



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
8/23/2022

DVN
002515246

FACILITY NAME

LIL SMARTIES LEARNING CENTER, INC

FACILITY ADDRESS

1020 S FLORISSANT RD

CITY

FERGUSON

ZIP CODE

63135-3237

PHONE NUMBER

(314) 473-1233

COUNTY

ST LOUIS

ASSIGNED SPECIALIST

FYFE, IAN

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.182(1)(A)2.

A caregiver personally shall admit each child upon arrival and personally shall dismiss each child upon departure . Children shall be dismissed only to the parent(s) , guardian, legal custodian, or to individuals approved by the parent(s) , guardian, or legal custodian.

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

On August 23, 2022, the Office of Childhood (OOC) received an allegation that Child A (3-years-old) had been left unattended and unsupervised outside of Lil Smarties Learning Center, Inc. After conducting an investigation, Compliance Inspector (CI) Ian Fyfe has found this allegation to be substantiated based on the following evidence:

5 CSR 25-500.182(1)(A)2., which states the following: "A caregiver personally shall admit each child upon arrival and personally shall dismiss each child upon departure. Children shall be dismissed only to the parent(s) , guardian, legal custodian, or to individuals approved by the parent(s) , guardian, or legal custodian."

AND

5 CSR 25-500.182(1)(A)3., which states the following: "Caregivers shall provide frequent, direct contact so children are not left unobserved on the premises."

On August 24, 2022, Compliance Inspector (CI) Ian Fyfe conducted an unannounced inspection to the facility and interviewed Cynthia Turner, staff member Ashley Miller, and staff member Jade Coleman. On the day of the incident, Director Makayla Turner was present and in charge. Child A is Director Turner's biological child. All three staff members interviewed by CI Fyfe were not able to provide clear details regarding the incident involving Child A, age 3-years-old. It is assumed by interviewed staff members that Child A arrived to the facility on August 22, 2022, and observed the 2-year-old class to be in the fenced area on the side of the building. Child A blended in with the other children when they arrived and walked onto the playground area through the facility's side door. Ms. Coleman was Child A's teacher at the time of the incident but did not observe the incident as she was getting ready for her secondary job at that time. Ms. Miller, who was the other staff member present with Ms. Coleman's class, did not observe Child A to be alone on the playground and did not observe anything leading up to , or following the incident. The facility has cameras but the camera system has not worked for approximately one to two weeks prior to the incident. While present at the facility, CI Fyfe photographed the play area in which Child A was found and documented the photos .

On September 9, 2022, CI Fyfe conducted a phone interview with Director Turner. Ms. Turner was present at the facility all day on August 22, 2022, when the incident occurred. According to Director Turner, Child A arrived at the facility on August 22, 2022, sometime between 4:00 PM and 4:30 PM. Child A's other parent, Parent B, told Child A to go where they were supposed to go when dropping Child A off. Child A then walked to the playground area on the side of the building . Director Turner was ultimately approached by Parent C, who informed Ms. Turner that there was a child left outside. Director Turner exited the building, discovered Child A, and brought Child A into the building. When found by Director Turner, Child A was sitting on the ground and was not emotionally distressed or upset. Child A was outside in this area for approximately five to seven minutes without any

other staff members or children present.

On September 13, 2022, CI Fyfe conducted a phone interview with Parent C. Parent C is the individual who discovered Child A on August 22, 2022, at approximately 4:30 PM. Parent C observed Child A to be alone and unsupervised in the play area upon arrival to the facility. Child A did not appear to be upset and was not crying when Parent C observed them, but Child A did appear to be lost or as if they were looking for someone. When Parent C noticed that no staff members were coming outside for Child A, Parent C entered the building and notified staff of what they observed. Parent C and their child were relatively new to the facility at this time, so Parent C does not remember names of staff members that they spoke to.

CORRECTIVE MEASURES

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The facility shall have all staff members (paid employees and paid/unpaid volunteers) obtain one clock hours of approved training on Supervision in Child Care, outside the Lil Smarties Learning Center, Inc. network. Training may be obtained from the Missouri Workshop Calendar. The training calendar can be found at <http://www.moworkshopcalendar.org/>. The local Child Care Aware agency may also assist in finding training. The Child Care Aware website can be found at <http://www.childcareaware.org/>. Verification of training completion shall be from the Open Initiative Toolbox report

COMPLETED (Y/N)

Yes

COMPLETED DATE

4/20/2023

CORRECTIVE MEASURE

The facility shall create a written plan that ensures accurate attendance records are maintained for all staff members (paid employees and paid/unpaid volunteers) and children during approved child care hours, each day children are present. The plan should also include the facility's admittance and discharge procedures of the children. A copy of the plan shall be reviewed by all staff members (paid employees and paid/unpaid volunteers). A copy shall also be provided to the Child Care Compliance Section.

COMPLETED (Y/N)

Yes

COMPLETED DATE

1/24/2023

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

1/2/2023

APPROVING SUPERVISOR

CHRISCO, MARLA L