



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

**COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS**

DATE OF REPORT

3/28/2019

DVN

002306374

FACILITY NAME

JUST 4 US CHILDCARE, INC.

FACILITY ADDRESS

2559 RAYMOND DR

CITY

ST CHARLES

ZIP CODE

63301-4841

PHONE NUMBER

(636) 493-6030

COUNTY

ST CHARLES

ASSIGNED SPECIALIST

WILMESHER, LAURA

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

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

Only constructive, age-appropriate methods of discipline shall be used to help children develop self-control and assume responsibility for their own actions.

19 CSR 30-62.182 (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.

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.

19 CSR 30-62.222 (7)

Daily staff and volunteer attendance records shall be maintained and kept on file a minimum of one (1) year.

CONCLUSION SUMMARY

Child Care Facility Specialist (CCFS) Laura Wilmesher conducted an investigation regarding the allegation that a teacher grabbed a 2 year old across the floor three times. After conducting the investigation, CCFS Wilmesher finds this allegation is substantiated. This conclusion is based on the following evidence of licensing rule violations which occurred at the facility:

19 CSR 30-62.182 (1)(C)(3) states: "Only constructive, age-appropriate methods of discipline shall be used to help children develop self-control and assume responsibility for their own actions."

AND

19 CSR 30-62.182 (1)(C)(5) 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."

On March 28, 2019, CCFS Wilmesher conducted a phone interview with Parent A who stated she had started watching the cameras for the facility when she was checking on her child, and she saw a teacher grab a 2 year old girl by the upper arm and drag her on the floor closer to her. Parent A stated the girl was on the floor crying, with her head in her hands, and she inched away from the teacher, so the teacher grabbed her and dragged her back toward her. Parent A stated the teacher did this three times in a row, and that the girl wasn't throwing a tantrum or stomping her feet or anything, she was just sitting on the floor and crying. Parent A stated she wished she had recorded all of it, but she only recorded the last time of the teacher dragging the child.

On March 28, 2019, CCFS Wilmesher received an email from Parent A which included video footage which was recorded by Parent A from the facility's camera system which she viewed an recorded from her online camera access. CCFS observed the video footage was dated March 27, 2019, and the time at the top of the parent's camera recording screen shows the video was recorded at 11:17 until 11:18 AM. At the beginning of the video footage, CCFS observed Child A laying on her right side on the floor of the two year old room, and caregiver Julia Chambers seated at the end of the diaper changing table. CCFS observed Julia Chambers grab Child A above her left elbow with one hand, and drag her while laying on her right side across approximately two standard-sized (12"x12") floor tiles and place her in a seated position on the floor. There were two other caregivers observed seated facing the direction of Julia Chambers and Child A during the video, although it did not appear that either of the other caregivers were looking in the direction of Julia Chambers and Child A at the time Child A was dragged across the floor tiles. The

remainder of the video footage showed Julia Chambers continued to stay seated next to Child A , and Child A was observed to be crying.

On March 29, 2019, CCFS Wilmeshier conducted interviews with board president, Trish Frank, executive director, Tracey Mathis, and assistant director, Brittany Burney. Trish Frank stated she had no previous knowledge of the incident and that the video footage would have had to have been requested by the camera system security within 24 hours of the incident. Tracey Mathis and Brittany Burney both stated that the caregiver that Parent A had called with concerns about was Julia Chambers . Tracey Mathis stated that Julia Chambers was a temporary employee from the TLC agency . Neither Tracey Mathis nor Brittany Burney knew which child Julia had grabbed in the video, because they had not asked Julia which child it was.

