



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

**COMPLAINT INVESTIGATION OF  
SUBSTANTIATED STATUTE OR RULE VIOLATIONS**

**DATE OF REPORT**  
2/17/2021

**DVN**  
002359595

**FACILITY NAME**

HAPPY CHILD ACADEMY "LEARNING CENTER" LLC

**FACILITY ADDRESS**

11158 OLD SAINT CHARLES RD

**CITY**

ST ANN

**ZIP CODE**

63074-2113

**PHONE NUMBER**

(314) 209-0744

**COUNTY**

ST LOUIS

**ASSIGNED SPECIALIST**

SPAULDING, STEPHANIE

**RULE/STATUTE VIOLATION(S)**

**VIOLATION(S)**

19 CSR 30-62.082 (2)(A)(5)

The facility shall be dry, temperature controlled, well-ventilated and free of drafts. Children shall not be overheated or chilled. The temperature of the rooms shall be no less than sixty-eight degrees Fahrenheit (68F) and no more than eighty-five degrees Fahrenheit (85F) when measured two feet (2') from the floor.

19 CSR 30-62.082 (2)(B)(1)(A)

At least thirty-five (35) square feet of usable floor space shall be provided for each preschool and school-age child coming into the facility for day care.

**CONCLUSION SUMMARY**

On February 17, 2021 the Section for Child Care Regulation received an allegation that the facility's furnace is not working and they're keeping the children in one large room. Based on interviews with director, Dawn Shermann and LLC managing member, Hanaa Eldakroury and observations at Happy Child Academy "Learning Center" LLC, this allegation is found to be substantiated. In addition, the facility did move the children from the preschool and 2 year old classrooms to the school age room that measures for 23 children and there were 25 children present. Therefore, the following rule violations are being cited.

19 CSR 30-62.082 (2)(A)(5): The facility shall be dry, temperature controlled, well-ventilated and free of drafts. Children shall not be overheated or chilled. The temperature of the rooms shall be no less than sixty-eight degrees Fahrenheit (68F) and no more than eighty-five degrees Fahrenheit (85F) when measured two feet (2') from the floor.

AND

19 CSR 30-62.082 (2)(B)(1)(A): At least thirty-five (35) square feet of usable floor space shall be provided for each preschool and school-age child coming into the facility for day care.

On February 17, 2021 Child Care Facility Specialist, Stephanie Spaulding observed an invoice from State Mechanical Services Inc. indicating that they were present at Happy Child Academy "Learning Center" LLC working on a furnace that was not currently working.

On February 17, 2021 director, Dawn Shermann stated that the facility is a double storefront facility and that the preschool and two year old side of the building did not currently have heat. She stated that the furnace guy was there working on the furnace and that all children had been moved to the school age classroom that did have heat. Dawn stated that the school age and I/ T room side of the facility has a separate furnace and that the school age classroom measured for 25 children.

Later on February 17, 2021 director, Dawn Shermann called CCFS Spaulding and stated that the furnace for the preschool and two year old classroom was working and that the facility was operating as usual.

On February 18, 2021 director, Dawn Shermann stated that the preschool and two year old classroom did not have heat again and that the facility was closed.

On February 18, 2021 LLC managing member, Hanaa Eladroury stated that as soon as they knew the facility didn't have heat, they moved the children to the school age classroom on February 17, 2021. She stated that they did not close on February 17, 2021 because there was a side of the building that had heat and they could provide care. She stated that they did give parents

the option to pick their children up on February 17, 2021 and they did chose not to open on February 18, 2021. She stated that they thought the school age classroom measured for at least 25 children. Hanaa also stated that she has called the landlord of the building and they are requesting quotes for a new furnace to be installed.

On February 18, 2021 Child Care Facility Specialist, Stephanie Spaulding observed the preschool classroom temperature to be 59 degrees and the 2 year old classroom was 60 degrees. Also on February 18, 2021 CCFS Spaulding observed an employee of the furnace company replacing the thermostat in the preschool classroom at the time of inspection.

On February 18, 2021 Child Care Facility Specialist, Stephanie Spaulding received a written statement from director, Dawn Shermann. The statement reads as follows:

"Happy Child Academy will not open or care for children until we have our furnace fixed . There are currently no children in care".

On February 19, 2021 Child Care Facility Specialist, Stephanie Spaulding received a staff meeting agenda and sign in sheet that indicates the facility discussed the facility's emergency plan, licensing rules, working together as a team, and employee attendance.

On March 9, 2021 Child Care Facility Specialist, Stephanie Spaulding received a picture of the thermostat in the preschool classroom. The thermostat registered 71 degrees at the time the picture was taken.

On March 9, 2021 Child Care Facility Specialist, Stephanie Spaulding received a copy of an invoice for a new furnace at Happy Child Academy "Learning Center" LLC. The invoice indicated that a new furnace was installed on March 6, 2021.

On March 29, 2021 Child Care Facility Specialist, Stephanie Spaulding received an email statement from director, Dawn Shermann. Dawn stated that the new furnace was installed on March 6, 2021. She stated that they began caring for children on February 19, 2021 on the side of the building where the furnace was working. She stated that they spoke to three families with school age children and asked if they could keep their children out until the furnace was installed. She stated that these families agreed so that they could stay at or under capacity in the school age classroom. Dawn stated that once the new furnace was installed, they reopened the preschool and two year old classroom on March 8, 2021. She stated that the temperature in the preschool and two year old classroom was currently 70 degrees.

**CORRECTIVE MEASURES**

| <b>CORRECTIVE MEASURE</b>  | <b>COMPLETED (Y/N)</b> | <b>COMPLETED DATE</b> |
|--|------------------------|-----------------------|
| The facility shall ensure that the conditions and limitations specified on the license are adhered to at all times. All staff members, including all paid employees and paid/unpaid volunteers, must sign a statement indicating they understand and agree to follow the license specifications. A copy of the signed statements shall be provided to the Section for Child Care Regulation, attention June Allen. | Yes                    | 2/19/2021             |

| <b>CORRECTIVE MEASURE</b>  | <b>COMPLETED (Y/N)</b> | <b>COMPLETED DATE</b> |
|--|------------------------|-----------------------|
| The facility shall conduct a staff meeting to review the center's policies and all licensing rules and regulations regarding disaster and emergency preparedness. This shall include a review of the facility's disaster and emergency plan. 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                    | 2/19/2021             |

| <b>DISPOSITION</b> | <b>DISPOSITION DATE</b> |
|--------------------|-------------------------|
| SUBSTANTIATED      | 4/5/2021                |

| <b>APPROVING SUPERVISOR</b> |
|-----------------------------|
| CLARK, ANGELA               |