



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

DATE OF REPORT
7/13/2021

DVN
002381319

FACILITY NAME

HEAVENLY HEARTS LEARNING CENTER

FACILITY ADDRESS

215 SHEPLEY DR

CITY

ST LOUIS

ZIP CODE

63137-4242

PHONE NUMBER

(314) 867-2400

COUNTY

ST LOUIS

ASSIGNED SPECIALIST

WILMESHER, LAURA

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

RSMo 210.254.2(5)

The notice of parental responsibility shall include the following: The disciplinary philosophy and policies of the child-care facility.

CONCLUSION SUMMARY

Compliance Inspector (CI) Laura Wilmesher conducted an investigation regarding the allegation that on July 6, 2021, Ms. Nae pulled Child A, age 5-years, by his ear which caused bruising to his ear. After conducting the investigation, CCFS Wilmesher finds this allegation is substantiated. This conclusion is based on the following evidence of license-exempt violations which occurred at the facility:

RSMo 210.254.2(5) which states: "The notice of parental responsibility shall include the following: The disciplinary philosophy and policies of the child-care facility."

On July 16, 2021, CI Wilmesher received and reviewed a copy of the facility's current Notice of Parental Responsibility (NPR) which stated the facility's discipline policy is "redirection."

On July 16, 2021, CI Wilmesher interviewed several staff members and children at the facility .

Caregiver Ahzhane "Nae" Smith stated that while on a field trip at The Magic House, she pulled Child A by the top of his ear because he was misbehaving. Ms. Nae also stated for discipline, caregivers send children to time out, have children stand up and hold their arms out, or tell children they can't go outside and have to sit on the steps.

Caregiver Lenniyah Clark stated the facility's discipline policy is to put the children in the corner or make them hold their arms out, and she has the children hold their arms out for two minutes. She has witnessed Ms. Nae grab Child A by the shirt to take him to time out and grab Child A by the shirt while getting off the bus at The Magic House .

Child B, age 10-years, stated that Ms. Lenniyah and Ms. Nae are her teachers, and the teachers tell her to stand up and put her arms out or go to the corner if she gets in trouble. Ms. Lenniyah has grabbed her by the chin and grabbed her by the shirt to put her in time out. She has witnessed Ms. Nae grab Child A by his shirt. She heard both Ms. Nae and Child A say that Ms. Nae grabbed Child A by the ear.

Child C, age 7-years, stated Ms. Lenniyah and Ms. Nae are his teachers. If children get in trouble, they stand up and hold both arms out and that it hurts when he has to hold his arms out. He witnessed Ms. Nae grab Child A by the ear while in the classroom at the facility, and that Ms. Nae dragged Child A to the corner by his ear. Child A cried when Ms. Nae pulled his ear. He saw blood and a scratch mark on Child A's ear after Ms. Nae grabbed his ear.

On July 16, 2021, CI Wilmesher interviewed Parent A, parent of Child A, and Child A.

Parent A stated Child A told her on Wednesday, July 7, 2021, that Ms. Nae pulled him by his ear and made him go to the corner. She took a photo of Child A's ear on Thursday, July 8, 2021.

Child A stated Ms. Nae hurt him when she grabbed him by his right ear and pulled him to the corner. Ms. Nae pulled him by the ear while in the classroom at the facility and not at The Magic House. His ear was bleeding after Ms. Nae grabbed him by his ear, and when he told Ms. Nae his ear was bleeding, she said, "Okay," and did not offer him any first aid.

On July 16, 2021, CI Wilmesher received an email from Parent A which included a photo of Child A's ear. The photo showed Child A's right ear which had multiple scratch marks that appeared to be scabbed over and visible bruising. The marks and bruises were observed on the back of Child A's right ear. The email also included a recording of a conversation between Parent A and several staff members of the facility. Through the video recording, it was confirmed again that Ms. Nae had pulled on Child A's ear.

CORRECTIVE MEASURES

| CORRECTIVE MEASURE | COMPLETED (Y/N) | COMPLETED DATE |
|--|------------------------|-----------------------|
| The facility shall conduct a staff meeting to review the center's discipline policies, including those specified on the Notice of Parental Responsibility. The facility must provide the Office of Childhood 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 | 9/27/2021 |

| CORRECTIVE MEASURE | COMPLETED (Y/N) | COMPLETED DATE |
|---|------------------------|-----------------------|
| The facility is hereby placed on twenty (20)-day notice that a corrective action plan must be developed to ensure compliance with the above statute/rule violations. A copy of the corrective action plan must be received by the Office of Childhood within twenty (20) days of this letter. | Yes | 9/22/2021 |

| CORRECTIVE MEASURE | COMPLETED (Y/N) | COMPLETED DATE |
|--|------------------------|-----------------------|
| The facility shall have all staff members (paid employees and paid/unpaid volunteers) obtain one (1) clock hour of approved training on age appropriate discipline, outside the Heavenly Hearts network. 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/ . Verification of training completion shall be from the Open Initiative Toolbox report. | Yes | 10/26/2021 |

| DISPOSITION | DISPOSITION DATE |
|--------------------|-------------------------|
| SUBSTANTIATED | 9/9/2021 |

APPROVING SUPERVISOR
CLARK, ANGELA