



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

**DATE OF REPORT**  
1/6/2023

**DVN**  
002600555

**FACILITY NAME**

TALENTED TOTS - KEARNEY, LLC

**FACILITY ADDRESS**

155 S PLATTE CLAY WAY

**CITY**

KEARNEY

**ZIP CODE**

64060-7649

**PHONE NUMBER**

(816) 903-4038

**COUNTY**

CLAY

**ASSIGNED SPECIALIST**

TRUSSELL, MICHELLE RENEE

**RULE/STATUTE VIOLATION(S)**

**VIOLATION(S)**

5 CSR 25-500.182(1)(C)2.

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

5 CSR 25-500.182(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.

5 CSR 25-500.182(1)(C)4.

Praise and encouragement of good behavior shall be used instead of focusing only upon unacceptable behavior.

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 January 6, 2023, the Office of Childhood received an allegation that Cortnie Kania slammed Child A on their cot during nap time resulting in a black eye on the child and Cortnie Kania slammed Child B to the ground. After conducting the investigation, Compliance Inspector (CI) Michelle Trussell has found this allegation to be substantiated based on the following evidence :

5 CSR 25-500.182(1)(C)2 which states the following: "Expectations for a child's behavior shall be appropriate for the developmental level of that child."

AND

5 CSR 25-500.182(1)(C)3. which states the following: "Only constructive, age-appropriate methods of discipline shall be used to help children develop self-control and assume responsibility for their own actions."

AND

5 CSR 25-500.182(1)(C)4. which states the following: "Praise and encouragement of good behavior shall be used instead of focusing only upon unacceptable behavior."

AND

5 CSR 25-500.(1)(C)6 which states the following: "Firm, positive statements or redirection of behavior shall be used with infants and toddlers."

AND

5 CSR 25-500(1)(C)7 which states the following: "Physical punishment including, but not limited to, spanking, slapping, shaking, biting, or pulling hair shall be prohibited."

On January 9, 2023 Compliance Inspector (CI) Michelle Trussell conducted an unannounced inspection to the facility and interviewed staff members, Lauren Osborn; Kimberly Stallo; Miranda Lewis and Cortnie Kania. Ms. Stallo and Ms. Lewis stated Ms. Kania places her legs over children's backs to keep them on their cot at naptime. Ms. Kania admitted to placing her legs over child's backs during naptime to keep them on their cots. Ms. Stallo and Ms. Lewis stated Ms. Kania places her thumb inside a child's mouth and holds it there when they bite or attempt to bite. Ms. Kania admitted she places her thumb inside a child's mouth to bring attention to their mouth. While at the facility, CI Trussell observed video footage from January 3, 2023. The video footage shows Ms. Kania using her hand to push Child B's head down while he is on his cot. This action caused Child B to fall forward and hit his head on the plastic edge of the cot. Child B is also observed in the video footage to grab his right eye and appears to be crying. Ms. Kania does not console Child B or check Child B's head.

On January 10, 2023 CI Trussell observed photos of Child A showing bruising and swelling of his right eye .

On January 11, 2023 CI Trussell conducted a phone interview with staff member, Makenzie Kelly. Ms. Kelly stated she was in the classroom with Ms. Kania on January 3, 2023 when Child A was injured. Ms. Kelly stated she heard Child A crying and asked Ms. Kania what happened. Ms. Kelly stated Ms. Kania stated he fell. Ms. Kelly stated Ms. Kania did not console Child A.

On January 12, 2023 CI Trussell conducted a follow-up investigation to the facility to interview additional staff members. CI Trussell conducted an interview with staff member, Calla Rowan. Ms. Rowan stated she observed video footage of an incident with Child B and Ms. Kania that occurred on December 22, 2022. Ms. Rowan stated Ms. Kania grabbed Child B by the wrist and pulled him backwards. While at the facility, CI Trussell conducted a phone interview with staff member, Dominique Gordon. Ms. Gordon stated on December 22, 2022 she was in the office and seen video from the classroom where Ms. Kania was working. Ms. Gordon stated she seen Ms. Kania shove Child B's head causing him to fall down. Ms. Gordon stated she observed Ms. Kania grab Child B and pull him towards her. Ms. Gordon stated she observed Ms. Kania "yank" Child B by his wrist and pull him back towards her. Ms. Gordon stated she also seen the video footage from January 3, 2023 where Ms. Kania pushed Child A's head down causing him to fall forward and hit his head on the cot's edge. CI Trussell observed video footage from December 22, 2022. The video footage shows Ms. Kania grabbing Child B by the forearm and pulling him by the arm to move him away from another child. Ms. Kania is also observed pushing Child B's head causing him to fall down. Ms. Kania is observed grabbing Child B by the upper arm and yanking him backwards and then pulling his arm to make him stand up. Ms. Kania is observed to be holding Child B to her body while Child B appears to be trying to pull away from her. Ms. Kania is observed pushing Child B away from another child. Ms. Kania is observed taking her hand and pushing Child B's stomach to stop him from coming close to her. Ms. Kania is observed to grab Child B by the arm and yank him back with force causing him to fall down and her to loose her grip on his arm.

**CORRECTIVE MEASURES**

<b>CORRECTIVE MEASURE</b>	<b>COMPLETED (Y/N)</b>	<b>COMPLETED DATE</b>
The facility shall conduct a staff meeting to review the policies and all licensing rules and regulations regarding discipline. 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	12/14/2023

<b>CORRECTIVE MEASURE</b>	<b>COMPLETED (Y/N)</b>	<b>COMPLETED DATE</b>
All staff and volunteers of the facility must obtain one clock hour of training approved by the Office of Childhood, on age appropriate discipline. Training may be obtained from the Missouri Workshop Calendar. The training calendar can be found at <a href="http://www.moworkshopcalendar.org/">http://www.moworkshopcalendar.org/</a> . Verification of training completion shall be from the Open Initiative Toolbox report.	Yes	12/18/2023

<b>DISPOSITION</b>	<b>DISPOSITION DATE</b>
SUBSTANTIATED	2/8/2023

<b>APPROVING SUPERVISOR</b>
NURNBERG, TONYA