



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

**DATE OF REPORT**

5/14/2021

**DVN**

001777117

**FACILITY NAME**

KINDERCARE EDUCATION LLC

**FACILITY ADDRESS**

2500 HAMPTON AVE

**CITY**

ST LOUIS

**ZIP CODE**

63139-2911

**PHONE NUMBER**

(314) 645-8300

**COUNTY**

ST LOUIS CITY

**ASSIGNED SPECIALIST**

WILMESHER, LAURA

**RULE/STATUTE VIOLATION(S)**

**VIOLATION(S)**

19 CSR 30-62.182 (1)(C)(6)

Firm, positive statements or redirection of behavior shall be used with infants and toddlers.

19 CSR 30-62.182 (1)(C)(7)

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

19 CSR 30-62.182 (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.

**CONCLUSION SUMMARY**

Child Care Facility Specialist (CCFS) Laura Wilmesher conducted an investigation regarding the allegation that teachers in the one year old class are spanking children. After conducting the investigation, CCFS Wilmesher finds this allegation is substantiated. This conclusion is based on the following evidence of licensing rule violations which occurred at the facility:

19 CSR 30-62.182 (1)(C)(6) which states: "Firm, positive statements or redirection of behavior shall be used with infants and toddlers."

AND

19 CSR 30-62.182 (1)(C)(7) which states: "Physical punishment including, but not limited to, spanking, slapping, shaking, biting or pulling hair shall be prohibited."

AND

19 CSR 30-62.182 (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."

On May 17, 2021, CCFS Wilmesher conducted an interview with director, Ted Gansmann, as well as several caregivers at the facility. Mr. Ted stated caregiver Terrena Marshall said she'd seen another caregiver, Michelle Dillbeck, yelling at children and redirecting them in a rough manner. Mr. Ted stated this was brought to his attention on Wednesday, May 12, 2021, and Ms. Terrena said it happened on Monday, May 10, 2021. Mr. Ted stated he held a coaching conversation with Ms. Michelle, and that she said she was aware that she was using an inappropriate tone with the children.

Caregiver Kat Davis stated she's worked in the toddler room [with children age one year] with Ms. Michelle since January 2021, and that Ms. Michelle does get frustrated with the children and has yelled at the children. Ms. Kat stated Ms. Michelle would spank the children on the bottom, and that Child A [age one], Child B [age one], and Child C [age one] are the children that she's seen Ms. Michelle spank. According to Ms. Kat, Ms. Michelle would swat the children and then they'd fall over on the ground, and then Ms. Michelle would say, "I'm sorry, I didn't mean to do that."

Caregiver Jessica Boykin stated she's worked at the facility for about a month, and she's always worked in the toddler rooms and has worked with Ms. Michelle. Ms. Jessica stated that Ms. Michelle is aggressive with the children and when they don't go to sleep, she'll push their heads down roughly on the cots. Ms. Jessica stated she's heard Ms. Michelle yelling at the children, and that she handles almost all of the one-year-old children aggressively. Ms. Jessica stated she's seen Ms. Michelle hit the children on their bottom, and it looks more like she's pushing them on the bottom than spanking them. Ms. Jessica stated the children cry when Ms. Michelle pushes their heads on the cots and/or pushes them on the bottom. Ms. Jessica stated she's

heard Ms. Michelle yell, "Go sit down!" at the children.

Caregiver Chanitra Freeman stated she's worked for the facility for almost a month and that she works in the toddler room with Ms. Michelle. According to Ms. Chanitra, Ms. Michelle is very loud and the yelling at the children and staff both is "unnecessary." Ms. Chanitra stated Ms. Michelle has told her that she needs to be rough with the children sometimes, and that Ms. Michelle has handled the children roughly. Ms. Chanitra stated last week, Ms. Michelle yanked Child D by the arm, and he jerked and cried and looked scared. Ms. Chanitra has seen Ms. Michelle push the toddlers' heads down roughly on the cots at naptime, and she's seen Ms. Michelle handled Child A and Child C roughly as well. Ms. Chanitra stated Ms. Michelle yells, and it's aggressive, and that she dreads working in the room with Ms. Michelle.

Caregiver Michelle Dillbeck stated she's worked for the facility since October 2019, and she works in the toddler room. Ms. Michelle admitted that she does get frustrated, and that she's aware that she needs to be mindful of her tone with the toddlers.

On May 19, 2021, CCFS Wilmesher received and reviewed the coaching form completed by director, Ted Gansmann, on May 13, 2021, for Ms. Michelle, which stated the following:

"concerns have been shared with management of the center that on multiple occasions about Michelle. Co workers have witnessed inappropriate guidance of children in the toddler classroom by Michelle. There are concerns about tone of voice and the way children are spoken to or redirected, using a harsh tone is not an appropriate guidance practice in the center.

A second concern is physical redirection of children, at times grabbing children or picking them up in a rough manner and seeming frustrated by children while holding or moving children. This again is not in line with our guidance policy for children. It is never acceptable to forcefully grab a child, put a child down on a cot or chair in a 'rough' manner.

In general there are serious concerns around positive guidance and possible physical aggression against children. That is not acceptable and will not be tolerated in the center. This is beyond just our center policies this is a state licensing regulation."

On July 9, 2021, CCFS Wilmesher interviewed caregiver Terrena Marshall who stated there was one time when she saw Ms. Michelle "pop Child A on the butt." According to Ms. Terrena, Ms. Michelle then pushed Child A and he fell to the ground and started crying. Ms. Terrena stated she also witnessed Ms. Michelle slam children down in chairs and that they would cry when she did that. Ms. Terrena also stated Ms. Michelle raised her voice at the toddlers a lot.

## CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The facility shall conduct a staff meeting to review the center's policies and all licensing rules and regulations regarding discipline. The facility must provide the Section for Child Care Regulation 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	8/13/2021

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
All staff members (paid employees or unpaid volunteers) must take the 1.0 clock hour DHSS online training course titled, "Making a Difference: Protecting Health and Keeping Children Safe" available at <a href="https://health.mo.gov/safety/childcare/onlinetraining.php">https://health.mo.gov/safety/childcare/onlinetraining.php</a> Verification of attendance shall be through the Toolbox report.	Yes	8/9/2021

DISPOSITION	DISPOSITION DATE
SUBSTANTIATED	7/12/2021

APPROVING SUPERVISOR
CLARK, ANGELA