MISSOURI DEPARTMENT OF HEALTH & SENIOR SERVICES
SECTION FOR CHILD CARE REGULATION

# SUBSTANTIATED COMPLAINT OF STATUTE OR RULE VIOLATIONS

DATE OF REPORT: 2/4/2014 (8-4-2-14)

FACILITY TYPE
- ☐ HOME
- ☒ GROUP HOME/CENTER
- ☐ INSPECTED
- ☐ UNLICENSED MORE THAN FOUR

| FACILITY NAME | FACILITY NUMBER |
|---|---|
| Adventure Learning Center | 002313017 |

STREET ADDRESS: 5440 Gravois

| CITY | ZIP CODE | PHONE | FACILITY COUNTY |
|---|---|---|---|
| St. Louis | 63116 | 314-353-1026 | St. Louis City |

REPORTER:
- ☒ NAMED
- ☐ WITHHELD BY REQUEST
- ☐ ANONYMOUS

REPORT MADE:
- ☐ IN PERSON
- ☒ PHONE
- ☐ WRITTEN

| REPORTER NAME | REPORTER PHONE |
|---|---|
| Christina Hemkens | 314-605-0673 |

REPORTER ADDRESS (STREET, CITY, STATE, ZIP CODE)

| RECEIVED BY | ASSIGNED TO | SUPERVISOR |
|---|---|---|
| Shalinda Wallace | Shalinda Walalce | Caron Ahlemeyer |

**ALLEGATION(S) OF STATUTE/RULE(S) VIOLATION(S)** Attach pages as needed.

See Attached

**SUMMARY OF INVESTIGATION** Attach pages as needed.

See Attached

**DISPOSITION: SUBSTANTIATED** List statute number or rule number(s) of substantiated violation(s).

See Attached

**REQUIRED CORRECTIONS AND DEADLINES** Attach pages as needed.

See Attached

| DISPOSITION DATE | CHILD CARE SPECIALIST SIGNATURE | DATE | SUPERVISOR SIGNATURE | DATE |
|---|---|---|---|---|
| 3/31/14 | Shalinda Wallace | 3/31/14 | Caron Ahlemeyer | 3/31/14 |

Adventure Learning Center Gravois
5440 Gravois Ave
St. Louis, MO 63116
DVN # 002313017

**ALLEGATION:**
Reporter called in to report that a three (3) year old child was found by a stranger outside while crying and attempting to cross the street. Christina reported that the child was last seen on the cameras leaving the building to get on the bus at 4:45 pm with other children and two staff Amanda Stradford and Eddie Wafer. No one knew the child was missing until the grandmother called a neighbor who knew staff member Kareema Alsaimari. Kareema then called the Assistant director Antoneta Haxholli who then called the director Jennifer Scott.

**SUMMARY OF INVESTIGATION (Wallace):**
On February 4, 2014, Child Care Facility Specialist (CCFS) Shalinda Wallace initiated the investigation by interviewing witness Steven Burton via telephone. He provided the following information:

- On February 4, 2014, Mr. Burton left his house at 6:20pm to walk to the store.
- At approximately 6:45pm, Mr. Burton was walking down Gravois Road, when he heard a child crying, and he saw a child getting ready to cross the street by himself.
- Mr. Burton yelled to the child to stop, and he crossed the street to meet the child.
- Mr. Burton asked the child where his mother was.
- The child did not speak English.
- The child pointed to the daycare.
- Mr. Burton attempted to knock on windows and doors at the daycare but no one answered.
- At approximately 6:57pm, Mr. Burton called 911.
- Before police arrived, Mr. Burton took Child A to a nearby 7/11 store because the child's hands were frozen.
- Police arrived, along with two caregivers. Mr. Burton then left.

On February 4, 2014, CCFS Wallace attempted to conduct interviews with Child A and Child A's grandmother at the grandmother's home. Due to language barriers, the interviews were halted until CCFS Wallace could acquire an interpreter.

On February 4, 2014, CCFS Wallace conducted an announced inspection at Adventure Learning Center Gravois, where she viewed surveillance footage from the facility's cameras. While viewing the footage, CCFS Wallace saw Child A leave Adventure Learning Center Gravois at 4:35pm to go in the parking lot to get on the facility van. CCFS Wallace did not see Child A after this point because the footage was unclear and distorted. It was difficult to specifically see Child A or to accurately determine the number of children that were being transported. CCFS Wallace then proceeded to interview employees at the facility.

