



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT

11/21/2023

DVN

002592976

FACILITY NAME

T-REX INVESTMENTS, LLC

FACILITY ADDRESS

531 S SUMMIT DR

CITY

HOLTS SUMMIT

ZIP CODE

65043-1449

PHONE NUMBER

(573) 491-1120

COUNTY

CALLAWAY

ASSIGNED SPECIALIST

HONEA, MICHELLE J

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.202(2)(D)

Until infants can hold a bottle comfortably, they shall be held by a caregiver during bottle feeding. Bottles shall not be propped.

CONCLUSION SUMMARY

On November 21, 2023, the Office of Childhood (OOC) received an allegation that: Staff fed a 6-month-old by placing them on a boppy and then putting another boppy around the child's neck and propping up the bottle. After conducting an investigation, Compliance Inspector (CI) Michelle Honea has found this allegation to be substantiated based on the following evidence:

5 CSR 25-500.202(2)(D), which states: "Until infants can hold a bottle comfortably, they shall be held by a caregiver during bottle feeding. Bottles shall not be propped."

On November 21, 2023, CI Joy Nichols conducted an unannounced inspection to the facility and interviewed director Nicci Rexroat, caregivers Kirsten "KK" Kilby, Ciara Day, and Katie Stimson. Director Nicci Rexroat stated she was not aware of caregivers using a boppy to prop the child then putting another boppy around the child's neck to prop up bottles. Caregiver Kirsten "KK" Kilby and caregiver Ciara Day stated that Ciara Day has used the boppy to prop up bottles during feeding times.

On November 21, 2023, CI Nichols interviewed caregiver Kirsten "KK" Kilby who stated the following. She saw Ciara prop a bottle on a boppy on November 13, 2023 at 11:41 am. She thinks it was propped for the whole feeding. She let Nicci know and Nicci said it was unacceptable.

On November 21, 2023, CI Nichols interviewed caregiver Ciara Day who stated the following. She has worked here off and on for the past three years. She is the lead teacher for the youngest babies. Nicci and Samantha put her in charge while they were gone. She may prop one bottle while getting the other child's bottle, but then holds both bottles. Child C is very capable of holding her own bottle. Sometimes even when they can hold their own bottle, she feels they should still be held.

On December 6, 2023, CI Honea received and reviewed photos of caregiver Ciara Day sitting on the floor in front of two children. Both photos show a different child propped up on a boppy with the bottle propped up by another pillow during feeding time.

VIOLATION(S)

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.

CONCLUSION SUMMARY

On November 21, 2023, the Office of Childhood (OOC) received an allegation that: Staff member picked up another child so hard from under their arms and bruised them. The child was two years old. After conducting an investigation, Compliance Inspector (CI) Michelle Honea has found this allegation to be substantiated based on the following evidence:

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 November 21, 2023, CI Nichols interviewed LLC member Nicci Rexroat who stated that on November 16, 2023, Kristen "KK" Kilby told Hannah Flaughner that she saw Itzia "CC" Shoemaker being too rough with Child A (age 2) by grabbing her by the arm to stop her from running. KK saw a bruise later but was unsure if CC caused the bruise. KK also saw CC grab Child B (age 21-months-old) by the arms roughly and say, "we don't do that". Hannah texted her with this information. CC was fired that day. She and Samantha were out of town for a conference in Tennessee the day it happened. She did not see any bruises or marks on Child A when she saw them the following week.

On November 21, 2023, CI Nichols interviewed caregiver Kirsten "KK" Kilby who stated she did not see the incident with Child A. They were getting ready for lunch, so she told CC she would take over getting the kids ready for lunch. CC went over to the corner and sat down. CC didn't say anything. She only worked with CC for a half hour to an hour at a time here and there. CC would yell at the kids and grab them by the arms, but nothing like this time. Child A had thumbprint bruises on her forearm which were purple/yellow in color.

On November 21, 2023, CI Nichols interviewed caregiver Ciara Day who stated that Nicci and Samantha put her in charge while they were gone. Hannah told her about Child A having bruises on her arms. She called Nicci about the incidents and Nicci handled it.

On November 21, 2023, CI Joy Nichols conducted an unannounced inspection to the facility and interviewed director Nicci Rexroat, caregivers Kirsten "KK" Kilby and Ciara Day. All caregivers interviewed stated that CC grabbed Child A by the arm to stop Child A from running. All caregivers stated that CC was fired the same day Director Nicci Rexroat came back from conference. Caregiver KK and caregiver Ciara stated that CC would yell at the children and would grab the children by their arms. Caregiver KK stated that Child A had thumbprint bruises on her forearm which were purple/yellow in color, but she was not sure if the bruises were caused by CC.

On December 7, 2023, CI Honea conducted a phone interview with Parent A who stated that she was not aware of the incident until another agency contacted her. Parent A was shown photos of the bruises, but Parent A was not sure where the bruises came from since Child A was very active. Parent A feels there is a communication problem at the facility.

