



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

COMPLAINT INVESTIGATION OF  
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT  
12/3/2021

DVN  
002397099

**FACILITY NAME**

KIDDIE ACADEMY OF O'FALLON

**FACILITY ADDRESS**

4088 WINGHAVEN BLVD

**CITY**

O FALLON

**ZIP CODE**

63368-3621

**PHONE NUMBER**

(636) 265-3444

**COUNTY**

ST CHARLES

**ASSIGNED SPECIALIST**

WILMESHER, LAURA

**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.

**CONCLUSION SUMMARY**

Compliance Inspector (CI) Laura Wilmesher conducted an investigation regarding the allegation that on December 3, 2021, caregiver Jody Murphy left Child A (age 17 months) unattended in the classroom for about 29 minutes. After conducting the investigation, CI Wilmesher finds this allegation is substantiated. This conclusion is based on the following evidence of licensing rule violations which occurred at the facility:

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 December 6, 2021, CI Wilmesher observed the facility's video camera footage from December 3, 2021, for the classroom of Child A. CI Wilmesher observed at the beginning of the video, Ms. Jody was near the exterior door leading to the outdoor play space with four children, as Ms. Patricia entered the classroom through that same door. Ms. Patricia walked across the classroom, carrying a child, and Child A began walking across the classroom after Ms. Patricia. Ms. Jody appeared to be speaking to Ms. Patricia briefly. Ms. Patricia walked out of the classroom from the interior door, and Ms. Jody walked out of the classroom through the exterior door with only three children. The exterior door shut at 40 seconds into the video, and at that point, Child A was observed alone in the classroom.

After Ms. Jody closed the door, Child A walked to the door and attempted to push on the door several times. Child A then walked to the mats on the floor near the door and climbed to the top of one mat, looking out the window into the outdoor play space. Child A continued moving from one area of the classroom to another. Child A was observed several more times going to the exterior door. At approximately 20 minutes into the video, Child A appeared to be crying and then walked out of view of the camera, and he was not observed on camera again until after Ms. Jody entered the classroom.

At 29 minutes and 54 seconds into the video, Ms. Jody looked into the classroom window, and then immediately opened the exterior door. Ms. Jody entered the classroom and walked quickly to Child A, picked him up, and carried him outdoors through the exterior door.

On December 6, 2022, CI Wilmesher interviewed director, Patricia Grimes, and caregivers Karla Henry and Jody Murphy. Ms. Patricia stated on December 3, 2021, Ms. Jody was in the classroom with Child A. Ms. Patricia stated Ms. Jody brought four children in to change a diapers, but she only returned outside with three children, leaving Child A in the classroom alone for 29 minutes.

Karla Henry stated she and Ms. Jody were outside on December 3, 2021, doing activities with the children when they noticed

that Child A was missing. Ms. Karla stated Ms. Jody had taken four children inside to change Child A's diaper.

Jody Murphy stated she brought four children inside, including Child A, to change Child A's diaper. Ms. Jody stated as she and the other children were getting ready to go back outside, she hadn't realized that Child A had walked away from the back door. Ms. Jody stated she and Ms. Karla were doing an activity with the other children when she realized that Child A was missing and immediately she and Ms. Karla started looking for Child A. Ms. Jody stated she looked into the classroom and found that Child A was lying on the floor at the interior door. Ms. Jody stated Child A had fallen asleep on the floor, and she ran into the classroom and picked up Child A and brought him outside. Ms. Jody stated she estimated the time that Child A was alone in the classroom to be 25-30 minutes.

On January 31, 2022, CI Wilmesher interviewed Parent A, parent of Child A, who stated that on December 3, 2022, the director, Ms. Patricia, called her and notified her that Child A's teachers left him in the classroom alone for approximately 30 minutes.

## CORRECTIVE MEASURES

### CORRECTIVE MEASURE

All staff and volunteers must obtain two clock hours of supervision training. The training must be held by an approved and qualified source, outside of the Kiddie Academy of O'Fallon 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.

### COMPLETED (Y/N)

Yes

### COMPLETED DATE

3/29/2022

### CORRECTIVE MEASURE

The facility shall conduct a staff meeting to review the center's policies and all licensing rules and regulations regarding supervision. The facility must provide the Office of Childhood with a statement, signed by all staff members (paid employees and paid/unpaid volunteers), to indicate they understand and agree to follow those rules and regulations.

### COMPLETED (Y/N)

Yes

### COMPLETED DATE

3/15/2022

### DISPOSITION

SUBSTANTIATED

### DISPOSITION DATE

2/2/2022

### APPROVING SUPERVISOR

CHRISCO, MARLA L