



**MISSOURI DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION
OFFICE OF CHILDHOOD - CHILD CARE COMPLIANCE
COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS**

DATE OF REPORT
5/19/2021

DVN
002844631

FACILITY NAME

THE LEARNING TREE PRESCHOOL LLC

FACILITY ADDRESS

3501 GENE FIELD RD

CITY

ST JOSEPH

ZIP CODE

64506-1804

PHONE NUMBER

(816) 689-0118

COUNTY

BUCHANAN

ASSIGNED SPECIALIST

TRUSSELL, MICHELLE RENEE

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

19 CSR 30-62.182 (1)(A)(1)

Caregivers shall not leave any child without competent adult supervision.

19 CSR 30-62.182 (1)(A)(3)

Caregivers shall provide frequent, direct contact so children are not left unobserved on the premises.

19 CSR 30-62.182 (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.

19 CSR 30-62.192 (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) written instructions.

19 CSR 30-62.192 (5)(B)

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

19 CSR 30-62.102 (1)(D)

Caregivers shall be capable of carrying out assigned responsibilities and shall be willing and able to accept training and supervision.

19 CSR 30-62.102 (1)(E)

Caregivers shall have knowledge of the needs of children and shall be sensitive to the capabilities, interests and problems of children in care.

CONCLUSION SUMMARY

Child Care Facility Specialist (CCFS) Michelle Trussell conducted an investigation regarding the allegation that on May 18, 2021, Child A, was found outside of the building in the fenced in outside play area by a staff member .

After conducting the investigation, it was determined through interviews with staff members and parent of Child A, that on May 18, 2021, Child A, age 16 months, was left outside unattended after the child?s class had went back inside from the outdoor play area. The child was found in a fenced area on the outdoor play space by another staff member who was leaving the facility for the day.

This conclusion is based on the following evidence of licensing rule violations which occurred at the facility:

19 CSR 30-62.182 (1)(A)(1) Caregivers shall not leave any child without competent adult supervision.

AND

19 CSR 30-62.182 (1)(A)(3) Caregivers shall provide frequent, direct contact so children are not left unobserved on the premises.

AND

19 CSR 30-62.182 (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.

Facility staff provided consistent statements when interviewed that Child A was left without competent adult supervision and unobserved for no more than eight (8) minutes. CCFS Trussell obtained weather information from the website , Weather

Underground, which showed that the temperature at the time of the incident was 76 degrees Fahrenheit, and there was no precipitation.

While conducting the investigation at the facility, CCFS Trussell observed that the outside playground is enclosed with chain-link fencing. The playground is an L-shaped that runs along the north and west side of the building. At the east side of the playground is an exit gate that leads to the parking lot and apartment complexes. At the south end of the playground is an exit gate that leads to the front entrance of the facility and the south driveway as well as access to cross streets Pembroke Lane and Gene Field Rd. Gene Field is a heavily traveled road with the speed limit of 35MPH. The north end of the playground leads to additional apartment complexes and businesses.

On May 19, 2021 Facility director, Stacie Simpson, stated when interviewed on May 19, 2021 Child A was discovered on the outdoor play area by staff member Katelyn Lee as she was leaving the facility at the end of her shift on May 18, 2021. Child A was removed from the outdoor play area by Katelyn Lee and taken back into the facility's office. Katelyn Lee contacted Chantel Anglin, Assistant Director, by telephone and explained the situation. Stacie Simpson, Director, observed security footage showing Child A's classroom returning to their class from the outdoor play space and then showing Katelyn Lee removing the child from the outdoor play area approximately eight (8) minutes later. The staff members responsible for supervision of Child A at the time she was left unsupervised was Shaylynn Powell and Hannah Whitmore.

On May 19, 2021 Assistant Director Chantel Anglin stated when interviewed, that on May 18, 2021, she received a phone call from Katelyn Lee indicating she found Child A on the outdoor play area unsupervised. Ms. Anglin requested Ms. Lee stay in the office of the facility with Child A until she and Ms. Simpson, facility director, returned to the center.

On May 19, 2021 staff member Katelyn Lee stated when interviewed, that on May 18, 2021 as she was driving out of the facility's north driveway she noticed Child A in the outdoor play area unsupervised. Ms. Lee indicated she pulled out of the driveway and pulled into the facility's south driveway, exited her vehicle and walked to the gate located on the south side of the playground. Ms. Lee stated she picked up Child A and carried her back inside the facility and sat with her in the office. Ms. Lee stated she contacted the Assistant Director, Ms. Anglin via telephone at approximately 3:14 p.m. who instructed her to stay in the office with Child A until she and Ms. Simpson, facility director, returned to the center.

