



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
8/24/2021

DVN
000776941

FACILITY NAME

KINDERCARE LEARNING CENTERS LLC

FACILITY ADDRESS

12821 PORTULACA DR

CITY

CREVE COEUR

ZIP CODE

63146

PHONE NUMBER

(314) 542-4030

COUNTY

ST LOUIS

ASSIGNED SPECIALIST

WILMESHER, LAURA

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.182(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.

5 CSR 25-500.182(1)(C)9.

Punishment or threat of punishment shall not be associated with food, rest, or toilet training.

CONCLUSION SUMMARY

Compliance Inspector (CI) Laura Wilmesher conducted an investigation of the allegation that Ms. Karen has been putting a creamy substance on her finger and holding it in Child A's face to get him to comply with what she's asking him to do and as a discipline measure. The allegation is substantiated based on the following information:

5 CSR 25-500.182(1)(C)8. which states: "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."

AND

5 CSR 25-500.182(1)(C)9. which states: "Punishment or threat of punishment shall not be associated with food, rest, or toilet training."

On August 26, 2021, director Christina Davis stated that she was notified by another agency that caregiver Karen Braun was using Desitin to get Child A (2-years-old) to listen. Child A doesn't like Desitin and holding it up to him is enough to make him listen.

On August 26, 2021, caregiver Marley Yearnton stated that she worked in the room with Ms. Karen, with children ages 2-3 years. They have a diaper table in the classroom and all of the diapering supplies are kept near the table. Ms. Karen will pull out a container of Desitin, and when Child A sees it, he cries. Ms. Karen shows Child A the Desitin and asks him, "Do you want me to put Desitin on your face?" Ms. Karen knows Child A is scared of having cream on his face, so that's why she uses it in a threatening way, which is usually because Child A won't put his shoes on. Child A whines and screams when Ms. Karen threatens him. When she first started, she used Desitin as a threat for Child A too, as well as Ms. Denara in the adjacent room. She has never put the cream on Child A, and she's never seen Ms. Karen or Ms. Danara put Desitin on Child A, it is just used to threaten him enough that he listens. She's also seen a little bit of Ms. Karen speaking to the children harshly.

On August 26, 2021, caregiver Karen Braun first denied having used Desitin in a threatening way to Child A, but then admitted that she told the therapist at the Special School District that she knows Child A doesn't like anything on his face, and she'll just act like she's going to put yogurt or Desitin on Child A's face. Child A says, "no" and puts his shoes and socks on, cleans up, or whatever she's asking him to do after she acts like she's going to put something on his face. Child A got yogurt on his face one time, and he freaked out. Child A likes to take his shoes and socks off, and all she would have to do is say, "[Child A], do you want us to get yogurt?" and he automatically assumes that means she's going to put the yogurt on him. If Child A hears her ask another teacher, "Can I have the diaper cream?" he thinks she's going to put it on him. She's a loud person; everyone has said they can hear her across the building. Sometimes she has to speak more harshly to the children.

On August 26, 2021, caregiver Savannah Pennington stated that she has been stepping in the classroom since last Thursday,

August 19, 2021, to train Ms. Marley in Child A's classroom. On Friday, August 20, 2021, Child A woke up from nap crying and she just sat down with him, talked to him and comforted him. She hasn't seen Ms. Karen discipline Child A with diaper cream, but she's heard her yelling at the kids, not specifically Child A. Ms. Karen will yell, "Stop; walk away!" She [Ms. Savannah] says, "Stop, walk away" to children but in a calmer voice. It's not the words Ms. Karen says, it's how she says her words that isn't appropriate. Ms. Karen is "110% harsh" when she speaks to the kids.

On August 26, 2021, caregiver Danara Williams stated that she has never used Desitin or any other product to threaten Child A. If Child A doesn't want to put his shoes on, she tells him he can't play until he puts them on. Telling Child A that usually works, because he wants to do what the other kids are doing. She hears Ms. Karen and Ms. Marley tell Child A if he doesn't have his shoes on, he can't go outside.

On September 27, 2021, Parent A (parent of Child A) stated Child A is fully potty-trained, and the facility did not have permission to use Desitin on Child A for any reason.

CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
All staff members (paid employees or unpaid volunteers) must take the 1.0 clock hour 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.	Yes	10/6/2022
CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
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(s) shall be submitted to the Office of Childhood.	Yes	10/12/2022

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

3/10/2022

APPROVING SUPERVISOR

CHRISCO, MARLA