



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
10/29/2021

DVN
002827534

FACILITY NAME

WELLSTON CHILDCARE ACADEMY LLC

FACILITY ADDRESS

6144 PAGE BLVD

CITY

ST LOUIS

ZIP CODE

63133-2032

PHONE NUMBER

(314) 922-7695

COUNTY

ST LOUIS

ASSIGNED SPECIALIST

WILMESHER, LAURA

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.192(5)(B)

Information regarding the date and circumstance of any accident or injury shall be noted in the child's record.

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

No more than eight (8) infant/toddlers or sixteen (16) two (2) -year olds shall be in a group;

5 CSR 25-500.112(1)

The following staff/child ratios shall be maintained on the premises at all times:

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) Laura Wilmesher conducted an investigation regarding the allegation that there are thirteen children to one staff member with unknown ages of children. The allegation is substantiated based on the following information:

5 CSR 25-500.112(1) which states: "The following staff/child ratios shall be maintained on the premises at all times:"

AND

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 November 1, 2021, CI Wilmesher conducted a walkthrough of the facility to observe and document attendance and staff /child ratios. CI Wilmesher did observe seven children under 24 months in the infant/toddler room with two caregivers; however, when one caregiver, Donna Smith, left the infant/toddler room, it left all seven children under 24 months with one caregiver, Juliana "Chrissy" Freeman.

On November 10, 2021, CI Wilmesher conducted an unannounced inspection of the facility and observed ten children under 24-months in the infant/toddler room with two caregivers.

On November 10, 2021, caregiver Kayla Stewart stated that she has been alone with nine to ten children in the infant/toddler room before. When she first started working for the facility six months ago, she was left alone with nine to ten infant/toddlers. Additionally, an incident occurred in August or September 2021, when the infant/toddler room had five to six children with one caregiver, and Child A (now 17-months-old) fell out of his pack-n-play and had a knot on his head.

On December 10, 2021, Parent A (parent of Child A) stated that the facility was always out of ratio. She didn't count the number of children in the room every time she picked up or dropped off Child A, but there was definitely more than four children in the infant/toddler room with one teacher often.

5 CSR 25-500.082(2)(B)2.B.(IV) which states: "No more than eight (8) infant/toddlers or sixteen (16) two (2)-year olds shall be in a group;"

On November 10, 2021, CI Wilmesher conducted a walkthrough of the facility to observe and document attendance and staff/child ratios. CI Wilmesher observed ten children under 24 months in the infant/toddler room with two caregivers.

5 CSR 25-500.192(5)(B) which states: "Information regarding the date and circumstance of any accident or injury shall be noted in the child's record."

On November 10, 2021, caregiver Kayla Stewart stated that on an unknown date, Child A (now 17-months-old) fell out of the pack-n-play while in Ms. Donna's care. She (Ms. Kayla) was on break. Upon her return from break, she observed a knot on Child A's head.

On November 10, 2021, director Donna Smith stated that she thinks she was changing a diaper when Child A climbed out of the pack-n-play, and fell. She wrote an incident report and gave it to Ms. Mercedes, but she doesn't know what happened to it or why it's not in Child A's file.

On December 10, 2021, Parent A (parent of Child A) stated she did not receive an incident report when Child A had a knot on his head from falling out of the bed.

VIOLATION(S)

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

Brief, supervised separation from the group may be used based on a guideline of one (1) minute of separation for each year of the child's age.

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)9.

Punishment or threat of punishment shall not be associated with food, rest, or toilet training.

5 CSR 25-500.192(5)(A)

In case of accident or injury to a child, the provider shall notify the parent(s) immediately. If the child requires emergency medical care, the provider shall follow the parent's(s') written instructions.

5 CSR 25-500.192(5)(B)

Information regarding the date and circumstance of any accident or injury shall be noted in the child's record.

5 CSR 25-500.192(6)(B)

Caregivers shall teach children to wash their hands before eating and after toileting.

