



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
11/22/2021

DVN
001802053

FACILITY NAME

SHALOM CHRISTIAN ACADEMY & DAYCARE

FACILITY ADDRESS

312 RIDGEWAY AVE

CITY

COLUMBIA

ZIP CODE

65203-2624

PHONE NUMBER

(573) 256-4824

COUNTY

BOONE

ASSIGNED SPECIALIST

LYONS, LEKEL

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)(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 25-500.102(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>.

5 CSR 25-500.222(1)

The child care provider shall maintain accurate records to meet administrative requirements and to ensure knowledge of the individual needs of children and their families.

5 CSR 25-500.222(6)

Daily staff and volunteer attendance records shall be maintained and kept on file a minimum of one (1) year.

5 CSR 25-500.212(1)(A)

The provider shall be responsible for the care, safety and supervision of children on field trips or at any time they transport children away from the facility.

5 CSR 25-500.212(3)(G)

Children shall not be left unattended in a vehicle at any time.

5 CSR 25-500.212(3)(L)

Head counts shall be taken before leaving the facility, after entering the vehicle, during a field trip, after taking the children to bathrooms, after returning to the vehicle and when back at the facility.

5 CSR 25-500.212(3)(M)

When children leave the vehicle, the vehicle shall be inspected to ensure that no children are left on or under seats.

CONCLUSION SUMMARY

On November 22, 2021, the Office of Childhood received an allegation that on November 9, 2021, Child A, 7-years-old, was left on the van, asleep, and was there for 2 hours, while staff did not know where Child A was. The allegation is substantiated with the following rules in violation:

5 CSR 25-500.182(1)(A)1. which states: "Caregivers shall not leave any child without competent adult supervision."

AND

5 CSR 25-500.182(1)(A)3. which states: "Caregivers shall provide frequent, direct contact so children are not left unobserved on the premises."

On November 22, 2021, Compliance Inspector (CI) Lelak Lyons conducted an unannounced inspection and interviewed caregiver John Fonville and Parent A.

On November 22, 2021, caregiver John Fonville stated that on November 9, 2021, Child A was left asleep on the van for about 20 minutes. On November 9, 2021, he arrived at the school, with the school-age children, including Child A, around 3:30 p.m. and told the children to wake up, and let's go. He assumed all of the children were off of the van. Parent A came to pick up Child A around 4:30 p.m and asked where Child A was. They then began to search the facility but could not find him in the building. He went to the van, where he found Child A sleeping.

On November 22, 2021, Parent A (parent of Child A) stated that on November 9, 2021, she arrived at the facility to pick up Child A around 4:40 p.m. She went to the playground area because that is where school-agers are during pick up. When she got to the playground she looked around and did not see Child A. They searched but could not find Child A until John Fonville ran outside to the van and brought Child A inside.

On November 22, 2021, caregiver Marilyn Cook stated that she was outside with John when Parent A arrived to pick up Child A. She began to call Child A's name but did not see Child A and they instantly looked around the playground. She heard John say out loud "Awww this boy must be asleep on the van". John then went outside and came back with Child A. They were looking for Child A for about five minutes.

On November 29, 2021, CI Lyons conducted a return inspection to review facility records. While CI Lyons was reviewing records, CI Lyons observed two instances that staff left children unattended, one involving a 3-year-old child and one involving six infant/toddler children.

Caregiver Chris Young and director Elaine Fonville left the infant/toddler room. CI Lyons observed that Elaine was showing Chris how to work the washing machine. Because CI Lyons had recently taken attendance and noted that Elaine and Chris were responsible for caring for children, CI Lyons went to the infant/toddler room and observed that Elaine and Chris had left six 1-year old children unattended, which lasted for approximately three minutes. When Elaine noticed that CI Lyons was standing near the infant /toddler room door, Elaine stated to Chris, "Oh, we're not supposed to be out here" and the two went back into the classroom.

Caregiver John Fonville was in the front office at 11:00 a.m. According to caregiver Marilyn Cook, Child E's class went outside at 11:05 a.m. Child E (3-years-old) was alone, in the classroom, eating lunch. At approximately 11:12 a.m., Child E brought an empty lunch plate to the office to John and then walked back to the empty classroom to drink her milk. Child E returned to the office area at 11:14 a.m.

5 CSR 25-500.182(1)(D)1. which states: "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."

On November 29, 2021, CI Lyons conducted a return inspection to review facility records. While CI Lyons was reviewing records, CI Lyons observed two instances that staff left children unattended, one involving a 3-year-old child and one involving six infant/toddler children.

