



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

COMPLAINT INVESTIGATION OF  
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT  
10/5/2021

DVN  
000466446

FACILITY NAME

YMCA-MID COUNTY BRANCH-MINIER EARLY CHILDHOOD EDUCATION CENTER

FACILITY ADDRESS

1900 URBAN DR

CITY

ST LOUIS

ZIP CODE

63144

PHONE NUMBER

(314) 962-3257

COUNTY

ST LOUIS

ASSIGNED SPECIALIST

WILMESHER, LAURA

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 25-500.182(1)(A)4.

Children under three (3) shall be supervised and assisted while in the bathroom.

5 CSR 25-500.182(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 25-500.182(1)(C)7.

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

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 25-500.192(5)(B)

Information regarding the date and circumstance of any accident or injury shall be noted in the child's record.

CONCLUSION SUMMARY

Compliance Inspector (CI) Laura Wilmesher conducted an investigation regarding the allegation that a teacher, possibly Ms. Tashena, used excessive force to put Child A (2-years-old) on his cot during naptime. The allegation is substantiated, as well as additional allegations which were substantiated during the investigation. This conclusion is based on the following evidence of licensing rule violations which occurred at the facility:

5 CSR 25-500.182(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 25-500.182(1)(C)7. which states: "Physical punishment including, but not limited to, spanking, slapping, shaking, biting, or pulling hair shall be prohibited."

AND

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."

On October 6, 2021, director Timolyn Hardy stated that on September 20, 2021, caregiver Carmen Shelton witnessed inappropriate behavior between Ms. Tashena and the children. She received an email from Ms. Carmen on September 22, 2021, notifying her of the incident. The YMCA conducted an internal investigation which ended in Ms. Tashena being terminated from the facility. She only had concerns about Ms. Tashena raising her voice and yelling at the children prior to September 20, 2021.

On October 6, 2021, caregiver Cobe Summers stated that she observed Ms. Tashena pushing children in their chairs too hard and too fast up against the table so that the table was hitting the children in their chests as she did so. Ms. Tashena would grab

and pull the children, not only Child A. She also witnessed Ms. Tashena grab Child B (3-years-old) by the arm because she wasn't listening to Ms. Tashena.

On October 6, 2021, caregiver Monica Wallace stated that Ms. Tashena yelled at the kids and grabbed them up when she was having a bad day. She did not work with Ms. Tashena and Child A together, but Ms. Tashena would grab the children by the arm and walk with them to wherever she wanted them to go. She had seen Ms. Tashena handle Child C (3-years-old) roughly, and that Ms. Tashena would yell at Child C and grab her up. Ms. Tashena would handle the children roughly on their cots if they wouldn't lie down, in that she would push them down on their stomachs on the cots.

On October 6, 2021, Human Resources Vice President Hera Didway stated that based on the facility's internal investigation, both Child A and Child C were handled inappropriately by Ms. Tashena in transitions to potty-time and timeout. The inappropriate manner in which the children were handled was by grabbing them by the bicep in a rough manner and dragging/pulling the children to timeout.

On October 6, 2021, CI Wilmesher received and observed a copy of the email message sent caregiver Carmen Shelton to director Timolyn Hardy on September 22, 2021. The email noted that on Monday, September 20, 2021, during naptime, Ms. Tashena placed her hands on Child A a few times, which included forcefully pulling Child A by his left leg and flipping him over onto his stomach on his cot, and then grabbing him by his biceps, pulling him off his cot, dragging him to the other side of the room, and forcefully putting him on his cot. The email noted that Child A was crying during these interactions with Ms. Tashena.

On November 9, 2021, caregiver Carmen Shelton stated that on September 20, 2021, Child A was having a hard time staying on his cot at naptime and Ms. Tashena responded by grabbing Child A under both arms and throwing him on the cot hard. Child A cried when Ms. Tashena did this, but shortly after starting moving around and getting off his cot again. Ms. Tashena then grabbed Child A under one arm and pulled him off his cot to his feet, dragging him across the room. When Ms. Tashena got to the other side of the room near her desk, she threw Child A on his cot a second time, harder than the first time. Child A cried for six to seven minutes and then fell asleep. Prior to this incident, she had concerns regarding Ms. Tashena's interactions with children, in that she had previously grabbed Child A and made him lay down in a forceful way and would yell at the children all day, every day. Ms. Tashena also grabbed Child C by her bicep to take her to timeout.