On April 1, 2019, CCFS Wilmeshier conducted a phone interview with caregiver, Julia Chambers who stated she has worked at Just 4 Us Childcare, Inc. multiple times starting in December 2018. Julia Chambers confirmed to CCFS Wilmeshier that the child she had grabbed on March 27, 2019, was Child A. Julia Chambers stated Child A had been sitting with volunteer Sherry , and that Child A was having a rough day and acting up a lot, so she had been sitting with Sherry for a couple of minutes. Julia Chambers stated that Sherry then told Julia to have Child A sit next to her until she put her shoes on , and that Child A sat next to her for an additional three or four minutes. At that point, Julia Chambers stated she felt it was getting kind of ridiculous at that point, so she helped Child A put her shoes on. Julia Chambers admitted that she had pulled Child A back to her , sliding her easily across the tile floor, but that she would never try to hurt a child. Julia Chambers stated Child A's body was not checked by anyone at the facility for any marks or bruises.

On April 1, 2019, CCFS Wilmeshier conducted phone interviews with the other two caregivers observed in the room at the time Parent A observed Julia Chambers pulling and dragging Child A by the arm on March 27, 2019, Sierra Townsend and Sherry Meyers. Seirra Townsend stated that she did not observe Julia Chambers grab Child A by the arm , but she does remember that Child A had been sitting in timeout for a reason unknown to her that day . Sherry Meyers stated she does remember Child A was crying that day, and that Julia Chambers made her sit there until she put her shoes on, and that it was probably about five minutes that she made her sit there.

19 CSR 30-62.222 (7) states: "Daily staff and volunteer attendance records shall be maintained and kept on file a minimum of one (1) year."

On March 29, 2019, CCFS Wilmeshier conducted an interview with Tracey Mathis who stated the teacher that Parent A observed in the camera footage was Julia Chambers, and she's from the TLC agency. Tracey Mathis stated that Julia Chambers was only at Just 4 Us Childcare, Inc. that one day, and she hasn't been back since.

On April 1, 2019, CCFS Wilmeshier conducted an interview with Julia Chambers who stated she had worked at Just 4 Us Childcare, Inc. multiple times, starting in December 2018. Julia Chambers stated she had worked in every single room, and that she was usually at the facility two or three days a week.

On April 1, 2019, CCFS Wilmeshier conducted a follow-up interview with Tracey Mathis who stated that she did not keep attendance records for any of the TLC agency employees of when they worked at Just 4 Us Childcare, Inc. Tracey Mathis stated that Julia Chambers had worked at the facility before, but the facility did not maintain any staff attendance record for Julia Chambers. Tracey Mathis stated that going forward, the facility will maintain attendance records of all TLC agency employees .

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

During interviews conducted with Tracey Mathis and Brittany Burney on March 29, 2019, both staff members were aware that Parent A had witnessed on camera that Julia Chambers had pulled Child A by the arm . Neither Tracey Mathis nor Brittany Burney asked Julia Chambers which child she had pulled by the arm, therefore no one had checked Child A on the day of the incident to ensure that the child did not have any marks or bruises from being pulled/dragged by the arm. Tracey Mathis stated that she was aware that the camera footage could go back 24 hours, yet the camera footage was not reviewed on the day the incident occurred.

CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The facility shall develop a plan to ensure that all new employees (whether permanent or from a temporary agency, and including volunteers which provide/assist with care of children at the facility) are fully trained, prior to caring for children, on the facility's procedures as they pertain to appropriate discipline	Yes	7/9/2019

for children, per licensing rules in section 19 CSR 30-62.182(1)(C) Discipline. A copy of the plan shall be submitted to the Section for Child Care Regulation.

CORRECTIVE MEASURE

The facility shall conduct a staff meeting to review all licensing rules and regulations in section 19 CSR 30-62.182 (1)(C) Discipline. The facility must provide the Section for Child Care Regulation with a statement, signed by all current staff (paid employees, employees used from a temporary agency, or paid/unpaid volunteers), to indicate they understand and agree to follow those rules and regulations.

COMPLETED (Y/N)

Yes

COMPLETED DATE

7/9/2019

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

6/18/2019

APPROVING SUPERVISOR

SMITH, NANCY