Caregiver Chris Young and director Elaine Fonville left the infant/toddler room. CI Lyons observed that Elaine was showing Chris how to work the washing machine. Because CI Lyons had recently taken attendance and noted that Elaine and Chris were responsible for caring for children, CI Lyons went to the infant/toddler room and observed that Elaine and Chris had left six 1-year old children unattended, which lasted for approximately three minutes. When Elaine noticed that CI Lyons was standing near the infant /toddler room door, Elaine stated to Chris, "Oh, we're not supposed to be out here" and the two went back into the classroom.

5 CSR 25-500.212(1)(A) which states: "The provider shall be responsible for the care, safety and supervision of children on field trips or at any time they transport children away from the facility."

AND

5 CSR 25-500.212(3)(G) which states: "Children shall not be left unattended in a vehicle at any time."

AND

5 CSR 25-500.212(3)(L) which states: "Head counts shall be taken before leaving the facility, after entering the vehicle, during a field trip, after taking the children to bathrooms, after returning to the vehicle and when back at the facility."

AND

5 CSR 25-500.212(3)(M) which states: "When children leave the vehicle, the vehicle shall be inspected to ensure that no children are left on or under seats."

On November 22, 2021, caregiver John Fonville stated that on November 9, 2021, Child A was left asleep on the van for about 20 minutes. On November 9, 2021, he arrived at the school, with the school-age children, including Child A, around 3:30 p.m. and told the children to wake up, and let's go. He assumed all of the children were off of the van. He did not do a head count because he knows the children's faces. He does not know how many children were on the van on November 9, 2021.

5 CSR 25-500.222(1) which states: "The child care provider shall maintain accurate records to meet administrative requirements and to ensure knowledge of the individual needs of children and their families."

AND

5 CSR 25-500.222(6) which states: "Daily staff and volunteer attendance records shall be maintained and kept on file a minimum of one (1) year."

On November 22, 2021, CI Lyons requested and observed the attendance record dated November 9, 2021. The attendance record does not identify the time of day that school-age children left the facility to go to school or the time of day that school-age children returned to the facility from school. Furthermore, director Elaine Fonville and caregiver John Fonville had no attendance records.

On November 29, 2021, CI Lyons requested and observed transportation records. Specifically, the new method of keeping attendance for the children who ride the van. However, the van's attendance record reviewed for November 29, 2021, was inaccurate due to not being fully completed. The date, times, and full names of children were not fully documented.

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.aspx>."

On November 22, 2021, caregiver John Fonville stated that on November 9, 2021, he arrived at the school, with the school-age children, including Child A, around 3:30 p.m. and told the children to wake up, and let's go. Parent A came to pick up Child A around 4:30 p.m. and Child A had been left on the van. He did not report the incident to the child abuse and neglect hotline.

On November 22, 2021, caregiver Marilyn Cook stated that she was outside with John when Parent A arrived to pick up Child A. They were looking for Child A for about five minutes and she did not think to call the child abuse and neglect hotline.

CORRECTIVE MEASURES

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The facility shall update the emergency preparedness plan to include a procedure for child elopement. The plan shall include policies and procedures, including but not limited to keeping accurate attendance, conducting head counts, maintaining supervision, and contact with authorities. The plan shall be submitted to Office of Childhood.

COMPLETED (Y/N)

Yes

COMPLETED DATE

12/28/2022

CORRECTIVE MEASURE

The facility shall implement a transportation plan. The plan shall include policies and procedures, including but not limited to keeping accurate attendance, conducting head counts, maintaining supervision, use of seatbelts, and conducting checks of the vehicle. The plan shall be submitted to Office of Childhood.

COMPLETED (Y/N)

Yes

COMPLETED DATE

7/25/2022

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

9/30/2022

CORRECTIVE MEASURE

All staff and volunteers must obtain two (2) clock hours of approved training on supervision of children. 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 completion shall be on the OPEN website.

COMPLETED (Y/N)

Yes

COMPLETED DATE

3/12/2022

CORRECTIVE MEASURE The facility shall create a plan that ensures attendance records are kept for all staff members (paid employees and paid/unpaid volunteers) and children, each day children are present. A copy of the plan shall be provided to the Office of Childhood.		COMPLETED (Y/N) Yes	COMPLETED DATE 7/25/2022
CORRECTIVE MEASURE All staff and volunteers must obtain two (2) clock hours of approved training on transportation. 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 completion shall be on the OPEN website.		COMPLETED (Y/N) Yes	COMPLETED DATE 5/18/2022
DISPOSITION SUBSTANTIATED		DISPOSITION DATE 1/4/2022	
APPROVING SUPERVISOR BRUCE, CHRISTINA			