



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
10/29/2021

DVN
002665549

FACILITY NAME

COUNTRY CLUB METHODIST CHILD DEVELOPMENT CENTER

FACILITY ADDRESS

400 W 57TH ST

CITY

KANSAS CITY

ZIP CODE

64113-1230

PHONE NUMBER

(816) 214-8824

COUNTY

JACKSON

ASSIGNED SPECIALIST

NEWTON, BEN

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-300.060 (1)(A)3.

Caregivers shall be alert to various needs of each child such as thirst, hunger, diaper change, aggression by other children and need for attention;

5 CSR 25-300.060 (1)(B)2.

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

5 CSR 25-300.060 (1)(B)3.

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

5 CSR 25-300.060 (1)(B)4.

Any discipline technique that is humiliating, threatening or frightening to children is prohibited. Children shall not be shamed, ridiculed or spoken to harshly, abusively or with profanity.

5 CSR 25-300.050 (11)

In case of an accident or injury to a child, the provider shall notify a parent immediately. If a child requires emergency medical care, a parent's prior written instructions shall be followed. A form shall be completed indicating the circumstances and the date and time of the injury. The form shall be signed by the caregiver and his/her supervisor. A copy of the form shall be given to the parent the day of the accident or injury and necessary explanations shall be given. The form shall be filed in the child's record.

CONCLUSION SUMMARY

On November 1, 2021, Compliance Inspection Supervisor (CIS) Tony Nurnberg and Compliance Inspector (CI) Ben Newton conducted an unannounced visit to Country Club Methodist Child Development Center in regards to allegations that Mr. Kameron Moyer, child care provider, pulled on a child's ear and later picked Child A up by his wrists and ankles and then dropped Child A on the floor. The complaint investigation is substantiated based on the following information:

5 CSR 25-300.060 (1)(B)2 which state: Only constructive, age-appropriate methods of discipline that help children develop self-control and assume responsibility for their own actions shall be used.

AND

5 CSR 25-300.060 (1)(B)3 which states: Physical punishment including, but not limited to, spanking, slapping, shaking, biting or pulling hair is prohibited.

AND

5 CSR 25-300.060 (1)(B)4. which states: Any discipline technique that is humiliating, threatening or frightening to children is prohibited. Children shall not be shamed, ridiculed or spoken to harshly, abusively or with profanity.

On November 1, 2021, CIS Nurnberg and CI Newton conducted an interview with Child A, age three. Child A stated that Mr. Kameron hit him on the arm and was mean to him.

On November 1, 2021, CIS Nurnberg and CI Newton interviewed Parent A and Parent B (Parent's of Child A). They both reported that on the evening of October 28, 2021, Child A was saying Ouchy and asking Parent B to hold him. Parent A and Parent B both stated that Child A was acting unusual; however, they did not know why. On October 29, 2021, they received an email from the Facility Director Laura Schweisberger who asked Parent A and B for a meeting. During that meeting, Ms. Schweisberger normed them that Mr. Kameron Moyer, child care provider, has been terminated and that Child A had been involved in an incident

with Mr. Moyer which occurred at nap time the day before on October 28th at 12:15 pm. The incident report written by Ms. Elizabeth Colkins, co-teacher, was shared with them. Later that night, Child A disclosed that Mr. Moyer hit him five times and dropped him on the floor.

On November 01, 2021, CIS Nurnberg and CI Newton conducted an unannounced visit and spoke with Alexis Miceli, assistant director. Ms. Miceli stated that Mr. Moyer was just hired September 20, 2021 and was terminated on October 28, 2021. Ms. Colkins, co-teacher, contacted Facility Director Schweisberger after witnessing Mr. Moyer getting physical with Child A. Child A reportedly had injuries; however, she did not see Child A.

On November 01, 2021, CIS Nurnberg and CI Newton conducted an unannounced visit and spoke with Elizabeth Calkins, co-teacher. Ms. Calkins reported that she witnessed the incident as Mr. Moyer seemed upset and aggressive when he was cleaning the room by slamming chairs and moving chairs aggressively. Child A was still rambunctious at nap time and she told Child A to settle down. Mr. Moyer continued to appear annoyed and had never seen him this upset before. She observed Mr. Moyer walk over to Child A and it appeared that Mr. Moyer grabbed Child A by the ear and yanked Child A's head down; however, she could not see everything because there was a book shelf in the way. Mr. Moyer bent down and talked with Child A. Later, Mr. Moyer walked back over to Child A and he picked up one end of Child A's cot and dragged it about ten feet while Child A was still on the cot. Mr. Moyer then dropped the cot on the floor with Child A still on it. She went over to Child A and noticed that the top part of his ear was red. Mr. Moyer walked over to Child A again and grabbed Child A by one wrist and one ankle, picking Child A up off the cot. Mr. Moyer twirled Child A around and then dropped Child A on the hard floor. Mr. Moyer picked up and carried Child A's bed and told Child A to come with him. Child A was very upset.

