



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
8/5/2021

DVN
002588749

FACILITY NAME

BURNING FOR LEARNING IN - HOME CHILDCARE

FACILITY ADDRESS

755 WALTON AVE 1ST FL

CITY

ST LOUIS

ZIP CODE

63108-1756

PHONE NUMBER

(314) 299-5158

COUNTY

ST LOUIS CITY

ASSIGNED SPECIALIST

CHRISCO, MARLA

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-400.045 (18)

The number and ages of children a family child care home is authorized to have in care at any one time shall be specified on the license and shall not be exceeded except as permitted within these rules.

5 CSR 25-400.045 (19)

All child care provided on the premises of a licensed family child care home shall be in compliance with the licensing rules, the conditions specified on the license, and the conditions of any variances granted to the licensee.

5 CSR 25-400.105 (2)(B)

A family child care home may be licensed at maximum capacity for a period of eighteen (18) consecutive hours of the twenty-four- (24-) hour day. For the remaining six (6) hours of the twenty-four- (24-) hour day, care may be provided for one-third (1/3) of the licensed capacity of the home.

5 CSR 25-400.210 (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 25-400.210 (6)

Daily attendance records for all caregivers shall be maintained and kept on file a minimum of one (1) year.

CONCLUSION SUMMARY

The allegation that the provider stated she has been closed since July 23, 2021 but put in claims through child care subsidy of children attending the week of July 25, 2021 for daytime, evening, and overnight hours, is being substantiated. The following rule was violated:

5 CSR 25-400.210 (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.

AND

5 CSR 25-400.210 (6) Daily attendance records for all caregivers shall be maintained and kept on file a minimum of one (1) year.

The above rules were violated based on statements made to Compliance Inspector (CI) Marla Chrisco on August 11, 2021 by home provider Michelle Dillard. Ms. Dillard stated that she was closed from July 25, 2021 through August 07, 2021. Ms. Dillard did not know how to bill the subsidy program for closed days so she submitted claims for all of the children enrolled for July 25, 2021 through July 29, 2021 as being in attendance when really they were not because she was closed. Ms. Dillard stated that she did not have any attendance for herself or any of her assistants for any days.

5 CSR 25-400.105 (2)(B) A family child care home may be licensed at maximum capacity for a period of eighteen (18) consecutive hours of the twenty-four- (24-) hour day. For the remaining six (6) hours of the twenty-four- (24-) hour day, care may be provided for one-third (1/3) of the licensed capacity of the home.

The above rule was violated when on September 13, 2021, CI Chrisco observed attendance records for August 08, 2021, that were submitted to child care subsidy. Children were noted in attendance for entire 24 hour period, with the lowest amount of children being present at one time being 4 children from 4:30-6:00pm. At no point of the day did the provider reduce to 1/3 of the

licensed capacity for at least 6 hours.

5 CSR 25-400.045 (18) The number and ages of children a family child care home is authorized to have in care at any one time shall be specified on the license and shall not be exceeded except as permitted within these rules.

AND

5 CSR 25-400.045 (19) All child care provided on the premises of a licensed family child care home shall be in compliance with the licensing rules, the conditions specified on the license, and the conditions of any variances granted to the licensee.

The above rules were violated when on September 13, 2021, CI Chrisco observed attendance records for August 08, 2021, that were submitted to child care subsidy. Between 12:00am-3:30am and between 7:30am- 11:00am, the provider exceeded the licensed capacity of 10 children with between 12-13 children being present. Four of the children present were 13-years-old, exceeding the license age range.

CORRECTIVE MEASURES

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Home provider Michelle Dillard shall create a plan of how accurate attendance records will be maintained and how licensing capacity and limitations will be maintained. The plan shall be submitted to the Office of Childhood for review and approval.

COMPLETED (Y/N)

Yes

COMPLETED DATE

10/4/2023

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

11/29/2021

APPROVING SUPERVISOR

CLARK, ANGELA