



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
10/26/2021

DVN
002200255

FACILITY NAME

GREATER K.C. LINC, INC.

FACILITY ADDRESS

2400 PROSPECT AVE

CITY

KANSAS CITY

ZIP CODE

64127-3938

PHONE NUMBER

(816) 418-3923

COUNTY

JACKSON

ASSIGNED SPECIALIST

SNODGRASS, PENNY

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

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

The Office of Childhood (OOC) determined the allegations of this complaint to be substantiated. The determination is based on documentation reviewed through the course of the investigations, observations made by Compliance Inspector (CI) Penny Snodgrass and interviews conducted with LINC Executive Vice President Janet Miles Bartee, Lead Staff Member Lesley Byers, Director Pam Ealy, Greeter Evelyn Lunn, staff member Michael Sims and Site Coordinator Danisha Clarkson.

On October 29, 2021 CI Snodgrass conducted a telephone interview with Janet Miles Bartee. Janet Miles Bartee stated she is the LINC Executive Vice President. Janet Miles Bartee stated she is aware of the allegation of a staff member Pam Ealy grabbing Child A at LINC Wendell Phillips Elementary program. Pam Ealy has now retired from this facility. Janet Miles Bartee stated she has not seen a video of the incident and is aware that Kansas City Public School has a video of the incident.

On November 2, 2021 CI Snodgrass conducted a telephone interview with Director Pam Ealy. Pam Ealy stated she was the LINC Coordinator at this facility for 22 years and her retirement day from LINC was on the Friday of the week of the incident so she just retired a few days early. Pam Ealy stated that Child A ran down the hallway and wouldn't come back so she picked Child A up by his lower arm and picked him up off the ground and moved him back to where he was supposed to be. Pam Ealy stated that Child A couldn't be by himself unsupervised. Pam Ealy stated that she has not seen a video of this incident and that she doesn't feel like she was aggressive with Child A. Pam Ealy stated she was trying to help keep Child A safe and she was trying to move Child A to an area that the staff could see Child A. Pam Ealy stated that this incident happened in the morning during LINC time and the staff and children were sitting in the gym and Child A took off running down the hallway to the end of the hallway by his school teachers room. Pam Ealy stated she told Child A that his school teacher, Ms. Anderson wasn't ready for him yet. Pam Ealy stated that Ms. Harris stayed in the gym and watched the other children while she went to get Child A from running out of the gym. Pam Ealy stated that Child A walked on his own back to the gym after a few minutes and then it was time for everyone to go to class for the school day. Pam Ealy stated that Child A had only been enrolled in LINC for a month. Pam Ealy stated that she did have on a tiger necklace on September 9, 2021 when the incident happened. Pam Ealy stated that Child A didn't tell her that his arm was hurt.

Pam Ealy stated that she did not check Child A's arm for any bruising because Child A didn't say his arm hurt and she didn't feel like she was aggressive with Child A. Pam Ealy stated that she didn't get a chance to call Parent A that morning and tell Parent A that Child A had a rough morning. Pam Ealy stated that for discipline she uses time out and calling the parents.

On November 2, 2021 CI Snodgrass conducted a telephone interview with staff member Lesley Byers. Lesley Byers stated that she is the lead staff member at this LINC facility. Lesley Byers stated she started working at the facility at the end of September/beginning of October and that she is not aware of any incidents and/or allegations of a staff member being rough with any child. Lesley Byers stated that LINC uses for discipline talking to the children, re-directing children and sending children to the coordinator and that you should never physically touch a child.

On November 2, 2021 CI Snodgrass conducted a telephone interview with staff member Evelyn Lunn. Evelyn Lunn stated that she is a greeter at this program and she has worked at LINC since 2009. Evelyn Lunn stated that she doesn't know anything

about this allegation since she's just the greeter. Evelyn Lunn stated that she feels this allegation has been blown out of proportion because Ms. Ealy didn't hurt anyone. Evelyn Lunn stated she knows who Child A is. Evelyn Lunn stated that she has no discipline concerns, she doesn't work with the kids as the greeter and that the staff follow the rules at LINC.

On November 2, 2021 CI Snodgrass conducted a telephone interview with Michael Sims. Michael Sims stated he is a teacher with LINC at this facility and has worked at the facility for 6 months. Michael Sims stated he is aware of who Child A is and he is aware of the allegation about Child A and Ms. Ealy. Michael Sims stated that Child A was running out of the gym door and into the hallway. Michael Sims stated that the allegation was that Ms. Ealy scratched Child A but he doesn't know what happened because he didn't see the incident with Ms. Ealy and Child A. Michael Sims stated that he has no concerns and that he just want to do his job and doesn't want to get involved.

On November 2, 2021 Compliance inspector (CI) Penny Snodgrass conducted an unannounced inspection at the facility. During the inspection an interview was conducted with staff member Danisha Clarkson. Danisha Clarkson stated that she is now the site coordinator and that she came to this facility on September 10, 2021. Danisha Clarkson stated that Ms. Ealy was suspended pending an investigation and that Ms. Ealy didn't come back to the facility because she retired. Danisha Clarkson stated that Child A's last day at the facility was either September 13 or 14, 2021. Danisha Clarkson stated that the LINC staff walk the LINC children to their classrooms in the mornings. Danisha Clarkson stated that she has no staff concerns. Danisha Clarkson stated that she has not seen a video concerning this incident and that she is not aware of an incident report but could ask Trent Devreugd in LINC HR if there is one.