On February 4, 2014, CCFS Wallace interviewed Director Jennifer Scott. Ms. Scott provided the following information:

- Ms. Scott first heard of the incident when she got a call from the Assistant Director, Antoneta Haxholli, at 6:45pm on February 3, 2014.

- Ms. Antoneta informed her that Child's A grandmother called a neighbor who knows Adventure Learning Center Gravois staff member Kareema Alsaimari. Child A's grandmother told Ms. Alsimari that Child A never came home.
- Ms. Scott then called Jennifer White and asked Ms. White where Child A was.
- Jennifer White told Ms. Scott that Amanda Stradford took Child A home.
- Ms. Scott asked Jennifer White to go back to the building.
- Ms. Scott then called staff member Joanna Gubser because Ms. Gubser has a key to the building and lives around the corner.
- Ms. Scott asked Ms. Gubser to go to the building to meet Jennifer White and to unlock the building to see if they saw Child A.
- Ms. Scott stated she tried to call Amanda Stradford but her phone kept going to voicemail.
- Ms. Scott then asked Jennifer White for Eddie Wafer's phone number. At this time, Jennifer White informed Jennifer Scott that they were at the 7/11 gas station with the police and Child A.
- Ms. Scott met with the Assistant Director Antoneta Haxholli, van driver Jennifer White, staff member Joanna Gubser, Parent A, and the police at the center.
- Ms. Scott stated that the police reviewed the video surveillance.
- Ms. Scott left the building around 5:50 pm on February 3, 2014.
- Ms. Scott didn't recall seeing Child A in the building but she stated that he is in the preschool classroom right outside of the office.
- The van drivers get the children who are van riders out of the specific classrooms and the children line up by the door to the right of the office. Child A was in the classroom with Ms. Razia Mayo before lining up to get on the van.
- Child A was in the group with van drivers Amanda Stradford and Eddie Wafer.
- Amanda Stradford is training Eddie Wafer, so they ride together.
- Ms. Scott reviewed the surveillance footage and was able to see Child A leaving the building to get on the van at 4:35pm on February 3, 2014.
- Amanda Stradford told Ms. Scott that she transported seven children home on February 3, 2014.
- The facility has a list of children who ride which van. This list changes sometimes, depending on attendance of the center. If one driver has fewer children and the other driver has a lot more children, the driver who has more children will give the driver with fewer children more children to drop off.
- The vans do not carry a check list as to which child(ren) get on and off the van.
- No one from Adventure Learning Center Gravois completed an incident report for the incident involving Child A that occurred on February 3, 2014.

On February 4, 2014, CCFS Wallace interviewed staff member/ van driver Amanda Stradford. Ms. Stradford provided the following information:

- The facility does not keep attendance on the van.
- They do not keep a record of who is being transported.
- The facility office has a list of children who are transported, but that does not go on the van.
- Ms. Stradford knows which home to go to on her van route by seeing which children are in the van.

- Ms. Stradford knows she counted seven children walk out the door to get on the van on February 3, 2014.
- Ms. Stradford does not recall seeing Child A in her van.
- Ms. Stradford was not the driver; she was training Eddie Wafer.
- After taking children home, Ms. Stradford and Eddie Wafer arrived back at the facility at approximately 5:45pm.
- Ms. Stradford did not do a final sweep of the van to make sure there were no children in the van, but Eddie Wafer did.

On February 4, 2014, CCFS Wallace interviewed van driver Eddie Wafer. Mr. Wafer provided the following information:

- Mr. Wafer is in training; he was just hired around 2 weeks ago.
- Mr. Wafer was told to take a group of children home.
- Mr. Wafer does not get a list of children.
- Mr. Wafer does not know how many children nor did he conduct head counts while the children were in his care on February 3, 2014.
- Mr. Wafer does not remember how many children he transported on February 3, 2014.
- Mr. Wafer assumed Amanda Stradford counted the kids.
- Mr. Wafer does not know the kids to say whether or not he saw Child A in the van.
- When he got back to the facility from taking children home, Mr. Wafer looked behind him while he was sitting in the driver's seat and didn't see anyone in the passenger seats.
- Mr. Wafer did not do a sweep of the van to inspect the seats to see if anyone was still in the van.
- Mr. Wafer and Amanda Stradford got back to the facility between 5:45pm and 5:50pm after taking children home.

On February 4, 2014, CCFS Wallace interviewed staff member Rashel Bledsoe. Ms. Bledsoe provided the following information:

- Ms. Bledsoe helps get children lined up on the van.
- Ms. Bledsoe knows that Child A should have been in the group driven by Eddie Wafer & Amanda Stradford.

