". Shannon had received trainings to help her behavior but she did not improve, Shannon got fired the day of the incident. Child A's mother stated Kayla witnessed the incident. Child A's mother spoke to Nina about the incident. After conducting an investigation, Compliance Inspector (CI) Caylin Mertz has found this allegation to be substantiated based on the following evidence and rule violations:

5 CSR 25-500.182(1)(C)3 which states "Only constructive, age-appropriate methods of discipline shall be used to help children develop self-control and assume responsibility for their own actions."

AND

5 CSR 25-500.182(1)(C)7 which states "Physical punishment including, but not limited to, spanking, slapping, shaking, biting, or pulling hair shall be prohibited."

On August 3, 2023, Compliance Inspector (CI) Caylin Mertz conducted an unannounced inspection at the facility. CI Mertz interviewed Director Nina Forza, LLC Member Demitra Gentry, Caregiver Kaitlin Ewald, Child A, Child B, Child C, and Child D. Director Forza stated she was told by Caregiver Kayla Pennington that Caregiver Shannon had yelled at Child A before picking her up and taking her to the bathroom where she dropped Child A on the changing table. Director Forza reviewed camera footage however it does not cover the changing table in the bathroom. LLC Member Gentry and Director Forza indicated they had previously had reports that Shannon was yelling at children and patting backs too roughly. Director Forza and LLC Member Gentry had previously reviewed video footage of Caregiver Shannon and had no noticed any concerns with the way she was patting children. They indicated Caregiver Shannon was terminated from the facility after this incident was reported to them and Caregiver Shannon refused to meet with them. Child A was unable to provide any relevant information. Child B indicated Ms. Shannon was not nice.

On September 21, 2023 CI Caylin Mertz interviewed Caregiver Kayla Pennington. Caregiver Pennington indicated she witnessed Caregiver Shannon yell at Child A and then drop her on the changing table from about six inches above it while Child A cried hysterically. Caregiver Shannon McGee was interviewed and denied ever doing this. She denies ever yelling at children in the

facility or hitting any children.

CI Mertz observed video footage. Caregiver Shannon can be heard yelling at children to lay down. There is no footage in the restroom where this incident allegedly occurred.

Yelling at children and being physically aggressive with them is not constructive and is therefore expressly prohibited .

CORRECTIVE MEASURES

CORRECTIVE MEASURE

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 shall be submitted to the Office of Childhood .

COMPLETED (Y/N)

Yes

COMPLETED DATE

12/22/2023

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

12/5/2023

APPROVING SUPERVISOR

FOX, ROMENA