On May 26, 2022 CI Snodgrass observed Kansas City Missouri Police Department incident KC21072381. CI Snodgrass observed the following information from the police report: Date of incident was September 9, 2021. Sgt. Davis and Sgt. Krueger were contacted concerning this allegation in regard to a referral. The maternal aunt picked Child A up from school on September 9, 2021 at noon. The aunt of Child A called Parent A and reported that Child A had markings on his arm that appear to be grab marks. Parent A called the school and spoke with staff about markings on Child A from the gym lady at school. Parent A did not get an incident report. Child A told his aunt that the gym lady grabbed his arm. Child A has hand print bruises on his arm that are wrapped around his arm. Child A had marks on his arm that appear to be grab marks. They appear to be handprint bruises on his arm that are wrapped around his arm. Child A stated it happened at LINC and it was the lady with a tiger necklace. The lady with the tiger necklace was identified as Pamela Ealy. Pamela Ealy was placed on a leave. Pamela Ealy denied touching the child on the forearm area where the marks were located. A video obtained of the incident corroborates Child A's statement.

On May 27, 2022 CI Snodgrass and Compliance Supervisor (CS) Tony Nurnberg observed the video concerning this incident that was provided by Kansas City Public School District Human Resource Attorney Sara Williams.

CI Snodgrass made the following observations from this video: The hallway is an L shape. Child A runs out of an area that appears to be a door. (Approximately 8:44 AM) Staff member Pam Ealy follows Child A out the door. Child A runs down one hallway and turns the corner to run down the other hallway. Pam Ealy stops as she comes out of the doorway and watches Child A run down the hallway. When Child A turns to run down the other hallway Child A can not be seen by Pam Ealy. Pam Ealy goes back into the doorway that she came out of. Pam Ealy comes back out of the doorway and starts to walk down the hallway in the direction that Child A ran. (approximately 8:45 AM)

Can not see Pam Ealy or Child A in the video from approximately 8:45 - 8:48 AM. Pam Ealy and Child A can be seen back in the video. Child A is laying on the floor at the end of the hallway. (Approximately 8:48AM) Pam Ealy is standing and leaning over the top of Child A. Pam Ealy and Child A are walking back down the hallway. (Approximately 8:48 AM) Pam Ealy has her right hand on Child A's upper right arm and her left hand on Child A's wrist area as she is escorting Child A down the hallway. Child A appears to be struggling while being escorted.

Child A tries to fall down and Pam Ealy lifts Child A up by holding Child A the same way she was and continues walking with Child A. Child A and Pam Ealy go back down the hallway in the opposite way that they came down the hallway and back into the door way they started at. The video has no sound.

On May 27, 2022 CI Snodgrass received an email from LINC Human Resources Director Trent DeVreugd. This email was a result of a conversation that CI Snodgrass had with LINC Executive Vice President Janet Miles Bartee requesting an incident report and any notes that LINC had concerning this investigation. The following information was obtained from the email: Janet Miles Bartee was contacted on September 10, 2021 concerning this incident. Janet Miles Bartee meet with Pam Ealy on September 10, 2021 and Pam Ealy was placed on administrative leave. On September 14, 2021 Pam Ealy was interviewed. On September 14, 2021 an exit interview was conducted with Pam Ealy. September 24, 2021 LINC reviews video with Kansas City Public School that was provided. Late October 2021 Janet Miles Bartee was informed the case was substantiated. LINC did not receive a copy of the findings dated October 26, 2021 until a copy was provided by Ms. Ealy to LINC on January 12, 2022.

Based on interviews, observations and documents received during the course of this investigation this allegation is substantiated because there is evidence that LINC director Pam Ealy did use physical discipline when dealing with Child A. There is evidence from the video that CI Snodgrass and CS Nurnberg observed and the police report that Pam Ealy used physical discipline on

Child A when she held the arm and wrist area of Child A on September 9, 2021 causing bruises on Child A when she was escorting Child A back to the gym of the facility.

CORRECTIVE MEASURES

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All staff and volunteers must obtain one (2) clock hours on supervision. The training must be held by an approved and qualified source, outside of the LINC network. Training may be obtained from the Missouri Workshop Calendar. The training calendar can be found at <http://www.moworkshopcalendar.org/>. Verification of training completion shall be from the Open Initiative Toolbox report.

COMPLETED (Y/N)

Yes

COMPLETED DATE

1/26/2024

CORRECTIVE MEASURE

All staff and volunteers must obtain two (2) clock hour of training approved by the Office of Childhood, on age appropriate discipline. The training must be held by an approved and qualified source, outside of the LINC network. Training may be obtained from the Missouri Workshop Calendar. The training calendar can be found at <http://www.moworkshopcalendar.org/>. Verification of training completion shall be from the Open Initiative Toolbox report.

COMPLETED (Y/N)

Yes

COMPLETED DATE

1/26/2024

DISPOSITION

SUBSTANTIATED

DISPOSITION DATE

6/8/2022

APPROVING SUPERVISOR

NURNBERG, TONY A