



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
6/10/2022

DVN
002890297

FACILITY NAME

THE LEARNING CASTLE LLC

FACILITY ADDRESS

406 S MAIN ST

CITY

ARCHIE

ZIP CODE

64725-9611

PHONE NUMBER

(816) 293-5669

COUNTY

CASS

ASSIGNED SPECIALIST

IBBOTSON, JESSICA

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

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)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 25-500.112(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

Compliance Inspector (CI) Jessica Glover conducted an investigation regarding the allegation that a child was dragged by the back of the shirt and thrown into a pack and play. After conducting the investigation, CI Glover finds this allegation is substantiated. This conclusion is based on the following evidence of licensing rule violations which occurred at the facility:

5 CSR 25-500.182(1)(C)3. which states: "Only constructive, age-appropriate methods of discipline shall be used to help children develop self-control and assume responsibility for their own actions."

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 June 10, 2022, CI Glover interviewed Caregivers Megan Hill, Brittany Howard and Kaleigh Cunningham who all stated that preschool and school-aged children were often times brought to the infant classroom if they were not following directions or needed a quiet place to calm down. Ms. Cunningham stated that she had observed the preschool and school-aged children being placed inside of the cribs as a form of punishment by Manager Payton Jamison and Caregiver Serina Duncan. Ms. Cunningham stated she would often times hear Child A (5-years-old) cry out each time he was placed in a crib, screaming "I'm not a baby. I don't belong in the baby room!" and "Why does everyone hate me?" or "Why doesn't anyone love me?" Ms. Cunningham also stated that she was concerned with Director Kim Smith's tone of voice when speaking to the preschool and school-aged children because she would often times hear her yelling at the children, resulting in the children being scared of her. Ms. Cunningham stated she reported her concerns to Ms. Jamison. Ms. Jamison stated she spoke to Ms. Smith about her tone of voice being inappropriate towards the children, because she often times yelled. Ms. Jamison stated she observed these behaviors from Ms. Smith on numerous occasions but had recognized an improvement since she spoke with her about it.

Child B (9-years-old) stated that she had observed other children in the preschool and school-aged class being taken to the baby room for a "long time." Child B also stated that she observed Director Kim Smith drag Child E (8-years-old) and Child F

(7-years-old) by their shirts to the kitchen area because they were not following directions. Child B stated that Ms. Kim was dragging both Child E and Child F because they were not moving their own feet. Child B stated that some of her friends did not like Ms. Smith because she often times yelled and would be mean, scaring the children. Child B stated that sometimes her friends would cry when Ms. Smith yelled at them because she would get so mad, and it made her friends feel like they were not safe.

Child C (6-years-old) stated that Ms. Smith often times yelled at him and his friends and felt sad after each time she did so. Child C stated that Ms. Kim would get very loud and angry when she yelled. Child C stated that he saw some of his friends go to the baby room and have to sit in a crib when they were in trouble.

Child D (6-years-old) stated that she never got in trouble but would sometimes be sent to the baby room for crying when she missed her mom. Child D stated that Ms. Duncan would carry her to the baby room, which hurt her arms because she would squeeze too hard while Ms. Jamison followed and counted while she was inside the crib. Child D pointed to her upper right arm, showing CI Glover where Ms. Duncan would squeeze her. CI Glover did not observe any marks.

Child E (8-years-old) stated that he saw other children being taken to the baby room if they were not listening, especially Child C. Child E stated that Ms. Jamison took Child C and the other children to the baby room by holding their hand to walk with them, having to stay in there until they were done crying. Child E stated that Child C and the other children never had a choice to not be inside of the crib while they were in the baby room.

Child F (7-years-old) stated that he and the other children would sometimes be taken to the baby room for not listening to his teachers by Ms. Hill, Ms. Duncan, Ms. Smith and Ms. Jamison, having to sometimes sit inside of a crib. Child F also stated that Ms. Reynolds had dropped him inside of the crib, but it did not hurt him.

On June 27, 2022, CI Glover interviewed Caregiver Shy Reynolds who stated that she observed Owner Payton Jamison grab Child A's arm as she walked in front of him, taking him to the infant classroom. Ms. Reynolds stated that even though Child A was walking, Ms. Jamison was walking faster, making it hard for Child A to keep up. Ms. Reynolds stated that Ms. Jamison picked Child A up and placed him inside of the crib, even though Child A told her he did not want to be in there. Ms. Reynolds stated that Ms. Jamison told Child A he was being a "crybaby" and then left the classroom. Ms. Smith stated that although she had never observed any children being dragged, she often times took preschool and school-aged children to the infant classroom to help them calm down. Ms. Smith stated that if the infant teachers were busy, she would place the child inside of the crib until the infant teacher could speak with that child about their behaviors. Ms. Smith stated that the infant teachers were the ones who triaged with the children before allowing them back with their age group. Ms. Smith stated that she would sometimes pick the child up to place them inside of the crib, even if the child did not want to. Ms. Smith also stated that if the child would not walk on their own, she would pick them up and carry them on her hip to the infant classroom. Ms. Smith stated she never yelled at the children in a frightening manner but would sometimes raise her voice to get their attention if they were not listening. However, Ms. Smith stated that she was made unaware of any staff concerns anyone may have had with her about her tone of voice.

5 CSR 25-500.112(1)(A) which states: "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;"

On June 10, 2022, CI Glover interviewed Ms. Cunningham who stated that Child A was often times placed in her infant classroom as punishment, leaving her alone with four infant children and one preschool child.

On June 27, 2022, CI Glover interviewed Ms. Smith who stated that she would place preschool and school-aged children in the infant class as punishment, leaving them alone with the teachers in the room at that time. Ms. Smith stated that the infant teacher would text her to inform her when the child was calm and ready to triage back into their classroom.

CORRECTIVE MEASURES

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All staff and volunteers of The Learning Castle LLC must obtain one clock hour of training approved by the Child Care Compliance Section, on age-appropriate discipline. The training must be held by an approved and qualified source, outside of The Learning Castle LLC network. Training may be obtained from the Missouri Workshop Calendar. The training calendar can be found at <http://www.moworkshopcalendar.org/>. Verification of training completion shall be from the Open Initiative Toolbox report.

COMPLETED (Y/N)

Yes

COMPLETED DATE

12/27/2023

CORRECTIVE MEASURE

Signs shall be posted at all entrances of the rooms displaying the required staff/child ratios.

COMPLETED (Y/N)

Yes

COMPLETED DATE

6/27/2023

DISPOSITION SUBSTANTIATED		DISPOSITION DATE 3/31/2023
APPROVING SUPERVISOR BRUCE, CHRISTINA		