On November 18, 2021, CIS Nurnberg conducted a phone interview with Facility Director Laura Schweisberger who acknowledged that there was an incident; however, she was not notified of the incident until that evening at 6:30 pm. Ms. Calkins had reached out earlier to her that day and told her that they needed to talk; however, she was too busy doing interviews. When she and Ms. Calkins talked she was told what happened between Mr. Moyer and Child A. She called and spoke with Mr. Moyer and terminated his employment.

5 CSR 25-300.060 (1)(A)3 which states: Caregivers shall be alert to various needs of each child such as thirst, hunger, diaper change, aggression by other children and need for attention.

On November 01, 2021, CIS Nurnberg and CI Newton interviewed Ms. Elizabeth Calkins, preschool teacher. Ms. Calkins admitted that she observed Mr. Moyer becoming annoyed and aggressive prior to the incident Mr. Moyer had with Child A. She stated that she saw Mr. Moyer slamming chairs, moving chairs aggressively and that she has never seen him this upset before. She also described his actions as "over the top". Ms. Calkins also witnessed Mr. Moyer become physical with Child A more than one time and as a result even saw an injury to Child A's ear. Even though Ms. Calkins witnessed had concerns with Mr. Moyer's behaviors, witnessed Mr. Moyer using inappropriate discipline, and observed the injury to Child A, she failed to recognize the need to keep Child A safe, intervene to stop Mr. Moyer, remove Child A from the situation or immediately report the incident to someone who could assure safety of Child A. Ms. Calkins stated that she did not want a confrontation with Mr. Moyer; however, now understands she should have addressed the issue and told her director immediately about what was going on.

5 CSR 25-300.050 (11) which states: In case of an accident or injury to a child, the provider shall notify a parent immediately. If a child requires emergency medical care, a parent's prior written instructions shall be followed. A form shall be completed indicating the circumstances and the date and time of the injury. The form shall be signed by the caregiver and his/her supervisor. A copy of the form shall be given to the parent the day of the accident or injury and necessary explanations shall be given. The form shall be filed in the child's record.

On November 1, 2021, CIS Nurnberg and CI Newton interviewed Parent A and Parent B. Both parents acknowledged that they were told the incident between Mr. Moyer and Child A occurred on October 28, 2022 during nap time at approximately 12:15 pm; however, they were not notified of the incident until October 29, 2021 when the Facility Director Schweisberger notified them by email that she wanted to have a meeting with them. During the meeting they were informed of the details of the incident and were informed that Child A had suffered an injury to his ear and his back hurt; however, they did not receive any immediate call or notification that Child A was hurt.

On November 1, 2021, CIS Nurnberg and CI Newton interviewed Elizabeth Calkins, co-teacher. Ms. Calkins admitted that during the incident where Mr. Moyer grabbed Child A's ear, picked Child A up off the floor and "dropped him hard" that she observed a red mark on Child A's ear. She also noticed that Child A was "visually upset. Ms. Calkins acknowledged she did not immediately write an injury report, notify the director of the concerns, or contact Parent A or B to notify them about the incident or Child A's injury. An incident report was not written until the following day on October 29, 2021.

On November 18, 2021, CIS Nurnberg interviewed Facility Director Laura Schweisberger. Ms. Schweisberger stated that the following morning after the incident, October 29, 2021, she contacted Parent A and Parent B and had a conversation with them about the incident that occurred on October 28, 2021. She also heard Child A complaining about his back hurting. During that conversation Parent A and Parent B reported that Child A had been complaining about back pain. She also did not recall if she had a talk with Ms. Calkins about the importance of reporting incidents of child safety to someone.

CORRECTIVE MEASURES

CORRECTIVE MEASURE

Country Club Methodist Child Development Center is hereby placed on 20 day notice that a corrective action plan must be developed to ensure compliance with all the rule violations outlined in this report. A copy of the corrective action plan must be received by the Office of Childhood within 20 days of this letter.

COMPLETED (Y/N)

Yes

COMPLETED DATE

7/25/2022

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

6/26/2022

APPROVING SUPERVISOR

NURNBERG, TONY A