



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT

1/25/2022

DVN

001688731

FACILITY NAME

LITTLE SUNSHINE'S PLAYHOUSE AND PRESCHOOL, INC.

FACILITY ADDRESS

2826 W CHESTNUT EXPY

CITY

SPRINGFIELD

ZIP CODE

65802-4632

PHONE NUMBER

(417) 863-1600

COUNTY

GREENE

ASSIGNED SPECIALIST

RADNEY, HEATHER E

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.122(1)(G)

Staff or volunteers shall not work when ill if the health or well-being of children is endangered.

5 CSR 25-500.082(2)(B)2.B.(III)

If a unit for infants and toddlers is auxiliary to a facility for older children, centers initially licensed for infant/toddler care after the effective date of these rules or facilities adding new infant/toddler space, shall have play, sleeping and bathroom space in the infant and toddler unit. This space shall be separated from the space used for older children by floor-to-ceiling walls;

5 CSR 25-500.112(1)

The following staff/child ratios shall be maintained on the premises at all times:

5 CSR 25-500.112(1)(A)

Birth Through Two (2) Years. Groups composed of mixed ages through two (2) years shall have no less than one (1) adult to four (4) children, with no more than eight (8) children in a group;

5 CSR 25-500.112(1)(B)

Age Two (2) Years. Groups composed solely of two (2) -year olds shall have no less than one (1) adult to eight (8) children, with no more than sixteen (16) children in a group;

5 CSR 25-500.112(1)(C)

Ages Three Through Four (3-4) Years. Groups composed solely of three (3) - and four (4) -year olds shall have no less than one (1) adult to ten (10) children;

CONCLUSION SUMMARY

Compliance Inspector (CI) Heather Radney conducted an investigation regarding the allegation that children and staff appear to show cold/COVID symptoms and ratio is not being maintained. After conducting the investigation, CI Radney finds the allegations to be substantiated. This conclusion is based on the following evidence of licensing rule violations which occurred at the facility:

5 CSR 25-500.112 (1) which states: The following staff/child ratios shall be maintained on the premises at all times:"

AND

5 CSR 25-500.112 (1) (A) which states: "Birth through Two (2) Years. Groups composed of mixed ages through two (2) years shall have no less than one (1) adult to four (4) children, with no more than eight (8) children in a group."

AND

5 CSR 25-500.002 (1) (B) which states: "Age Two (2) Years. Groups composed solely of two (2) -year olds shall have no less than one (1) adult to eight (8) children, with no more than sixteen (16) children in a group."

AND

5 CSR 25-500.112 (1) (C) which states: "Ages Three Through Four (3-4) Years. Groups composed solely of three (3) - and four (4) -year olds shall have no less than one (1) adult to ten (10) children."

On January 25, 2022, CI Radney interviewed Assistant Director, Danielle Lucas, who reported that they were out of ratio on January 24, 2022 and January 25, 2022 due to low caregiver attendance. Ms. Lucas reported that on January 24, 2022, two infant/toddler classrooms were over ratio and one preschool classroom was over ratio and that on January 25, 2022, two infant/toddler classrooms were over ratio. Caregiver Ashley Orf admitted she has been left alone with six infants by herself on

January 24, 2022. CI Radney interviewed Caregiver Ashley Guba admitted she had seven infant/toddlers by herself on January 24, 2022 and on January 25, 2022, she and another caregiver had ten infant/toddlers in their classroom. On January 31, 2022, Chief Operating Officer, Abby Davis, sent an email showing which classrooms were out of ratio on which dates and for how long. On January 24, 2022, six classrooms including four infant/toddler classrooms, one 2-year-old classroom and one preschool classroom were out of ratio for between 15 and 45 minutes. On January 25, 2022, two infant/toddler classrooms were out of ratio for between 15-30 minutes.

5 CSR 25-500.082 (2) (B) 2. B. (III) which states: If a unit for infants and toddlers is auxiliary to a facility for older children, centers initially licensed for infant/toddler care after the effective date of these rules or facilities adding new infant/toddler space, shall have play, sleeping and bathroom space in the infant and toddler unit. This space shall be separated from the space used for older children by floor-to-ceiling walls.

Assistant Director, Danielle Lucas and Caregiver Ashley Orf confirmed that infant/toddlers were brought out into the lobby to be cared for there until ratio in the classrooms could be corrected. Ms. Orf reported "sometimes they bring an infant into the lobby to wait out here so the class is in ratio. They usually just walk around with the infant or bring a bouncy seat so that Stephanie (Crone) can work while watching the baby. That's happened quite a few times."

5 CSR 25-500.122 (1) (G) which states: Staff or volunteers shall not work when ill if the health or well-being of children is endangered.

Assistant Director, Danielle Lucas and Caregivers, Ashley Orf and Ashley Guba stated that there have been caregivers who remain at work while sick. Ms. Lucas reported a caregiver, Nikayla Franklin, wasn't feeling well and was throwing up but not running a fever, so she remained at work and caregiver, Joanna (Amschler) was running a low grade fever and remained at work. Ms. Orf reported that caregivers will remain at work while sick either because they do not have someone to relieve them or because they want to get paid. Ms. Guba reported one caregiver was gone on a Friday because they were sick, and was sick over the weekend, but returned to work Monday and then tested positive for COVID Monday night. She stated "That is common for caregivers to not want to call in because they know they're already short staffed."

CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
Signs shall be posted at all entrances of the rooms displaying the required staff /child ratios. A statement indicating that this has been done shall be submitted to the Office of Childhood.	Yes	9/26/2022
The facility shall conduct a staff meeting to review the center 's policies and all licensing rules and regulations regarding caregiver illness, infants/toddlers remaining in the infant/toddler units only and appropriate ratios. The facility must provide the Child Care Compliance Section 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.	Yes	9/23/2022

DISPOSITION	DISPOSITION DATE
SUBSTANTIATED	9/12/2022

APPROVING SUPERVISOR
HOLMAN, MELISSA