



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

**DATE OF REPORT**  
3/4/2021

**DVN**  
002272277

**FACILITY NAME**

THE FAMILY TREE HOUSE CHRISTIAN ACADEMY LLC

**FACILITY ADDRESS**

2225 APOLLO DR

**CITY**

FENTON

**ZIP CODE**

63026

**PHONE NUMBER**

(636) 825-3818

**COUNTY**

ST LOUIS

**ASSIGNED SPECIALIST**

WILMESHER, LAURA

**RULE/STATUTE VIOLATION(S)**

**VIOLATION(S)**

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.

**CONCLUSION SUMMARY**

Child Care Facility Specialist (CCFS) Laura Wilmesher conducted an investigation regarding the allegation that on March 2, 2021, a teacher manhandled children and picked them up by their arms to correct them. After conducting the investigation, CCFS Wilmesher finds this allegation is substantiated. This conclusion is based on the following evidence of licensing rule violations which occurred at the facility:

19 CSR 30-62.182 (1)(C)(7) which states: "Physical punishment including, but not limited to, spanking, slapping, shaking, biting or pulling hair shall be prohibited."

On March 5, 2021, CCFS Wilmesher conducted an interview with Reporter A who stated she saw Darlene grabbing the children in the two-year-old room on the live cameras, and she has a screenshot of Darlene grabbing the kids. Reporter A stated this happened on March 2, 2021, at 3:34 PM, and that it appeared that Darlene was the only caregiver in the room at the time.

On March 8, 2021, CCFS Wilmesher conducted an interview with Parent A and Child A. Child A stated she happened to be watching the cameras on Tuesday, March 2, 2021, and she could tell Darlene was getting frustrated, and she saw Darlene grab kids by their upper arm a couple of times while watching the cameras. Parent A stated Child B was one of the children that Darlene had pulled on his arm. Child A stated that teachers grab kids by the arm sometimes.

On March 8, 2021, CCFS Wilmesher conducted interviews with assistant director Stacey Moore, and caregivers Darlene Tennyson and Laney Kovacs. Stacey Moore stated she just recently became aware that Darlene was "grabbing on the kids a little rough," and that Angie, the director, talked to Darlene about it. Stacey Moore stated she has seen Darlene get frustrated with the children. Darlene Tennyson stated she does remember grabbing Child C, age two years, after he had thrown a block at another child on March 2, 2021. Darlene Tennyson doesn't remember if she grabbed Child C with one hand or two hands, but she remembers she grabbed Child C's arm and put him in timeout. Although Laney Kovacs didn't specifically remember if she worked with Darlene Tennyson on March 2, 2021, she did state that when Darlene is frustrated, there have been several times that Darlene has grabbed the kids. Laney Kovacs stated the last time she saw Darlene grab a child was when Darlene yanked Child D out of one of the toy cars outside, March 4, 2021. Laney Kovacs stated Darlene pulled Child D out of the toy car so hard he fell out and smacked his head on the concrete outside, and that Child D cried, but there was no injury.

On March 8, 2021, CCFS Wilmesher observed and received a copy of the incident report from March 4, 2021, at 10:22 AM, for Child D, which stated: "[Child D] was pulled out of the play car and hit his head." The report noted that Laney was the staff member responsible for Child D and that Stacey was the person in charge of the facility at the time.

On April 23, 2021, CCFS Wilmesher conducted an interview with director, Angie Noto who stated she had tried to send the video footage via email to CCFS Wilmesher, however CCFS Wilmesher has not received a copy of the video footage. Angie Noto stated the reason Parent A was in her office on March 2, 2021, was because she Parent A had observed a child being grabbed by Darlene on the cameras that day, and that the footage inside the two year old room was of an unknown child, possibly Child

B or Child C both age two years, who was climbing on the table. Angie Noto stated Darlene was sweeping, and instead of putting the broom down to get the child off the table, Darlene picked the child up with one hand under his arm, and he started squirming. Angie Noto stated that Darlene was holding the child off the ground as she did this, and one whole side of his body was unsupported, and that this made Angie uncomfortable watching it, because the child could've gotten hurt more easily the way Darlene was picking him up with one hand than he could have from climbing on the table.

