



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
9/17/2021

DVN
000354763

FACILITY NAME

THE CENTRE AT CONWAY

FACILITY ADDRESS

13725 CONWAY RD

CITY

ST LOUIS

ZIP CODE

63141

PHONE NUMBER

(314) 434-3300

COUNTY

ST LOUIS

ASSIGNED SPECIALIST

WILMESHER, LAURA

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

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)(C)8.

No discipline technique which is humiliating, threatening, or frightening to children shall be used. Children shall not be shamed, ridiculed, or spoken to harshly, abusively, or with profanity.

5 CSR 25-500.102(1)(J)

All staff shall acquaint themselves with the child abuse and neglect law and shall make a report of any suspected child abuse or neglect to the Children's Division at the toll-free number 1-800-392-3738 or online at <https://apps.dss.mo.gov/OnlineCanReporting/default.aspx>.

CONCLUSION SUMMARY

Compliance Inspector (CI) Laura Wilmesher conducted an investigation regarding the allegation that on September 16, 2021, caregiver Manjari "Manju" Patil slapped Child A, 20-months-old, because Child A was trying to bite another child. After conducting the investigation, CI Wilmesher finds this allegation is substantiated, in addition to several other concerns regarding Ms. Manju's interactions with children. This conclusion is based on the following evidence of licensing rule violations which occurred at the facility:

5 CSR 25-500.182(1)(C)6. which states: "Firm, positive statements or redirection of behavior shall be used with infants and toddlers."

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."

AND

5 CSR 25-500.182(1)(C)8. which states: "No discipline technique which is humiliating, threatening, or frightening to children shall be used. Children shall not be shamed, ridiculed, or spoken to harshly, abusively, or with profanity."

On September 17, 2021, CI Wilmesher interviewed staff members at the facility.

Caregiver Maya Poger stated Ms. Manju yells aggressively at the children, and during naptime, she pats Child A loudly on her head. Child A's head has been pressed down on the mat, and Child A is usually crying when Ms. Manju pats her on the head. She has seen Ms. Manju hold children's hands in an aggressive way, and that on September 16, 2021, Child A went to bite another child, and Ms. Manju smacked Child A in the face. She asked Ms. Manju, "Why did you do that?" and Ms. Manju replied, "[Child A] was about to bite." Ms. Manju smacked Child A in the face hard enough to make a noise, and Child A had a red mark on her cheek afterward.

Caregiver Danielle Eberhardt stated Ms. Manju's attitude changed when the summer 2021 started and Ms. Manju started yelling a lot more. She has witnessed Ms. Manju pick up children by one arm, and that Ms. Maya has a video of Ms. Manju dragging Child B, 2-years-old, across the floor. On September 16, 2021, Child A went to bite another child, and Ms. Manju reacted by

grabbing Child A by the arm and smacking her across the face. She heard Ms. Manju say, "No!" really loud, which caused her to look up at Ms. Manju, and that's when she witnessed Ms. Manju smack Child A. She saw the photos taken of Child A later in the day but stated the red marks looked worse in person immediately after it happened. A former caregiver, Kendall McBryan, would cover breaks in the toddler room, and Ms. Kendall saw Ms. Manju take a rubber glove, cut off the band of the glove, put it on Child A's wrist, and when Child A would get up from the table, Ms. Manju would pop the band on Child A's wrist.

Caregiver Amber Derleth stated she doesn't work with Ms. Manju often, but while the classes were outside, she has observed Ms. Manju raise her voice at the toddlers and pick them up by one arm.

Caregiver Brigitte Desloge stated she worked with Ms. Manju over the summer a few times and that Ms. Manju would sometimes get upset, frustrated, and be harsh and a little rough with the children. Ms. Manju would raise her voice at the children and pull them to sit them down. If children were biting, Ms. Manju would use one finger or all of her fingers to tap a child on the mouth. Ms. Manju would raise her voice at the children and the children would cry. She never reported this behavior to Ms. Leila or Ms. Kelly and never addressed Ms. Manju herself, because she didn't want people to get mad at her.

On September 17, 2021, CI Wilmesher observed a video taken by Ms. Maya. The video captured Ms. Manju holding Child B by her wrists, dragging her down the hallway at the facility. Child B was kicking her legs and crying, and her heels dragging the floor, with the rest of her body lifted off the ground as Ms. Manju dragged her. During a follow-up interview with Ms. Maya, she stated that the video was taken on September 14, 2021, and that Child B had started throwing a fit when the class was leaving the play room, and Ms. Manju just started dragging her. Ms. Maya stated she did not report the incident to management until September 16, 2021, because she didn't want to get in trouble for having her phone.

On November 4, 2021, CI Wilmesher conducted an interview with Parent A, parent of Child A, who stated she was notified by the facility that another caregiver observed Ms. Manju use an open hand on Child A's face.

On November 8, 2021, CI Wilmesher conducted an interview with Parent B, parent of Child B, who stated she observed that Ms. Manju was more stern with the children compared to the other caregivers at the facility.

The following rule was also found to be violated during the investigation:

5 CSR 25-500.102(1)(J) which states: "All staff shall acquaint themselves with the child abuse and neglect law and shall make a report of any suspected child abuse or neglect to the Children's Division at the toll-free number 1-800-392-3738 or online at <https://apps.dss.mo.gov/OnlineCanReporting/default>."

On September 17, 2021 (CI) Wilmesher conducted an interview with caregiver, Danielle Eberhardt. Ms. Danielle stated she has witnessed Ms. Manju pick up children by one arm, and that Ms. Maya has a video of Ms. Manju dragging Child B, 2-years-old, across the floor. On September 16, 2021, Child A went to bite another child, and Ms. Manju reacted by grabbing Child A by the arm and smacking her across the face. Another worker, Kendall who did breaks in the toddler room, saw Ms. Manju take a rubber glove, cut off the band of the glove, put it on Child A's wrist, and when Child A would get up from the table, Ms. Manju would pop the band on Child A's wrist. Ms. Danielle stated she didn't know she had to report things she witnessed or heard about Ms. Manju to the hotline.

CORRECTIVE MEASURES

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 mandated reporting of child abuse and neglect, outside the The Centre At Conway network. Training 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 from the Open Initiative Toolbox report.	Yes	12/2/2021
CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
All staff members (paid employees or unpaid volunteers) must take the 1.0 clock hour online training course titled, "Making a Difference: Protecting Health and Keeping Children Safe" available at https://dese.mo.gov/childhood/child-care/training-info . Verification of attendance shall be through the Toolbox report.	Yes	12/2/2021
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 age-appropriate	Yes	12/2/2021

discipline, outside the The Centre At Conway network. Training 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 from the Open Initiative Toolbox report.

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(s) shall be submitted to the Office of Childhood.

COMPLETED (Y/N)

Yes

COMPLETED DATE

11/29/2021

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

11/16/2021

APPROVING SUPERVISOR

CHRISCO, MARLA