



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

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

**DATE OF REPORT**  
12/14/2022

**DVN**  
000169197

**FACILITY NAME**

TENDER CARE HANDS PRESCHOOL & DAYCARE

**FACILITY ADDRESS**

806 MULBERRY ST

**CITY**

JEFFERSON CITY

**ZIP CODE**

65101-1667

**PHONE NUMBER**

(573) 616-4231

**COUNTY**

COLE

**ASSIGNED SPECIALIST**

HONEA, MICHELLE J

**RULE/STATUTE VIOLATION(S)**

**VIOLATION(S)**

5 CSR 25-400.175 (1)(C)2.

Expectations for a child's behavior shall be appropriate for the developmental level of that child.

5 CSR 25-400.175 (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.

5 CSR 25-400.175 (1)(C)7.

Physical punishment including, but not limited to, spanking, slapping, shaking, biting, or pulling hair shall be prohibited.

5 CSR 25-400.175 (1)(C)8.

No discipline technique which is humiliating, threatening, or frightening to children shall be used. Children shall not be shamed, ridiculed, or spoken to harshly, abusively, or with profanity.

**CONCLUSION SUMMARY**

On December 14, 2022, the Office of Childhood (OOC) received an allegation that on December 8, 2022, provider Carolyn Hanmore smacked Child A (3-years-old) in the face with a flyswatter for spitting and told him to shut up. After conducting an investigation, Compliance Inspector (CI) Michelle Honea found the allegation substantiated based on the following information:

5 CSR 25-400.175(1)(C)2. which states: "Expectations for a child's behavior shall be appropriate for the developmental level of that child."

AND

5 CSR 25-400.175(1)(C)3. which 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

5 CSR 25-400.175(1)(C)7. which states: "Physical punishment including, but not limited to, spanking, biting, or pulling hair shall be prohibited."

AND

5 CSR 25-400.715 (1)(C)8. which states: "No discipline technique is humiliating, threatening, or frightening to children shall be used. Children shall not be shamed, ridiculed, or spoken to harshly, or with profanity."

On December 15, 2022, provider Carolyn Hanmore stated that Child A spit on Child B's forehead and Child B told Mr. Terry about it. Mr. Terry told Child A to go to timeout. She did tap Child A on the forehead with a fly swatter but she did not slap Child A in the face with the fly swatter. She did tell Child A to shut up, but it was "shut up and stop crying", and not in an ugly manner. Child A cries at time out and does not like discipline.

On December 15, 2022, assistant Terry Hanmore stated that there are times over the years, that he and Ms. Carolyn have told children to shut up but not by yelling or using profanity.

**CORRECTIVE MEASURES**

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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

**COMPLETED (Y/N)**

Yes

**COMPLETED DATE**

2/17/2023

with all violations cited. A copy of the memo, letter, or staff meeting agenda shall be submitted to the Office of Childhood.

**CORRECTIVE MEASURE**

All staff members (paid employees or unpaid volunteers) must take the online training course titled, "Making a Difference: Protecting Health and Keeping Children Safe" available at <https://dese.mo.gov/childhood/child-care/training-info>. Verification of attendance shall be through the Toolbox report.

**COMPLETED (Y/N)**

Yes

**COMPLETED DATE**

2/24/2023

**DISPOSITION**

SUBSTANTIATED

**DISPOSITION DATE**

1/30/2023

**APPROVING SUPERVISOR**

CHRISCO, MARLA L