CONCLUSION SUMMARY

Compliance Inspector (CI) Laura Wilmesher conducted an unannounced investigation of the allegation that Child A (now 17-months-old) kept biting Child B (now 22-months-old) and Child C (now 6-months-old), because the teachers are not supervising the children, and parents are not being notified about the bites. The allegation is substantiated based on the following information:

5 CSR 25-500.192(5)(A) which states: "In case of accident or injury to a child, the provider shall notify the parent(s) immediately. If the child requires emergency medical care, the provider shall follow the parent's(s') written instructions."

AND

5 CSR 25-500.192(5)(B) which states: "Information regarding the date and circumstance of any accident or injury shall be noted in the child's record."

On November 1, 2021, caregiver Juliana "Chrissy" Freeman stated that Child A had bitten Child B several times.

On November 1, 2021, director Donna Smith stated that Child A had bitten Child B a few times.

On November 1, 2021, LLC member Mercedes Smith stated that Child A had bitten Child B twice.

On November 1, 2021, CI Wilmesher also observed the file for Child B in which there was only one incident report for being bitten by Child A. The incident report was dated May 24, 2021, and noted Ms. Donna as staff member responsible for the children at the time of the incident.

5 CSR 25-500.182(1)(C)5. which states: "Brief, supervised separation from the group may be used based on a guideline of one

(1) minute of separation for each year of the child's age."

AND

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)9. which states: "Punishment or threat of punishment shall not be associated with food, rest, or toilet training."

On November 1, 2021, caregiver Juliana "Chrissy" Freeman stated that when Child A bites Child C, she puts Child A in his pack-n-play bed for 10-15 minutes. In addition, Ms. Chrissy stated that when Child D (2-years-old) bites a child, she puts Child D in the highchair for 20-30 minutes.

On November 1, 2021, CI Wilmesher discussed with Ms. Chrissy that neither the pack-n-play beds nor a highchair are appropriate to place a child in as a form of discipline. CI Wilmesher further discussed that for children under 24 months, firm, positive statements or redirection should be the only method of discipline used, and for children age 2 years and up, no more than one minute per age of the child shall be used as a length of time to separate a child from the group's activities. Ms. Chrissy acknowledged that she understood these rules. However, during an unannounced return inspection of the facility on November 10, 2021, CI Wilmesher observed Child D in a highchair upon arrival. Child D was squirming in the highchair and attempting to reach for objects around him at the time. CI Wilmesher asked Ms. Chrissy why Child D was in the highchair. Ms. Chrissy stated that Child D had been in the highchair for 5-10 minutes after he had been pulling toys off the shelves.

5 CSR 25-500.192(6)(B) which states: "Caregivers shall teach children to wash their hands before eating and after toileting."

On November 10, 2021, CI Wilmesher observed and received a copy of an incident report dated October 25, in Child A's file which stated that caregiver Damara did not wash Child A's hands after he had diarrhea, which resulted in a substance being left on Child A's hands when Parent A arrived to pick him up.

On December 10, 2021, Parent A (parent of Child A) stated she picked up Child A after Ms. Mercedes had called her because Child A had diarrhea. When she arrived to the facility about an hour later, she noticed Child A still had poop on his hands, and that he was eating snack at the time.

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.	Yes	11/10/2021
CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
All staff members (paid employees or unpaid volunteers) must take the 1.5 clock hour online training course titled, "Early Childhood Social and Emotional Health" available at https://dese.mo.gov/childhood/child-care/training-info . Verification of attendance shall be through the Toolbox report.	Yes	1/31/2023
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	1/31/2023
CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
All staff and volunteers must obtain one clock hour of training on age-appropriate discipline. The training must be held by an approved and qualified source, outside of the Wellston Childcare Academy 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.	Yes	10/23/2023
CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
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.	Yes	1/31/2023

DISPOSITION SUBSTANTIATED		DISPOSITION DATE 3/10/2022
APPROVING SUPERVISOR CHRISCO, MARLA L		