



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

DATE OF REPORT
11/8/2018

DVN
002089967

FACILITY NAME

LITTLE LEARNERS ACADEMY

FACILITY ADDRESS

10965 STATE HIGHWAY 185

CITY

POTOSI

ZIP CODE

63664-9200

PHONE NUMBER

(573) 438-7575

COUNTY

WASHINGTON

ASSIGNED SPECIALIST

DIXON, LEATRICE L

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

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

The provider shall establish simple, understandable rules for children's behavior and shall explain them to the children.

19 CSR 30-62.182 (1)(C)(10)

Children shall not be placed in a closet, a locked or unlit room or any other place which is frightening.

19 CSR 30-62.182 (1)(C)(2)

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

19 CSR 30-62.182 (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.

19 CSR 30-62.182 (1)(C)(5)

Brief, supervised separation from the group may be used based on a guideline of one (1) minute of separation for each year of the child's age.

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.

19 CSR 30-62.182 (1)(C)(9)

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

19 CSR 30-62.202 (1)(J)

Mealtime atmosphere shall be enjoyable and relaxed. No child shall be forced to eat, but shall be encouraged to set his/her own pace according to personal preferences.

19 CSR 30-62.102 (1)(E)

Caregivers shall have knowledge of the needs of children and shall be sensitive to the capabilities, interests and problems of children in care.

19 CSR 30-62.082 (1)(C)

Children shall have no access to areas not approved for child care.

19 CSR 30-62.082 (2)(B)(2)(B)(V)

In facilities initially licensed for infant/toddler care after the effective date of these rules or facilities adding new infant/toddler space, no more than twentyfour (24) infants/toddlers and/or two (2)-year olds shall be in a room. A room shall be defined as an area separated from other parts of the building by floor-to-ceiling walls. Stable partitions a minimum of four feet (4') in height shall be used to separate the infant/toddler or two (2)-year old groups, or both, in a room.

CONCLUSION SUMMARY

Based on the investigation, the allegations that children are restrained, forced to eat food, placed in the office for time-out, and infants/toddlers are moved to rooms outside of the infant/toddler unit, is substantiated.

On November 13, 2018, the reporter who submitted the online complaint stated that he refused to give her name but she was the

cook at the facility and she did see everything in the allegations.

On November 16, 2018, CCFS Dixon and CCS Ahlemeyer conducted a walkthrough and observed infant/toddler children in care in the front preschool classroom, which is not approved for infant/toddler care from sanitation, fire safety, or the Section for Child Care Regulation (SCCR). Tammy Cook-Randall and Jamie Hawkins were caring for 7 children, ages 8-months-old to 3-years-old.

On November 16, 2018, Child D (6-years-old) stated that he has been put in the office when he was in trouble and the door was closed with him by himself. Ms. Tammy told him to stay in there and let him out when time-out was over. Sometimes, he had to go to time-out in the kitchen and sometimes in the office. One time, Ms. Tammy grabbed his blanket from him because he was throwing it. Ms. Tammy took the blanket and wrapped it tightly around him. Sometimes, Ms. Tammy put him in a high chair with a tray for time-out for being loud. When he is in the high chair for time-out, Ms. Tammy doesn't use the strap, just the tray. Ms. Tammy was being mean because she didn't want him to wake up the other kids.

On November 16, 2018, Child K (6-years-old) stated that she goes in the office when she has to go to time-out and has to stay there a little while. Kids also go in high chairs when they are in trouble and get spanked when they are in trouble.

On November 16, 2018, Child J (6-years-old) stated that he gets in trouble sometimes and has to go into time-out in the kitchen. Kids get in trouble at Little Learners if they don't eat the food. Ms. Tammy makes kids eat the food or they get in trouble.

On November 16, 2018, Child I (8-years-old) stated that he has had to sit in the kitchen for time-out and in the office too. He never had to sit in a high chair for time-out but he has seen Child D put in a high chair in the kitchen for time-out. He doesn't like going to Little Learners because he doesn't like the food. If he didn't eat the food, then Ms. Tammy would make him eat it. Ms. Tammy would scoop the food up on a fork, put the fork in his mouth, and make him take at least 3 bites. Ms. Tammy said "You better eat it right now". Ms. Tammy did this to him and other kids. If he didn't eat the food then he wouldn't get to have snack, he would have to eat the lunch he didn't eat before. He has had to eat his same lunch again at snack time because he didn't eat it at lunch time. He has seen a girl at Little Learners get spanked by Ms. Tammy but he can't remember her name. Ms. Tammy grabbed the girl by the wrist and took her into the kitchen where no one could see. He heard the girl get whacked, with one whack, and then he heard the girl cry.