On April 23, 2021, CCFS Wilmesher received a video clip via email from director, Angie Noto. The video clip was dated March 2, 2021, at 3:26-3:27 PM. CCFS Wilmesher observed in the video Darlene Tennyson sweeping the floor in the two year old room, while an unknown child climbed onto a table which appeared to be about one foot in height. At 3:27:15 PM in the video, Darlene noticed that the child was on top of the table, walked over to him, and with the broom still in her left hand, she grabbed him by his upper right arm with one hand, while sliding him backwards across the table approximately 1-2 feet, and then placed him on the floor on his bottom.

#### **VIOLATION(S)**

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

Caregivers shall not leave any child without competent adult supervision.

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

A caregiver personally shall admit each child upon arrival and personally shall dismiss each child upon departure. Children shall be dismissed only to the parent(s), guardian, legal custodian or to individuals approved by the parent(s), guardian or legal custodian.

19 CSR 30-62.182 (1)(A)(3)

Caregivers shall provide frequent, direct contact so children are not left unobserved on the premises.

19 CSR 30-62.102 (1)(K)

The child care provider shall ensure that within seven (7) days of employment or volunteering and before being left alone with children that caregivers receive a facility orientation. The child care provider shall ensure that documentation verifying completion of the facility orientation is maintained and on file for review by the department for each caregiver. The facility orientation shall include:

#### **CONCLUSION SUMMARY**

Child Care Facility Specialist (CCFS) Laura Wilmesher conducted an investigation regarding the allegation that on March 2, 2021, two children got out of the building unattended and ran into the street, narrowly avoiding being hit by a car. After conducting the investigation, CCFS Wilmesher finds this allegation is substantiated. This conclusion is based on the following evidence of licensing rule violations which occurred at the facility:

19 CSR 30-62.182 (1)(A)(1) which states: "Caregivers shall not leave any child without competent adult supervision."

AND

19 CSR 30-62.182 (1)(A)(2) which states: "A caregiver personally shall admit each child upon arrival and personally shall dismiss each child upon departure. Children shall be dismissed only to the parent(s), guardian, legal custodian or to individuals approved by the parent(s), guardian or legal custodian."

AND

19 CSR 30-62.182 (1)(A)(3) which states: "Caregivers shall provide frequent, direct contact so children are not left unobserved on the premises."

On March 4, 2021, CCFS Wilmesher reviewed and recorded a copy of the video footage from March 2, 2021. The following was observed in that video footage:

-At 17:20, Child A and Child B enter the front preschool room of the facility from the outdoor play space. Cecelia Higgs is observed in the classroom at the time.

-At 17:21, Child A and Child B walked toward the front door of the facility, with Cecelia Higgs walking several feet behind both children. Cecelia Higgs watched as Child A and Child B went out the front door. Cecelia then walked away from the front door, into the preschool classroom, and opened the door to the outdoor play space, standing in the doorway and holding the door open.

-At 17:22, Laney Kovacs entered the front door of the facility, carrying Child B, and Child A running slightly ahead.

The exact time that Child A and Child B exited the front door alone was 17:21:15, and the exact time that they re-entered with Laney Kovacs was 17:22:30 (Child A re-entry) and 17:22:32 (Child B re-entry with Laney Kovacs).

CCFS Wilmesher also observed the cameras from the angle of the outdoor play space, and observed that at 17:21:34, Child A and Child B walked along the outside of the fenced outdoor play space, and into the parking lot at 17:21:39. At that time, Laney Kovacs ran across the outdoor play space. At 17:21:48, Laney Kovacs caught up to Child B and picked him up. Child B was near the road in front of the facility at the time, and a truck had driven into view on the road and stopped abruptly at that time as

well. Child A was observed to be standing next to a car identified by the director, Angie Noto, as Parent A's vehicle at that time. At 17:21:50, Laney Kovacs appeared to have control of Child B, and 17:22:10, Laney Kovacs appeared to have control of both Child A and Child B.

On March 4, 2021, CCFS Wilmesher received a copy of the message which was sent by director, Angie Noto, to all parents of the facility regarding the incident regarding Child A and Child B getting out of the building unattended on March 2, 2021. Among other unrelated concerns addressed in the same message, the following was stated:

"last night while I was conferencing with a parent two of our kiddos were able to leave the building. these kiddos were able to get through both doors and out on the sidewalk before a second teacher Miss Laney was able to get to them. she had to chase after them and wasn't able to catch them until they were almost at the street. There are a few new policies that we will need to put in to place and a few old that will need to be followed to keep this from happening again. after two hours of reviewing camera footage to see exactly how an incident like this can occur. if laney wouldn't have responded promptly to the situation it would have had a much different outcome. I appreciate these girls acting promptly, but this is also a huge safety concern. this incident happened in less than 30 seconds."

