



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

**COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS**

DATE OF REPORT

1/31/2022

DVN

002153495

FACILITY NAME

PRECIOUS JEWELS CHRISTIAN CHILDCARE, LLC

FACILITY ADDRESS

704 HISTORIC 66 W STE 107

CITY

WAYNESVILLE

ZIP CODE

65583-8322

PHONE NUMBER

(573) 433-2636

COUNTY

PULASKI

ASSIGNED SPECIALIST

BINKLEY, THERESA

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)(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)6.

Firm, positive statements or redirection of behavior shall be used with infants and toddlers.

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.

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 25-500.182(1)(E)6.

Caregivers changing diapers shall wash their hands with soap and running water each time after changing a child's diaper.

5 CSR 25-500.092(1)(B)2.F.

Soft materials or objects such as pillows, quilts, comforters, or sheepskins, even if covered by a sheet, shall not be placed under a sleeping infant. If a mattress cover to protect against wetness is used, it shall be tight fitting and thin.

5 CSR 25-500.092(1)(B)2.I.

Sitting devices such as car safety seats, strollers, swings, infant carriers, infant slings, and other sitting devices shall not be used for sleep/nap time. Infants who fall asleep anywhere other than a crib, portable crib, or playpen shall be placed in the crib or playpen for the remainder of their sleep or nap time.

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.

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

This complaint is substantiated based on interviews with Edward Bruington, Sylvester Bruington, Cheryl Smith, Tiffany Hay, Joyce Jones, parents, and observations made by CI's Theresa Binkley and Lacey Thompson.

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

5 CSR 25-500.182(1)(C)6.

Firm, positive statements or redirection of behavior shall be used with infants and toddlers.

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.

The Office of Childhood determined that Precious Jewels Christian Childcare, LLC violated this licensing rule on January 27, 2022 and January 29, 2022. Sylvester Bruington and Edward Bruington stated caregiver, Cheryl Smith, was seen on video in the infant/toddler classroom pulling Child A by the arm towards the middle of the floor.

During CI Binkley and CI Thompson's review of the video footage of January 27, 2022 and January 28, 2022, Cheryl sternly says pointing at Child A, "leave him alone". She grips on the outside of upper arms and lifts him up forcefully onto one arm across his stomach and places him in a jumper. Cheryl picks Child A up by gripping the outside upper arms and moves him backwards setting him down forcefully. Cheryl picked up Child A on the outside of the upper arm and moved him to a different spot. Cheryl Smith was seen grabbing Child A by the left upper arm between the elbow and shoulder and dragging him across the floor on his knees

Cheryl grips on the outside of Child B's upper arms and lifts him up forcefully onto one arm across his stomach and places him in a jumper. Cheryl grabs Child B by the upper right arm again. He is sitting down, she drags him 3 feet across the floor with one arm. Cheryl pulls Child B by the legs out of the bouncer. One of Cheryl's hands pulls on Child B's legs to move him downward and the other hand is placed on his back because the child is swaddled in the bouncer. Cheryl carries Child B with his face down, on his stomach with her left arm. The right arm between his legs and lays him on his belly in the crib. Cheryl pulls Child B out of a swing by pulling his legs, he is momentarily hanging upside down before Cheryl puts a hand behind his back to life him up. Cheryl picks up the Child B from the bouncy swing by pulling on his legs, he is tilted downward in the air and she reaches behind him with her other hand on his back.

Cheryl yelled at Child C to come see her and said, "Stop making the kids cry". After that she pulled up his sleeve forcefully.

Cheryl sternly and quickly walks to Child E's crib. Child E is standing up. Cheryl grabs her upper arms forcing her to lay down in the crib. Cheryl pulls Child E's legs away from the side of the crib and touches her upper body. Child E cries. Cheryl goes over to Child E's crib, she is laying on her stomach, not crying. She says, "settle down!"

Cheryl grabs Child G's by her left upper arm and pulls her away from a toy. Cheryl pulls Child G by one leg and then roughly spins him towards her. Cheryl drags Child G 3 ft by pulling on the back of her shirt, Child G was on her stomach. Cheryl grabs Child G by right upper arm only, forcefully pulling her upwards turning her around facing away from her chest and then brings her up towards her hip only holding her left upper arm, Child G's whole body is facing outward. Cheryl places her in the jumper and returns to the table. Child G is crying.

Cheryl smacks Child H on her thigh and forcefully rolls her over to her stomach.

