



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
6/14/2022

DVN
001631569

FACILITY NAME

TENDERCARE LEARNING CENTER #4

FACILITY ADDRESS

1804 BOONE'S LICK RD

CITY

ST CHARLES

ZIP CODE

63301

PHONE NUMBER

(636) 946-8440

COUNTY

ST CHARLES

ASSIGNED SPECIALIST

FYFE, IAN

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

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

All furniture and equipment shall be constructed safely, in good condition and free of sharp, loose or pointed parts. Only lead-free paint shall be used.

CONCLUSION SUMMARY

On June 14, 2022, the Office of Childhood (OOC) received an allegation that Child A was injured by a shelf that was not properly secured in the facility. After conducting an investigation, Compliance Inspector (CI) Ian Fyfe has found this allegation to be substantiated based on the following evidence:

5 CSR 25-500.092(1)(A)1., which states the following: "All furniture and equipment shall be constructed safely, in good condition and free of sharp, loose, or pointed parts. Only lead-free paint shall be used."

On June 16, 2022, Compliance Inspector (CI) Ian Fyfe conducted an unannounced inspection to the facility and interviewed Director Sarah Paul and Staff Member Alexis Jordan. Ms. Jordan was unable to provide clear and consistent details regarding Child A's injury due to the fact that her attention was focused on another unknown child at the time of the incident. Ms. Paul was unable to provide clear and consistent details regarding Child A's injury due to the fact that she was not present when the incident occurred. There were no other staff members present during the incident. On June 13, 2022, Ms. Jordan was the sole staff member in Child A's classroom when Child A tripped over their dress and fell forward into a shelf. The shelf then fell forward on top of Child A, causing Child A to receive an open wound on their forehead. After hearing a loud noise and seeing Child A under the shelf, Ms. Jordan lifted the shelf up and off of Child A, observing an injury on Child A's forehead. Ms. Jordan left the classroom to retrieve Ms. Paul, who returned to the classroom with Ms. Jordan to tend to Child A. When Ms. Paul returned to the classroom, the shelf was standing up-right but was not in its' original position against the window. All matters regarding first-aid being provided, an accident report being created, and Child A's parents being notified, were properly followed by the facility staff. During their interview with CI Fyfe, Ms. Paul informed CI Fyfe that the shelf was not properly secured and was loose, causing it to fall on top of Child A. The shelf that fell on top of Child A, as well as two other similar shelves that were located in the classroom, were removed from the facility prior to CI Fyfe's arrival. CI Fyfe was able to observe marks on the wall that would suggest that the bookshelf was not properly secured. At the time of the incident, there were no functioning cameras that captured video footage of the incident.

On June 21, 2022, CI Fyfe conducted an interview with Parent A (Parent of Child A) via phone call. On June 13, 2022, Parent A received a phone call from Ms. Paul informing Parent A that Child A had tripped over their dress and fell into a shelf in the classroom, causing injury to Child A. When discussing the incident with Ms. Paul and Ms. Jordan, Parent A was given conflicting information regarding the shelf and how the shelf fell over. Ms. Paul informed Parent A that the shelf did not fall over at all while Ms. Jordan stated that a different child possibly pushed the shelf over. Ms. Jordan informed Parent A that the shelf was not properly secured, causing the shelf to fall over onto Child A.

CORRECTIVE MEASURES

CORRECTIVE MEASURE

A plan shall be implemented to ensure that daily checks are conducted of all furniture and indoor/outdoor equipment to ensure it is kept in good condition and all shelving is secure. A copy of the plan shall be submitted to The Office of

COMPLETED (Y/N)

Yes

COMPLETED DATE

10/4/2022

Childhood.	
DISPOSITION SUBSTANTIATED	DISPOSITION DATE 9/9/2022
APPROVING SUPERVISOR CHRISCO, MARLA L	