On December 14, 2023, CI Honea conducted an in-person interview with Itzia "CC" Shoemaker who stated that she worked at the facility about four months. She liked working there but felt that communication was an issue. She would need extra help but did not always get the help. She admitted to pulling on kids by their legs and arms. She tries to get children to stop running and would pull their arms. She would check the children to make sure there are no bruises. She would scream at the children because she gets overwhelmed. She can be aggressive because it is a stressful environment. She feels bad about that. She does not feel that her grip was that hard. Child A would hit the teachers. She was holding Child A like a baby to force Child A into the crib. She does not grab arms just wrists. She does not know about the bruises on Child A's arms. She is not sure that she left the bruises but will pay for any medical expenses. She agrees that it is not a good idea for her to work with children.

VIOLATION(S)

5 CSR 25-500.182(1)(C)6.

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

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.

CONCLUSION SUMMARY

On November 21, 2023, the Office of Childhood (OOC) received an allegation that: That staff member picked up a one-year-old by the arms and shook her. After conducting an investigation, Compliance Inspector (CI) Michelle Honea has found this allegation to be substantiated based on the following evidence:

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)6., which states: "Firm, positive statements or redirection of behavior shall be used with infants and toddlers."

On November 21, 2023, CI Joy Nichols conducted an unannounced inspection to the facility and interviewed director Nicci Rexroat, along with caregivers Kristen "KK" Kilby, Ciara Day, and Katie Stimson. Caregiver KK stated she saw CC grab Child B (age 21-months-old) and shake him several times. Director Nicci Rexroat stated that once she was made aware of the incident CC was terminated from employment.

On November 21, 2023, CI Nichols interviewed LLC member Nicci Rexroat who stated that caregiver Kirsten also saw CC grab Child B (age 21-months-old) by the arms roughly and say, "we don't do that". Hannah texted her with this information. She fired CC that day. She and Samantha were out of town for a conference in Tennessee the day it happened. She did not see any bruises or marks on Child B when she saw them the following week. Ciara Day was in charge while she and Samantha were gone.

On November 21, 2023, CI Nichols interviewed caregiver Kristen "KK" Kilby who stated that she only saw the incident with Child B (7- months- old). Child B was under the table when CC grabbed him under his arms, squeezing his arms. She screamed in his face and shook Child B. Child B's head was moving while she was shaking him. She shook him three or four times. She told him to sit in his chair. He looked scared and didn't say anything. They were getting ready for lunch, so she told CC she would take over getting the kids ready for lunch. CC went over to the corner and sat down. CC didn't say anything. She only worked with CC for a half hour to an hour at a time here and there. CC would yell at the kids and grab them by the arms, but nothing like this time.

On November 21, 2023, CI Nichols interviewed caregiver Ciara Day who stated that Nicci and Samantha put her in charge while they were gone. She heard about Child B being picked up and shaken. She called Nicci about the incidents and Nicci handled it.

On December 6, 2023, CI Honea conducted a phone interview with Parent B who stated that the facility did not notify Parent B immediately after the incident happened. The incident happened on November 16, 2023. The director contacted Parent B on November 21, 2023. The director had been away at conference the week before. Apparently, one of the teachers were frustrated around lunch time and she grabbed Child B by the arms and pulled Child B out from under the table. Witness told Law Enforcement that the other teacher was screaming at Child B and shaking Child B causing his head to bob back and forth. She took Child B to the doctor immediately. The doctor wanted to do a full skeletal body scan. The scans showed no signs of bone healing which is good. The scans also showed there was no brain injury. Child B did not have any physical or unusual marks on his body. Child B is doing fine. Both children are still going to the facility. That teacher had been fired. There have never been any issues at the facility before. Normally the facility is good about providing information about the children when anything happens. She does not have further concerns with the facility.

On December 14, 2023, CI Honea conducted an in-person interview with Itzia "CC" Shoemaker who stated that she worked at the facility about four months. She liked working there but felt that communication was an issue. She would need extra help but did not always get the help. She admitted to pulling on kids by their legs and arms. She would check the children to make sure there were no bruises. Child B would cry, and she would pull his legs while in the crib. She would scream at the children because she gets overwhelmed. She can be aggressive because it is a stressful environment. Child B was hiding under the table, she pulled him out from under the table by his arms, held him too roughly, and she yelled at Child B. She feels bad about that. She never shook Child B. She would move child around back and forth or does a tickle thing. She did not shake Child B. She does not feel that her grip was that hard. Child B was also on a chair, and she removed him from the chair. She agrees that it is not a good idea to work with children. She does not know if staff are lying about Child B. If the other staff feel that she shook the child, then she probably did.

CORRECTIVE MEASURES

CORRECTIVE MEASURE

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

COMPLETED (Y/N)

Yes

COMPLETED DATE

4/9/2024

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

1/20/2024

APPROVING SUPERVISOR

CHRISCO, MARLA L