On January 28, 2022, Tiffany Hay was seen on video in the infant/toddler classroom grabbing the children inappropriately. Tiffany helps Child A out of highchair by only holding his wrist and lowering him to the ground because she was holding and feeding Child B. Child E fell backwards and hit her head on the shelf. Tiffany was unaware of why she was crying. Tiffany pulled her by her wrist to move her away from the shelf. Tiffany grabbed the mat that was laying the blue mat. Tiffany did not attempt to console Child E. Tiffany Hay was viewed on video footage gripping Child A's upper arms, Child A is facing away from Tiffany and her feet are hovering the floor. Tiffany walks with about 8 steps to set him down next to her.

5 CSR 25-500.182 Child Care Program (1) (E) (6) 6. Caregivers changing diapers shall wash their hands with soap and running water each time after changing a child's diaper.

The Office of Childhood determined that Precious Jewels Christian Childcare, LLC violated this licensing rule on January 27, 2022, based on video footage of January 27, and January 28, 2022. Cheryl Smith is observed changing a diaper several times throughout the day on January 27, 2022 and January 20, 2002 and does not wash her hands afterwards. Cheryl Smith did not wash her hands after wiping a child's nose. She then goes into the kitchen area to prep bottles. Tiffany Hay was viewed on video footage checking Child A's diaper and takes him to the changing table and does not wash her hands.

5 CSR 25-500.092 (2) (I). Sitting devices such as car safety seats, strollers, swings, infant carriers, infant slings, and other sitting devices shall not be used for sleep/nap time. Infants who fall asleep anywhere other than a crib, portable crib, or playpen shall be placed in the crib or playpen for the remainder of their sleep or nap time.

5 CSR 25-500.092(1)(B)2.F.

Soft materials or objects such as pillows, quilts, comforters, or sheepskins, even if covered by a sheet, shall not be placed under a sleeping infant. If a mattress cover to protect against wetness is used, it shall be tight fitting and thin.

The Office of Childhood determined that Precious Jewels Christian Childcare, LLC violated this licensing rule on January 27, 2022, based on video footage on January 27 and January 28, 2022. Child F fell asleep in the bouncy seat and was not moved to a crib. Child F fell asleep laying on a boppy pillow that has been placed in a circle floor mat with toys dangling around it and is not moved to a crib. Child G fell asleep in the highchair. Sylvester comes into the classroom, picks up Child B that is on his tummy and moves him to his back. There is a blanket laid on top of the mat Child B is laying on. Child B has a bib in his face and he is crying. Child G has been asleep in the bouncer and Child F on the boppy pillow, neither have been moved to cribs.

5 CSR 25-500.112 Staff/Child Ratios (1) (A) (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;

The Office of Childhood determined that Precious Jewels Christian Childcare, LLC violated this licensing rule on January 27, 2022, based on video footage on January 27 and January 28, 2022. There are several instances through the day on January 27, 2022, and January 28, 2022 that the infant classroom is out of ratio. On January 27, 2022 by 6:18am Cheryl is alone with six infant/toddlers. At 6:20am another child arrives and Cheryl is alone with 7 infant/toddlers. Throughout the day children are moved back and forth between the toddler room and the infant room leaving Cheryl out of ratio several times. On January 28, 2022, Cheryl is alone with 7 infant/toddlers by 6:55am. At 7:01am an additional child arrives and Cheryl is alone with 8 infant/toddlers. Children are moved back and forth between the toddler room and the infant room throughout the day, leaving Cheryl out of ratio several times.

On February 15, 2022, CI Binkley and CI Thompson made an unannounced visit to get video footage from January 27 and 28, 2022. At this time CI Thompson took attendance at the facility and documented Cheryl Smith was out of ratio in the infant/toddler classroom with Five (5) children.

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.

The Office of Childhood determined that Precious Jewels Christian Childcare, LLC violated these licensing rules based on video footage on January 27 and January 28, 2022.

On January 27, 2022, Cheryl leaves the infant/toddler classroom at 7:13am 7:29am, and several times between 11:55am and 12:11am, leaving children unsupervised. Tiffany leaves a group of infant/toddlers unattended several times between 4:51pm and 5:03pm.

On January 27, 2022, Cheryl leaves the infant/toddler classroom at 8:33am and 12:44pm, leaving children unsupervised.

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 Office of Childhood determined that Precious Jewels Christian Childcare, LLC violated this licensing rule based on video footage on January 27 and January 28, 2022. There are several instances where Cheryl does not burp an infant after feeding them.

