



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
12/9/2022

DVN
001287601

FACILITY NAME

JUST KIDS LEARNING DEVELOPMENT CENTER, LLC

FACILITY ADDRESS

6 GIRARDEAU CT

CITY

CAPE GIRARDEAU

ZIP CODE

63703-8347

PHONE NUMBER

(573) 334-4488

COUNTY

CAPE GIRARDEAU

ASSIGNED SPECIALIST

GRAHAM, JESSICA

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.

CONCLUSION SUMMARY

On December 15, 2022, Compliance Inspector (CI) Jessica Graham investigated the allegation that on December 9, 2022, Child A (2-years-old) was dropped off at the facility at 8:07am, walked out of the building around 8:10am, and was seen on the parking lot at 8:12am by another staff person. This allegation is substantiated based on the following information.

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

AND

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."

AND

5 CSR 25-500.182(1)(A)7. which states: "Caregivers shall provide special attention on an individual basis for new children having problems adjusting, distressed children, etc. Children shall be encouraged, but not forced to participate in group activities."

On December 15, 2022, director Chris Mayberry stated that Child A has not attended the facility very long and it was typical for him to try and climb fences and wander from the classroom. Ms. T talked to Parent A about Child A climbing the fences, leaving the classroom, and wandering into the lobby. On the morning of December 9, 2022, Child A had entered the classroom with Ms. Haylee and Ms. Corvetta. The lobby door that leads to the entry way was not shut all the way and could be pushed open. Ms. T noticed Child A in the parking lot that morning. Child A was walking up the driveway when Ms. T saw him.

On December 15, 2022, caregiver Tawanika "T" Minner stated that Child A did try to sneak out a lot but he would see her in the middle room and run back into his class. Child A would open the classroom doors, she would holler Child A's name and Child A would go back. Child A would watch to see if the teacher was looking and then would try to leave the room. They had multiple communications with staff because of Child A trying to leave. Child A's first week, he tried to climb the fence on the playground. She spoke with Parent A twice before about Child A trying to run out of the room, however this was all verbal communication and nothing was documented. They talked about Child A running out of the room and climbing the fence. Parent A said that Child A did this at home as well. On December 9, 2022, she was over at the baby building making copies. She was talking with Ms. Chris about some staffing issues when she walked out the door to go back to the other building and saw Child A in the parking lot. She screamed Child A's name and he started crying. Child A came walking back towards her. It was around 8:12am when Child A was in the parking lot.

On December 15, 2022, caregiver Brittany Brooks stated that Child A was in her classroom when she started working at the center but left her room in November for another classroom. Child A would find ways to escape and leave the room. She would monitor Child A and keep him away from the door. Child A would wait until she was busy and then would open the classroom door. One time, Child A left the classroom and was out by the back door but still inside the building. She did not see Child A leave the room and when she came out of the bathroom with a child she counted the kids and noticed that someone was

missing. That was before the fence incident happened. The day of the fence incident, they were outside on the playground and she was sitting with at child but for only a minute. She looked up and saw that Child A was over the fence. Child A was in the walkway leading to the other playground but still a fenced in space of the outdoor play areas. She took her class inside to the teacher in the middle room and went back outside to get Child A. She then made sure that she was walking around and counting the kids all the time. She would make sure that she knew where Child A was at all times.

On December 15, 2022, caregiver Haylee Jenkins stated that she knew that Child A was a runner. All the caregivers have talked about Child A and knew to watch him around the doors. Child A would like to crawl under the half doors and gates inside and liked to climb the fences outside. Child A would run out the classroom door if he got the chance. Once Child A arrived, they would make sure that the classroom door was closed otherwise Child A would leave the room and run. Child A would like to go and hide. She told Ms. T about Child A constantly running out of the room. Ms. T talked to Parent A a few times about Child A running. On December 9, 2022, Child A had just got dropped off in the room by Parent A. Ms. Corvetta was in the room at the table with some kids and she (Ms. Haylee) was talking to another child and had stepped away from the class. Within that time, Child A had walked out into the hallway. She came back into the room and looked around for Child A but didn't see him. Ms. Corvetta noticed that Child A was gone at that time also. Ms. T came in and said that Child A was outside, in the parking lot.

On December 15, 2022, caregiver Corvetta Merritt stated that she was in the classroom with Ms. Haylee and Child A on December 9, 2022. She had only been in that classroom for two days. Ms. Haylee had said that Child A tried to jump the fence while he was in Ms. Brittany's class. They all know to watch Child A outside. Child A would run to the fence when he was outside a lot but she never saw Child A try to climb the fence. On December 9, 2022, Parent A brought Child A into the class. She was sitting at the table coloring with some of the kids but she was focused on the kids at the table and not looking at Child A. She saw Parent A leave the room and then she looked up and didn't see Child A. She assumed Child A was with Ms. Haylee. Ms. T brought Child A back in the classroom and was saying how Child A was a runner.

On December 15, 2022, CI Graham observed video footage from December 9, 2022, with director Chris Mayberry. The following was observed:

- at 8:07:00 -- Parent A walks into the lobby carrying Child A.
- at 8:07:23 -- Parent A walked Child A into the classroom. Ms. Corvetta is sitting at a table with some children and Ms. Haylee is walking around the room. Child A is standing at the end of the table that Ms. Corvetta is sitting at. There is audio on the footage but it can not be determined if there was any communication with Parent A or Child A from either caregiver.
- at 8:07:56 -- Parent A leaves the classroom and Child A waves goodbye. The classroom door is still open.
- at 8:08:21 -- Child A turns around and walks out of the classroom door. Child A is seen on another camera walking through the lobby and to the door leading to the parking lot exit.
- at 8:08:24 -- Child A opens the half door to the exit. Child A walks through the entry way and pushes the door open.
- at 8:08:48 -- Child A pushes the door open and walks out onto the parking lot. [There are no cameras in the parking lot or outside the front of the building.]
- at 8:09:00 -- The caregivers in the room notice Child A is missing and start looking for him.
- at 8:10:25 -- Ms. T walks into the building from the parking lot. Ms. T walks into the classroom to notify the caregivers.
- at 8:10:33 -- Ms. Chris walks into the building with Child A.
- at 8:10:42 -- Ms. Chris and Child A enter the lobby and Child A walks back into his classroom.

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	2/16/2023
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 violations cited. A copy of the memo, letter, or staff meeting agenda shall be submitted to the Office of Childhood.	Yes	2/16/2023
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 supervision. The facility must provide the Office of Childhood with a statement, signed by all staff members (paid employees and paid/unpaid volunteers), to indicate they understand and agree to follow those rules and regulations.	Yes	12/15/2022
CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The facility shall have all staff members (paid employees and paid/unpaid volunteers) obtain one clock hour of approved training on supervision. Training	Yes	3/15/2023

may be obtained from the Missouri Workshop Calendar . The training calendar can be found at <http://www.moworkshopcalendar.org/>. The local Child Care Aware agency may also assist in finding training. The Child Care Aware website can be found at <http://www.childcareaware.org/>. Verification of training completion shall be available on the professional development system.

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

2/6/2023

APPROVING SUPERVISOR

CHRISCO, MARLA L