



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
10/5/2021

DVN
000836519

FACILITY NAME

1ST KIDS

FACILITY ADDRESS

1001 S WHITE OAK ST

CITY

MARSHFIELD

ZIP CODE

65706-2248

PHONE NUMBER

(417) 468-2247

COUNTY

WEBSTER

ASSIGNED SPECIALIST

COX, ELAINE S

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.082(2)(B)2.B.(III)

If a unit for infants and toddlers is auxiliary to a facility for older children, centers initially licensed for infant/toddler care after the effective date of these rules or facilities adding new infant/toddler space, shall have play, sleeping and bathroom space in the infant and toddler unit. This space shall be separated from the space used for older children by floor-to-ceiling walls;

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;

5 CSR 25-500.112(1)(B)

Age Two (2) Years. Groups composed solely of two (2) -year olds shall have no less than one (1) adult to eight (8) children, with no more than sixteen (16) children in a group;

5 CSR 25-500.112(1)(C)

Ages Three Through Four (3-4) Years. Groups composed solely of three (3) - and four (4) -year olds shall have no less than one (1) adult to ten (10) children;

5 CSR 25-500.112(1)(D)

Ages Five (5) and Up. Groups composed solely of five (5) -year olds and older shall have no less than one (1) adult to every sixteen (16) children; and

CONCLUSION SUMMARY

The Office of Childhood determined the facility is in violation of licensing rules regarding staff/child ratio. This determination is based on Compliance Inspector (CI) Elaine Cox's direct observation on October 7, 2021, of two (2) caregivers with fourteen (14) children ages one (1) year to two (2) years of age. This group included five (5) one (1) year old children and nine (9) two (2) year old children. Caregivers' statements given on October 7, 2021, support the repeated violation of the staff/child ratio rules.

Caregiver Jennifer Page stated due to bad road conditions she had fifteen (15) children ages three (3) to school age for about fifteen (15) minutes one morning. Caregiver Savannah Ramsey reported having up to twenty-one (21) preschool age children by herself. Caregiver Monae Koch reported having over sixteen (16) school age children by herself. Caregiver Whitneigh Drown reported to having ten (10) two (2) year old children by herself and further each afternoon up to three (3) toddler age children would be mixed in her classroom with up to six (6) two (2) year old children, giving her up to nine (9) children by herself. Further supporting on going staff/child ratio violations by the facility is CI Cox's direct observation of staff/child ratio during an re-inspection on October 21, 2021. The following staff/child ratio violation was observed:

- Three (3) caregivers with thirteen (13) children ages twelve (12) months to two (2) years.

This included three (3) children under twenty (24) months of age and ten (10) two (2) year old children.

- At 4:14 PM one (1) caregiver with twenty (20) school age children.

VIOLATION(S)

5 CSR 25-500.092(1)(B)1.A.

An individual cot or bed shall be provided for each child who naps or sleeps. An individually assigned sheet and blanket shall be provided for each child twelve (12) months and older who naps or sleeps. Upper levels of bunk beds shall not be used.

CONCLUSION SUMMARY

The Office of Childhood determined this facility violated the above licensing rule on at least one occasion . This determination is based on caregivers Dashawana Donaldson, Savannah Ramsey, Monae Kochs and Vickie Legan that one day in August of 2021, after the public school was back in session, Kimberly Bertoldie told the caregivers to nap all the children from B Hall in the movie room. A few children had cots, but most of the children slept on the floor. While Kimberly Bertoldie reported she did remember in January or February of 2021, during the week the theme was camping the children did sleep on the floor one time as part of the camping activities, but she denied she told the staff to have the children sleep on the floor in August of 2021.

VIOLATION(S)

5 CSR 25-500.102(2)(A)3.

The licensee is required to maintain an approved certificated group child care home provider or center director on staff.

CONCLUSION SUMMARY

The Office of Childhood (OOC) determined the facility is in violation of the licensing rule requiring a department approved director employed at the facility at all times. This determination is based on an email received on July 16, 2021, by the previous director Kellee Fiscus, informing the OOC her last day at the facility as the director is July 30, 2021. This rule violation has been cited in the MOCCIS system on August 8, 2021, and on August 24, 2021.

CORRECTIVE MEASURES**CORRECTIVE MEASURE**

The administration shall develop a staffing plan that will ensure staff/child ratios are maintained at all times, and clearly state the actions to be taken by the person in charge of the facility at the time to verify staff/child ratios are maintained in each classroom at all times during child care hours. This plan shall be submitted to the Office of Childhood for review.

COMPLETED (Y/N)

Yes

COMPLETED DATE

4/15/2022

CORRECTIVE MEASURE

The facility shall hire an approved director.

COMPLETED (Y/N)

Yes

COMPLETED DATE

3/22/2022

CORRECTIVE MEASURE

The administration shall send a statement signed by all currently employed caregivers and volunteers counting in staff/child ratio they fully understand all children shall sleep only on approved sleeping equipment for the age of the child and never on the floor.

COMPLETED (Y/N)

Yes

COMPLETED DATE

4/15/2022

CORRECTIVE MEASURE

The administration shall post in each classroom the age and number of children allowed in that classroom at one time along with the correct staff/child ratio for that classroom. This shall be posted in a location that easily seen by anyone entering the classroom. A picture of this posting shall be sent to the Office of Childhood. This picture shall clearly demonstrate the classroom and location of the posting in the classroom.

COMPLETED (Y/N)

Yes

COMPLETED DATE

4/15/2022

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

1/3/2022

APPROVING SUPERVISOR

WHITE, LEAH