On November 17, 2021, Parent C (parent of Child C) stated that although she didn't see Ms. Tashena's interactions with the children, she did hear Ms. Tashena say, "Hey! Get over here. Don't tell me no!" in a stern voice. She could hear Ms. Tashena as she approached the classroom and Ms. Tashena sounded frustrated.

5 CSR 25-500.182(1)(A)4. which states: "Children under three (3) shall be supervised and assisted while in the bathroom."

On October 6, 2021, CI Wilmesher interviewed caregiver Cobe Summers and Monica Wallace. Ms. Cobe stated when Child A couldn't get his pants and shoes back on by himself after going to the bathroom, Ms. Tashena sat Child A in the bathroom and told him, "Don't come out until you get your pants and shoes on." Ms. Cobe stated Child A was trying, but he couldn't get the pants on by himself. Ms. Monica stated she had heard Ms. Tashena say, "Don't come out until you have your pants on" to other children in the 2-3 year old classroom.

On November 18, 2021, CI Wilmesher interviewed Parent A, parent of Child A, who stated Child A has a hard time with potty-training at home, and while he knows how to pull his pants up and down, there was one day when she picked up Child A that Ms. Tashena said, "You need to have [Child A] pull his own pants up and down at home, because he doesn't want to do it here." Parent A stated she was told from Child A's teachers in his previous classroom that the facility is really strict and wanted the children to do everything themselves when going to the bathroom.

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

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 25-500.192(5)(B) which states: "Information regarding the date and circumstance of any accident or injury shall be noted in the child's record."

On November 9, 2021, former caregiver Tashena Huff stated in the morning of an unknown date, she and Ms. Monica were outside with children when she saw the parent of Child D (4-years-old) pull into the parking lot. Child D never came outside with the class, but when she and Ms. Monica went back inside with the class, they turned the lights on in the blue room and found that Child D was standing in the dark room alone. Child D was crying and had urinated on himself. The time between seeing

Child D arrive in the parking lot and finding him alone in the classroom was about ten to twelve minutes.

On November 9, 2021, director Timolyn Hardy stated there was an incident, on an unknown date, sometime around April 2021, that she received Child D at the front door. She watched Child D walk around the corner and towards his classroom, but she didn't walk him directly to the classroom. Child D was left alone in the classroom for about ten minutes. She did not document the incident.

On November 9, 2021, caregiver Monica Wallace stated that she was aware of the incident when Child D was alone in the room. She and Ms. Tashena were outside, and when they brought the class inside, the lights were off in the classroom and Child D was in the room by himself. Child D said he was scared and he had wet himself a little.

## CORRECTIVE MEASURES

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://dese.mo.gov/childhood/child-care/training-info">https://dese.mo.gov/childhood/child-care/training-info</a> . Verification of attendance shall be through the Toolbox report.	Yes	4/6/2022
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	4/11/2022
CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The facility shall have all staff members (paid employees and paid/unpaid volunteers) obtain one clock hour of approved training on Supervision, outside the YMCA network. Training may be obtained from the Missouri Workshop Calendar. The training calendar can be found at <a href="http://www.moworkshopcalendar.org/">http://www.moworkshopcalendar.org/</a> . The local Child Care Aware agency may also assist in finding training. The Child Care Aware website can be found at <a href="http://www.childcareaware.org/">http://www.childcareaware.org/</a> . Verification of training completion shall be from the Open Initiative Toolbox report.	Yes	4/6/2022
CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The facility shall have all staff members (paid employees and paid/unpaid volunteers) obtain one clock hour of approved training on mandated reporting of suspected child abuse and neglect, outside the YMCA network. Training may be obtained from the Missouri Workshop Calendar. The training calendar can be found at <a href="http://www.moworkshopcalendar.org/">http://www.moworkshopcalendar.org/</a> . The local Child Care Aware agency may also assist in finding training. The Child Care Aware website can be found at <a href="http://www.childcareaware.org/">http://www.childcareaware.org/</a> . Verification of training completion shall be from the Open Initiative Toolbox report.	Yes	4/6/2022

### DISPOSITION

SUBSTANTIATED

### DISPOSITION DATE

3/25/2022

### APPROVING SUPERVISOR

CHRISCO, MARLA