Tiffany gripped Child A's upper arms, Child A was facing away from her and Child A's feet are hovering the floor. Tiffany walks about 8 steps to set him down next to her. Tiffany helped Child A out of highchair by only holding his wrist and lowering him to the ground because she was holding and feeding Child B. Child E fell backwards and hit her head on the shelf. Tiffany pulled her by her wrist to move her away from the shelf. Tiffany did not attempt to console Child E.

Cheryl pulled Child A on the outside of his upper left arm with one hand and pulled the walker with the other hand to move Child A away from the bouncy seats. Cheryl picked up Child A under the upper arms and carried Child A away from her body to place her at the eating table. Cheryl picks up Child A from the highchair and carries Child A to the changing table with one arm, he is laying on his stomach as she is walking. When finished diapering she carries Child A in that manner again with one hand, laying on his stomach, away from her body. Cheryl is in the diaper area and pulls Child A on the outside of his upper left arm with one hand and pulls the walker toy with the other to move Child A away from the bouncy seats. Cheryl picks Child A up by gripping under the upper arms. Cheryl picks up Child A by the outside upper arms after he fell in the crawl space, puts him in feeding table seat.

Cheryl pulled Child B by the legs out of the bouncer. One hand pulls on the legs to move him downward and the other hand is placed on his back because the child is swaddled in the bouncer. Child B has rolled over and is face down to the mattress while swaddled. Cheryl picked up Child B from the crib by turning him away from her and rolling him while bringing him up towards her chest. Cheryl put Child B in the bouncy seat while he is swaddled. She adjusts him in the seat and his head bounces on the back of it. Cheryl pulled Child B out of swing, by pulling his legs, he is momentarily hanging upside down before Cheryl puts a hand behind his back to lift him up and carries the baby swing over to the feeding table with Child B in it. Cheryl picks up Child B from the bouncy swing by pulling on his legs, he is tilted downward in the air and she reaches behind him with her other hand on his back.

Cheryl carried Child D with his face down, on his stomach with her left arm. The right arm between his legs and lays him on his belly in the crib. Cheryl grabbed Child D's upper arm to roll him towards her in the crib. Cheryl picked him up with one arm on his stomach facing, one hand in between his legs, outwards away from her body, with Child D facing downward. Cheryl picked up Child D from the floor by gripping around his upper arms to change his diaper.

Cheryl picked up Child E under the upper arms and carries in that position away from her body to place her at the eating table. Cheryl picked up Child E by the outside of upper arm to move her to a standing position to check her diaper. Cheryl picked her up under the arms to take to the changing table. Cheryl gripped Child E over the arms to pull her out of the feeding seat and moves the swing back to where it was with Child B inside of it. Cheryl used one hand to grip Child E's upper arm and force her from a standing position in the crib to a laying on her stomach position. Child E cries. Cheryl carried Child E under the arms hovering the ground 10 feet to the table. Cheryl did not bring her to her hips or chest to carry. Her face is to Cheryl's stomach.

Cheryl gripped Child G's left upper arm and pulled her out of highchair. Cheryl put her other hand around Child G's trunk and carries Child G facing away from her, carrying her with the one arm around trunk. Cheryl grabbed Child G by the upper arms, gripping the outside of her arm in between the elbow and the shoulder, forcefully lifts her up out of the crawl space, towards her chest, facing outwards, one arm on her stomach, puts her into bouncy seat. Cheryl gripped Child G by her left upper arm pulling her out of highchair and puts her other hand around Child G's trunk and carries Child G facing away from her.

CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
Signs shall be posted at all entrances of the rooms displaying the required staff/child ratios. A statement indicating that this has been completed shall be submitted to the Office of Childhood.	Yes	11/30/2022
The facility shall create a plan to ensure how new hire employees are fully trained on all licensing rules before caring for children. A copy of the plan shall be submitted to the Office of Childhood.	Yes	11/30/2022
The facility shall conduct a staff meeting to review the center's policies and all licensing rules and regulations regarding supervision and safe sleep. 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	11/30/2022
All staff and voluntaries shall take a two hour training titled "Making a Difference: Protecting Health and Keeping Children Safe". This training can be found on the Child Care page of DESE's website. The training must be viewable in OPEN Toolbox to received credit.	Yes	11/30/2022

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

10/24/2022

APPROVING SUPERVISOR

UNKNOWN CENTRAL DISTRICT SPECIALIST