



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

DATE OF REPORT
5/19/2023

DVN
002863692

FACILITY NAME

THE NURTURING PLACE

FACILITY ADDRESS

3039 N NATIONAL AVE

CITY

SPRINGFIELD

ZIP CODE

65803-4422

PHONE NUMBER

(417) 833-0121

COUNTY

GREENE

ASSIGNED SPECIALIST

MERTZ, CAYLIN

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.

5 CSR 25-500.212(3)(G)

Children shall not be left unattended in a vehicle at any time.

5 CSR 25-500.212(3)(L)

Head counts shall be taken before leaving the facility, after entering the vehicle, during a field trip, after taking the children to bathrooms, after returning to the vehicle and when back at the facility.

5 CSR 25-500.212(3)(M)

When children leave the vehicle, the vehicle shall be inspected to ensure that no children are left on or under seats.

CONCLUSION SUMMARY

On May 19, 2023, the Office of Childhood received a report alleging that the facility left a 9 year old child in the facility van on 5/17/23. After conducting an investigation, Compliance Inspector (CI) Caylin Mertz has found this allegation to be substantiated based on the following evidence and rule violations:

5 CSR 25-500.212(3)(G) which states "Children shall not be left unattended in a vehicle at any time."

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."

AND

5 CSR 25-500.182(1)(A)1 which states "Caregivers shall not leave any child without competent adult supervision."

On May 23, 2023, Compliance Inspector (CI) Caylin Mertz conducted an unannounced inspection at the facility. LLC Member DeLacy Miller, Director Mercedes Epps, and Caregivers Audrey Bumgarner and Chris Hogue were interviewed. Each stated that Child A (nine-years-old) was left in the facility van unsupervised for approximately two minutes before being located by Audrey. Parent A was also interviewed, she stated she was told Child A was left in the facility van for a couple of minutes. An incident report and video footage were also received and reviewed which are consistent with statements provided by facility staff and Parent A.

5 CSR 25-500.212(3)(L) which states "Head counts shall be taken before leaving the facility, after entering the vehicle, during a field trip, after taking the children to bathrooms, after returning to the vehicle and when back at the facility."

Caregiver Chris Hogue was interviewed. He stated he did not take a head count or name to face attendance after the children exited the van. Video footage reviewed does not show Chris count the children or take attendance prior to going inside the

facility.

5 CSR 25-500.212(3)(M) which states "When children leave the vehicle, the vehicle shall be inspected to ensure that no children are left on or under seats."

LLC Member DeLacy Miller, Director Mercedes Epps, and Caregiver Chris Hogue were interviewed. DeLacy and Mercedes had previously reviewed the video footage and note that Chris does not inspect the vehicle. Chris also stated he did not inspect the vehicle as he was distracted by his children running towards other visiting children. CI Mertz reviewed video footage and while Chris does glance back into the van, this does not constitute a satisfactory inspection of the van to ensure that no children were left behind.

CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The facility shall conduct a staff meeting to review the policies and all licensing rules and regulations regarding transportation including 5 CSR 25-500.212(3)(L) and 5 CSR 25-500.212(3)(M). 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.	Yes	1/23/2024
The facility shall notify all staff members of the violations which were substantiated, and specify the actions to be taken by all staff in order to comply with all licensing violations cited. A copy of the memo, letter, or staff meeting agenda shall be submitted to the Office of Childhood.	Yes	1/23/2024

DISPOSITION	DISPOSITION DATE
SUBSTANTIATED	7/17/2023

APPROVING SUPERVISOR

FOX, ROMENA