



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT

8/31/2022

DVN

002457032

FACILITY NAME

TOMLIN ACADEMY LLC

FACILITY ADDRESS

9700 HOLMES RD

CITY

KANSAS CITY

ZIP CODE

64131-3215

PHONE NUMBER

(816) 785-7878

COUNTY

JACKSON

ASSIGNED SPECIALIST

GREER, JOHN

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.132(5)(B)

The infant/toddler unit shall not care for children older than two (2) years unless the total number of children in attendance at the time is four (4) or fewer.

5 CSR 25-500.082(2)(B)2.B.(III)

If a unit for infants and toddlers is auxiliary to a facility for older children, centers initially licensed for infant/toddler care after the effective date of these rules or facilities adding new infant/toddler space, shall have play, sleeping and bathroom space in the infant and toddler unit. This space shall be separated from the space used for older children by floor-to-ceiling walls;

5 CSR 25-500.112(1)(A)

Birth Through Two (2) Years. Groups composed of mixed ages through two (2) years shall have no less than one (1) adult to four (4) children, with no more than eight (8) children in a group;

CONCLUSION SUMMARY

On August 31, 2022, the Office of Childhood (OOC) received an allegation that the facility was out of ratio and caring for preschoolers and infants in the same room. After conducting an investigation, Compliance Inspector (CI) JD Greer has determined the allegation is substantiated based on the following evidence:

5 CSR 25-500.132(5)(B) which states, "The infant/toddler unit shall not care for children older than two (2) years unless the total number of children in attendance at the time is four (4) or fewer."

AND

5 CSR 25-500.112(1)(A) which states, "Birth Through Two (2) Years. Groups composed of mixed ages through two (2) years shall have no less than one (1) adult to four (4) children, with no more than eight (8) children in a group;"

AND

5 CSR 25-500.082(2)(B)2.B.(III) which states, "If a unit for infants and toddlers is auxiliary to a facility for older children, centers initially licensed for infant/toddler care after the effective date of these rules or facilities adding new infant/toddler space, shall have play, sleeping and bathroom space in the infant and toddler unit. This space shall be separated from the space used for older children by floor-to-ceiling walls;"

On September 16, 2022, CI Greer interviewed Director Shantelle Tomlin who stated sometimes the infants and preschoolers are in the same room.

On September 16, 2022, CI Greer interviewed Caregiver Toya McDonald who stated every couple of weeks her classroom is out of ratio. Sometimes the infants and preschoolers are together in one room on the infant side. The infants and preschoolers are together for approximately ten minutes in the morning.

On September 16, 2022, CI Greer interviewed Caregiver Jasmine Brooks who stated she usually arrives at the facility at approximately 7:30 a.m. As she arrives at work the infants and preschoolers are together in the infant room. She sees this most

mornings of the week. She believes the infants and preschoolers are together from approximately 7:00 a.m. to 7:30 a.m.

CORRECTIVE MEASURES

CORRECTIVE MEASURE

Signs shall be posted at all entrances of the rooms displaying the required staff/child ratios.

COMPLETED (Y/N)

Yes

COMPLETED DATE

4/12/2023

CORRECTIVE MEASURE

The facility shall conduct a staff meeting to review the center's policies and all licensing rules and regulations regarding staff/child ratio and the mixing of preschoolers and infants. Specifically, 5 CSR 25-500.112(1)(A) which states, "Birth Through Two (2) Years. Groups composed of mixed ages through two (2) years shall have no less than one (1) adult to four (4) children, with no more than eight (8) children in a group;" AND 5 CSR 25-500.132(5)(B) which states, "The infant/toddler unit shall not care for children older than two (2) years unless the total number of children in attendance at the time is four (4) or fewer." The facility must provide the Office of Childhood- Childcare Compliance 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.

COMPLETED (Y/N)

Yes

COMPLETED DATE

4/4/2023

CORRECTIVE MEASURE

The facility shall conduct a staff meeting to review the center's policies and all licensing rules and regulations regarding the mixing of infants and preschoolers. Specifically, 5 CSR 25-500.082(2)(B)2.B.(III) which states, "If a unit for infants and toddlers is auxiliary to a facility for older children, centers initially licensed for infant/toddler care after the effective date of these rules or facilities adding new infant/toddler space, shall have play, sleeping and bathroom space in the infant and toddler unit. This space shall be separated from the space used for older children by floor-to-ceiling walls;". 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.

COMPLETED (Y/N)

Yes

COMPLETED DATE

4/4/2023

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

2/9/2023

APPROVING SUPERVISOR

NURNBERG, TONY A