On February 4, 2014, CCFS Wallace interviewed van driver Jennifer White via telephone. Ms. White provided the following information:

- Ms. White was driving the other facility van on February 3, 2014.
- Ms. White had nine children in her van.
- Ms. White does not have a list of children; however she keeps a mental note of the children she is transporting.
- Ms. White does not recall seeing Child A get in the other van; however she does recall seeing Child A walk to the vans with the other group.
- If you pick a child up in the morning, then you know that child is in your van to go home.
- The van routes have been the same since the beginning of January.

- Ms. White got a call from Jennifer Scott to meet Joanna at the daycare on February 3, 2014, where she met with the police. That was how she became aware of the incident.

On February 4, 2014, CCFS Wallace interviewed Parent A, via telephone. She provided the following information:

- Parent A's mother-in-law had to call a neighbor who knew a daycare employee (Kareema Alsaimari) to ask where Child A was.
- Parent A went to the daycare once she knew Child A was there.
- Parent A took Child A to the doctor right after picking him up because Child A kept crying and had a fever with a runny nose and cough.
- Child A was diagnosed with an ear infection and wheezing.
- Child A told Parent A that the teachers didn't pick him up and he stood on the side of the street. Child A told Parent A that a man took him to the gas station and gave him cookies and juice.

On February 5, 2014, CCFS Wallace interviewed staff member/van driver Amanda Stradford, via telephone. Ms. Stradford provided the following information:

- After thinking about it more, Ms. Stradford believes she transported nine children on February 3, 2014.
- Ms. Stradford still does not recall seeing Child A.
- Ms. Stradford indicated the ages of each child she remembers transporting and the type of seat the children were transported in.
- Ms. Stradford stated that two of the children were three-year-olds, and these children were in booster seats.
- Ms. Stradford stated that one of the children was a six-year-old, and this child was not in any special seat.
- Ms. Stradford stated that all of the younger children sit in the first and second row of the van and that the older children sit in the third and fourth seats of the van.
- Ms. Stradford stated that the children on the van ranged from infant to six (6) or seven (7) years old.
- Ms. Stradford stated that Child B is an infant (sitting in a car seat), Child C is one (1)-(sitting in a car seat), Child D is two (2)-(sitting in a car seat) , Child E is three (3)-(sitting in a booster seat), Child F is three (3) –(sitting in a booster seat), Child G is three (3)- (sitting in a car seat), Child H is four (4)-(sitting in a booster seat), Child I is five (5)-(sitting in a booster seat), and Child J is six (6) or seven (7)- (sitting in the van seat without a booster seat).
- Ms. Stradford stated that when they dropped the last child off, they got gas and went back to the facility.
- Ms. Stradford stated that they arrived back at the facility around 5:45pm.
- Ms. Stradford stated that she locked the van and went inside and clocked out a short time after entering the building.

On February 5, 2014, CCFS Wallace interviewed staff member/van driver Eddie Wafer, via telephone. Mr. Wafer provided the following information:

- Mr. Wafer didn't know any of the children by name.
- Mr. Wafer cannot say who he was transporting.

- The younger kids were in car seats, in the first two rows.
- Mr. Wafer is unsure how many children there were.
- Mr. Wafer could not say he knew who he was dropping off.
- Mr. Wafer did do a final sweep of the van. He checked the first two rows himself and looked in the back windows of the rear rows, but did not see any children.

The National Weather Service printout shows that the weather conditions on February 3, 2014, were as follows:

- at 3:51 pm – 28.9 °F
- at 4:51 pm – 28.0 °F with a wind chill temperature of 20.8 °F
- at 5:51 pm – 28.0 °F with a wind chill temperature of 24.2 °F
- at 6:51 pm – 26.1 °F with a wind chill temperature of 20.5 °F
- at 7:51 pm – 26.1 °F with a wind chill temperature of 18.4 °F

Sunset occurred at 5:25 pm with nautical twilight at 6:25 pm. Nautical Twilight is the time when ordinary outdoor activities are not possible without extra illumination.