On March 4, 2021, CCFS Wilmesher conducted interviews with director, Angie Noto, and caregiver Laney Kovacs. Angie Noto stated on March 2, 2021, Cecelia "CeCe" Higgs was the staff member she asked to watch Child A and Child B while she [Angie] talked to Parent A in the office. Angie Noto stated CeCe was watching Child A and Child B in the front classroom by the front door, and Angie thinks Child A and Child B thought Parent A went out the front door, so as another parent came in, Child A and Child B went out the front door. Angie Noto stated that CeCe watched Child A and Child B go out the door, but instead of following them out the door, CeCe went over to the playground door and opened it and told Laney that Child A and Child B had left the building. Angie Noto stated Laney saw Child A and Child B headed for the road, and Laney went out the playground gate to get them, and that Child A had gone to Parent A's truck, and Child B made it to the grassy area near the street before Laney caught up to them and brought Child A and Child B back inside.

Laney Kovacs stated Parent A was inside, and Laney sent Child A and Child B into the building, and she stood in the door and watched them walk in, and told Angie their mom is here, and Angie said okay, and then asked CeCe to watch Child A and Child B while Angie talked to Parent A. According to Laney Kovacs, shortly after, CeCe stuck her head out the door to the playground and said, "Their mom is here," and then Laney saw

Child A and Child B in the parking lot and saw that Parent A wasn't with them. Laney stated she told CeCe stay with the kids on the playground, and she went out the playground gate and got Child A and Child B, and that Child A was at the grass by the parking lot, and Child B was in the street by the time she got to them. Laney Kovacs stated she heard director Angie Noto ask CeCe to watch Child A and Child B.

On March 5, 2021, CCFS Wilmesher conducted an interview with Reporter A who stated Child A and Child B were being watched by a teacher while Parent A was in the office, and then that teacher watched Child A and Child B walk out of the front door. Reporter A stated Child B ran out in front of another parent's car, and that she witnessed this on the facility's cameras and had screenshots from the footage of the incident.

On March 8, 2021, CCFS Wilmesher conducted an interview with Parent A who stated at first, none of the staff members told her that Child A and Child B had gotten out of the building, but that when she left, another parent told her what had happened. Parent A stated she contacted Angie, and then Angie was forthcoming about what had happened.

On March 29, 2021, CCFS Wilmesher conducted an interview with Cecelia "CeCe" Higgs who stated Angie asked her to keep an eye on the kids for a second, but she wasn't 100% sure which kids Angie was asking her to watch, and she didn't ask Angie to clarify which kids. CeCe stated as soon as she saw Child A and Child B walk out the front door, she said something to Laney, and she ran and grabbed them. CeCe stated it was just Child A and Child B that she saw walking out the door, that they were not walking with an adult when they walked out the doors.

19 CSR 30-62.102 (1)(K) which states: "The child care provider shall ensure that within seven (7) days of employment or volunteering and before being left alone with children that caregivers receive a facility orientation. The child care provider shall ensure that documentation verifying completion of the facility orientation is maintained and on file for review by the department for each caregiver."

On March 4, 2021, CCFS Wilmesher conducted an unannounced visit to the facility and asked for a copy of the New Employee Orientation checklist for Cecelia Higgs, to which CCFS Wilmesher was told by director Angie Noto that the checklist had not been completed. Angie Noto stated that she had asked Cecelia Higgs to watch Child A and Child B on March 2, 2021, in the preschool room of the facility, even though she had not yet completed her facility orientation checklist.

On March 29, 2021, CCFS Wilmesher conducted an interview with Cecelia "CeCe" Higgs who stated she had only worked for the facility for a week when this incident happened, and that she didn't go through any specific training and the other staff members all told her, "There's not much training that goes on, you kind of just get thrown in."

### 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 regarding supervision. 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

9/21/2022

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
--------------------	-----------------	----------------

The facility shall have all staff members (paid employees and paid/unpaid volunteers) obtain two (2) clock hours of approved training on supervision, outside the The Family Tree House Christian Academy LLC 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

1/20/2022

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 <https://health.mo.gov/safety/childcare/onlinetraining.php> Verification of attendance shall be through the Toolbox report.

Yes

6/15/2022

DISPOSITION	DISPOSITION DATE
-------------	------------------

SUBSTANTIATED

4/30/2021

DISPOSITION	DISPOSITION DATE
-------------	------------------

CLARK, ANGELA