On May 19, 2021 staff member Shaylynn Powell stated when interviewed, that on May 18, 2021 she was not aware Child A was missing from her supervision until she went to clock out at the end of the day and noticed Child A was in the office with Ms. Anglin. Ms. Powell stated Ms. Anglin told her Child A was found in the outdoor play area unsupervised.

On May 19, 2021 staff member Hannah Whitmore stated when interviewed, that on May 18, 2021 she was not aware Child A was missing from her supervision until Ms. Simpson, facility director, brought Child A back to her classroom. Ms. Whitmore stated Ms. Simpson told her Child A was found unsupervised on the outdoor play area.

CCFS Trussell obtained and observed video footage recorded at The Learning Tree Preschool LLC of the outdoor play area located on the north side of the facility, the front entrance of the facility, and of Nursery D classroom taken on May 18, 2021. The video footage was reviewed with facility director, Stacie Simpson, providing CCFS Trussell information during the viewing as needed. During the observation of the video, it is observed that Shaylynn Powell and Hannah Whitmore take the children outside at approximately 2:26 p.m. and return to their classroom at approximately 3:06 p.m. It is also observed that Katelyn Lee pulls out of the north driveway of the facility and back into the south driveway of the facility at 3:14 p.m., exits her vehicle and walks towards the outdoor play area and goes out of view of the camera. It is then observed, seconds later, Katelyn Lee with Child A in her arms walking to the front door of the facility.

19 CSR 30-62.192 (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) written instructions.

AND

19 CSR 30-62.192 (5)(B) Information regarding the date and circumstance of any accident or injury shall be noted in the child's record.

On May 19, 2021 facility director, Stacie Simpson stated when interviewed the parents of Child A were not notified at the time of the incident nor had the parents been notified at the time of the interview.

On May 19, 2021 Parent of Child A stated in a telephone interview with CCFS Trussell they were notified of the incident via a telephone call at approximately 12:30 p.m. on May 19, 2021.

On May 20, 2021 CCFS Trussell observed an incident report for Child A. The incident report was for Child A and was dated May

19, 2021 concerning an incident that occurred at 3:06 p.m. on May 18, 2021. CCFS Trussell observed the incident report stated Katelyn Lee noticed Child A outside and brought Child A back into the facility. The incident report also noted Child A was observed to be 'okay and happy' at the time Katelyn Lee found her. The incident report showed the parent of Child A was notified by a phone call on May 19, 2021 at approximately 12:40 p.m. by Chanel Anglin.

19 CSR 30-62.102 (1)(D) Caregivers shall be capable of carrying out assigned responsibilities and shall be willing and able to accept training and supervision.

AND

19 CSR 30-62.102 (1)(E) Caregivers shall have knowledge of the needs of children and shall be sensitive to the capabilities, interests and problems of children in care.

On May 25, 2021 CCFS Trussell conducted additional interviews with Shaylynn Powell, Hannah Whitmore, Sarah Alysworth, Mindy Haplin, and Katelyn Lee. According to information obtained in those interviews, Shaylynn Powell and Hannah Whitmore were trained on the use of the ProCare application to conduct face to name procedures as well as other classroom transitions. It was also determined during these interviews, Ms. Powell and Ms. Whitmore admitted to not using the face to name procedure in the ProCare application. Ms. Powell and Ms. Whitmore also admitted to not conducting head counts when leaving the classroom or returning to the classroom.

CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
All employees of The Learning Tree Preschool LLC must complete the online training course, Supervision in Child Care	Yes	8/13/2021
All employees of The Learning Tree Preschool LLC must complete the online training course, Licensing Rules and Best Practice	Yes	8/16/2021
Facility must utilize a face to name sheet for each classroom or an electronic application of a face to name procedure for the duration of the close supervision. Copies of the face to name sheet will be made available to the Child Care Facility Specialist upon request.	Yes	12/31/2021
The facility will be placed on close supervision for a period of six (6) months.	Yes	2/2/2022
Facility must submit a copy submit a copy of updated personnel policies to reflect the use of the face to name procedures and/or the ProCare application. The handbook must include specific instructions on all aspects of the application so employees can refer back to it for assistance.	Yes	8/12/2021

DISPOSITION	DISPOSITION DATE
SUBSTANTIATED	7/12/2021

APPROVING SUPERVISOR
NURNBERG, TONY A