On February 7, 2014, CCFS Wallace attempted to interview Child A at his home; however, Child A refused to talk during the interview and did not answer any questions. Parent A was present as well as Child A's grandmother. An Arabic Interpreter was present. Parent A was interviewed again and provided the following information:

- Since the incident, Child A has been having nightmares.
- Child A did not wear a back pack to school that day.
- Child A was wearing a blue coat, sweat pants, and a hooded sweatshirt.
- She is absolutely sure Child A did not wear a backpack that day.
- Child A told her that the drivers forgot him and that he never got on the van.
- Child A told her that he was sitting on the ground in the back of the daycare by the doors but it got dark and he saw light so he went to the front of the building because he said someone may see him and find him.
- Child A told her that he urinated on himself while sitting down in front of the daycare; he was very cold and scared.

On February 7, 2014, CCFS Wallace interviewed Child A's grandmother. Child A's grandmother provided the following information:

- Child A usually comes home around 5:15pm-5:30pm but didn't show up on February 3, 2014.
- She then called a neighbor who knows one of the staff who works at the facility who speaks Arabic.
- The neighbor called her back and provided her with the telephone number of Karrema Alsaimari.
- She called Karrema Alsaimari around 6:15pm-6:30pm to ask about the whereabouts of Child A.
- Kareema informed her that the van left the center around 4:45pm and that she did not know where Child A was.
- Karrema Alsaimari called one of the other staff to ask about Child A.
- The neighbors came to her house to see what was going on.
- Ssomeone called to inform them that Child A had been found.

**STATUTE/RULE(S) VIOLATED:**

Based on interviews conducted and observations made during the investigation, this report is being substantiated. The following rules were violated:

**19 CSR 30-62.182 (1) (A) 1.** which states: "Caregivers shall not leave any child without competent adult supervision."

**19 CSR 30-62.182 (1) (A) 3.** which states: "Caregivers shall provide frequent, direct contact so children are not left unobserved on the premises."

**19 CSR 30-62.212 (1) (A)** which states: "The provider shall be responsible for the care, safety and supervision of children on field trips or at any time they transport children away from the facility."

This licensing rule violation is based on video surveillance CCFS Wallace observed at Adventure Learning Center Gravois and interviews with caregivers Amanda Stradford and Eddie Wafer, and witness Steven Burton. Both Amanda Stradford and Eddie Wafer stated that they could not recall seeing Child A in their van on February 3, 2014. CCFS Wallace observed on the video surveillance that Child A left the facility to go to the parking lot at approximately 4:35pm. Witness Steven Burton stated that he found Child A alone on the side of the street of Gravois Road, in front of the daycare, at approximately 6:45 pm.

**19 CSR 30-62.212 (3) (A)** which states: "All children shall be seated in a permanent seat and restrained by seat belts or child restraint devices as required by Missouri law."

**Section 307.179(2), RSMo.** states: "Every driver transporting a child under the age of sixteen years shall be responsible, when transporting such child in a motor vehicle operated by that driver on the streets or highways of this state, for providing for the protection of such child as follows:

(1) Children less than four years of age, regardless of weight, shall be secured in a child passenger restraint system appropriate for that child;

(2) Children weighing less than forty pounds, regardless of age, shall be secured in a child passenger restraint system appropriate for that child;

(3) Children at least four years of age but less than eight years of age, who also weigh at least forty pounds but less than eighty pounds, and who are also less than four feet, nine inches tall, shall be secured in a child passenger restraint system or booster seat appropriate for that child;

(4) Children at least eighty pounds or children more than four feet, nine inches in height shall be secured by a vehicle safety belt or booster seat appropriate for that child; ... "

This licensing rule violation is based on interviews with caregiver Amanda Stradford. Ms. Stradford stated that two children she transported on February 3,2014, were three years old and transported in booster seats and one child, who was six years old, was transported without any child restraint device, in violation of Missouri law.

**19 CSR 30-62.212 (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."

This licensing rule violation is based on interviews with caregivers Amanda Stradford & Eddie Wafer. Both Ms. Stradford and Mr. Wafer stated that they were unaware of exactly how many children were being transported in the van on February 3,2014, and they did not do a head count upon entering and leaving the van.

**19 CSR 30-62.212 (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."

This licensing rule violation is based on statements Eddie Wafer made that, after he arrived back at the facility after dropping children off and while he was seated in the driver's seat of the van, Mr. Wafer looked behind him before he exited the van and didn't see anyone in the van. However, Mr. Wafer did not inspect the passenger area of the van by looking on or under each seat to ensure there were no children in the van before he exited.

**CORRECTIONS:**

The facility's license was immediately suspended on February 6, 2014. A probationary license was issued for a period of 12 months beginning February 28, 2014. All corrective items are outlined in the terms of the probationary license.

Verification of corrections will be filed in the public record as they occur and/or are verified.