On November 16, 2018, Child A (7-years-old) stated that Ms. Tammy and Ms. Kyhra used to make her go into the office when she was in trouble and they would turn off the lights. When she had to go in to the office, Ms. Tammy made her go in there by herself. If she wouldn't go to time-out, Ms. Tammy would grab her by her arm. (Child A demonstrated by grabbing the area between her wrist and elbow.) She saw this happen to other kids too. She saw Ms. Tammy and Ms. Kyrha hit other kids on their butts. She saw Ms. Tammy and Ms. Kyhra spank Child G and Child H. If she didn't sit still during time-out, Ms. Tammy would hold down her body. (Child A demonstrated by sitting on the floor, between Parent A's legs.) When Ms. Tammy held her down, Ms. Tammy would hold her legs over her. (Child A demonstrated by moving Parent A's legs over her shoulders and then wrapping her arms around Parent A's legs.) She saw Ms. Tammy hold other children down this way too. If children didn't eat, Ms. Tammy would say "you won't get any snack". There were times that she didn't get any snack because she wouldn't eat her lunch.

On November 16, 2018, Center Director and Owner Tammy Cook-Randall stated that she has never spanked Child D or any other child but she may have spanked her own grandchildren who attend Little Learners but she has never done this in front of the other children.

On November 27, 2018, Parent C (parent of Child B) stated that she knows Child B has gotten into trouble at the daycare for throwing food on the floor. On September 28, 2018, Ms. Kyhra told her at pick up that Child B had been punished for throwing food on the floor. Ms. Kyhra told her that the punishment consisted of Child B losing all her outside time that day.

On November 27, 2018, Child B (5-years-old) stated that she saw Ms. Tammy and Ms. Khyra put Child D in the office for time-out and leave him there. Child D was sad and cried when Ms. Tammy left him in the office by himself. She has gotten in trouble at nap time. If kids are noisy at nap time, they have to go to the office. If kids get in trouble, they can't go outside to play, they have to go to the office. If kids don't like the food and throw it on the floor, they have to go to the office. She has had to go in the office in time-out with the door closed and she was sad and cried when that happened. She was sad because she had to go in the office by herself and nobody was in there with her. She saw Child D and another child get spanked at daycare because they were throwing food and hitting but she doesn't remember who spanked them. If kids don't go to time-out, they drag the kid. If a kid says "no" to going to time-out, they get smacked and the teachers help the kid sit down on the floor.

PROVIDER COMMENTS

My response can only be 1000 characters.

August of 2018 we were caught in the middle of a custody battle between Parent A,B & C. Lindsey Cook is a disgruntled employee and also my niece. After leaving here parent A took her child to Lindsey Cook for childcare and from there the 2 starting filing false reports to the state. There were other agencies involved in the investigation & I wanted to report their findings

but was told I could not and had to remove my statement.

The cook who saw everything left in 2017 & then placed her children on the waiting list for the fall of 2018. I have texts to prove this, if this was all going on why would she come back a year later and want her children at this facility.

All children interviewed in this complaint are still attending LLA except child C.

Since all of this has occurred we are now installing video cameras in each room so there is documentation that Little Learners is a positive and safe environment for children to learn and grow.

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. The facility must provide the Section for Child Care Regulation with a statement, signed by all staff (paid employees or unpaid volunteers), to indicate they understand and agree to follow those rules and regulations.	Yes	6/13/2019

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
All staff and volunteers must obtain one (1) clock hour of approved training on age-appropriate discipline. Training may be obtained from the Missouri Workshop Calendar. The training calendar can be found at http://www.moworkshopcalendar.org/ . The local Child Care Aware agency may also assist in finding training. The Child Care Aware website can be found at http://www.childcareaware.org/ . Certificates of attendance shall be provided to the Section for Child Care Regulation.	Yes	6/13/2019

DISPOSITION	DISPOSITION DATE
SUBSTANTIATED	1/11/2019

APPROVING SUPERVISOR
AHLEMEYER, CARON