



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

DATE OF REPORT
3/2/2021

DVN
002783804

FACILITY NAME

NIECY'S LEARNING ACADEMY LLC

FACILITY ADDRESS

420 WATERFORD DR

CITY

FLORISSANT

ZIP CODE

63033-5636

PHONE NUMBER

(314) 686-1954

COUNTY

ST LOUIS

ASSIGNED SPECIALIST

SPAULDING, STEPHANIE

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

19 CSR 30-61.045 (18)

The number and ages of children a family child care home is authorized to have in care at any one time shall be specified on the license and shall not be exceeded except as permitted within these rules.

19 CSR 30-61.105 (1)(F)

All caregivers shall cooperate with the department.

19 CSR 30-61.210 (1)

The child care provider shall maintain accurate records to meet administrative requirements and to ensure knowledge of the individual needs of children and their families.

19 CSR 30-61.210 (12)

Reports to the department shall be submitted as required.

CONCLUSION SUMMARY

On March 2, 2021 the Section for Child Care Regulation received an allegation that provider, Tamia White is not cooperating with the department due to not being honest about caring for children. Tamia stated that she did not care for children on 1/25/21 and on 2/24/21, but she claimed payment for children both days. CCFS Wallace attempted visits on 1/25/21 and 2/24/21 and both days Tamia said that she was not caring for children. However, Tamia White submitted payment for 10 children for two hours for a total of 10 days in the month of January 2021. She also submitted payment for 10 kids all day (daytime hours) for 15 days in the month of February 2021. She is only approved for 8 kids. Based on interviews with Tamia White and information received from program specialist, Melissa Wolfe with the Department of Social Services; this allegation is found to be substantiated and the following rule violations are being cited.

19 CSR 30-61.105 (1)(F): All caregivers shall cooperate with the department.

AND

19 CSR 30-61.045 (18): The number and ages of children a family child care home is authorized to have in care at any one time shall be specified on the license and shall not be exceeded except as permitted within these rules.

AND

19 CSR 30-61.210 (1): The child care provider shall maintain accurate records to meet administrative requirements and to ensure knowledge of the individual needs of children and their families.

AND

19 CSR 30-61.210 (12): Reports to the department shall be submitted as required.

On March 3, 2021 Child Care Facility Specialist, Stephanie Spaulding received a forwarded email from Child Care Facility Specialist, Shalinda Wallace dated March 1, 2021. The email consists of communication with Melissa Wolfe, Program Specialist at DSS/Children's Division. The email states that on February 26, 2021; Ms. White had 12 children authorized for her daycare program and on February 26, 2021 Ms. White had 10 children signed in attendance at 7:06 am and 7:07 am.

On March 8, 2021 Child Care Facility Specialist, Stephanie Spaulding received a forwarded email from Child Care Facility Specialist, Shalinda Wallace. The communication in the email was between CCFS Wallace and Program Specialist, Melissa Wolfe with DSS/Children's Division. Melissa stated the following:

"It seems that the following children were signed in at 7:32 am today (March 8, 2021)."

The email lists eight children claimed on March 8, 2021.

On March 10, 2021 provider, Tamia White stated that she was not caring for children because she had a contagious illness and that the only children in her care were her own. On March 10, 2021 Child Care Facility Specialist, Stephanie Spaulding and Child Care Supervisor, Angela Clark observed two children inside the home from the front porch. Provider, Tamia White stated that the two children observed were her own children at the time of inspection. CCFS Spaulding and CCS Clark were unable to observe anyone else on the premises because the provider stated that she had a contagious illness at the time of inspection.

On March 11, 2021 Child Care Facility Specialist, Stephanie Spaulding received email communication from Melissa Wolfe, Program Specialist with DSS/Children's Division that documents on March 10, 2021 provider, Tamia White claimed care for eight children. Seven of these children were signed in at 8:06 am and one child was signed in at 8:04 am. The seven children that were signed in at 8:06 am were signed out at 5:33 pm and the one child that was signed in at 8:04 am was signed out at 5:36 am.

On April 6, 2021 provider, Tamia White stated that she was at the store and wouldn't return until later in the day. She stated that she had two daycare children in care and that she has a Class E license in order to transport the children.

Tamia White stated that on the day that Shalinda conducted her inspection on March 8, 2021 she had daycare children in care and that her brother came to her house and signed papers while CCFS Wallace was conducting the inspection as his children were in care that day. She stated that it is not true that the only children present during CCFS Wallace's inspection on March 8, 2021 were her own. Tamia White stated that on January 25, 2021 she thinks that she ran to the store when CCFS Wallace attempted to conduct an inspection and that CCFS Wallace was at her home for no longer than 10 minutes. She told CCFS Wallace via email that the children she heard were her own children. She had a doctor's appointment on February 3, 2021 and that she thinks all of her daycare children were at the facility on January 25, 2021. She does not touch the tablet and that it sits at the front door. She doesn't know the pin numbers for the parents to sign in and out. She had two daycare children in attendance on March 10, 2021 that she recalls. She stated that no daycare children are in care today (April 8, 2021).

CCFS Spaulding asked Ms. White about the photos from the tablet at sign in and pick up being blacked out per DSS. Ms. White stated that the parents hold it up to their face - photos are being taken. Ms. White was then informed that there are not photos being taken. Ms. White stated she was not aware that photos were not being taken-she will talk to DSS about this.

On April 8, 2021 Child Care Facility Specialist, Stephanie Spaulding and Child Care Supervisor, Angela Clark observed a three year old child be dropped off for care at the time of inspection. The child's parent did not come in the home and was not signed in at the time of drop off.

On April 8, 2021 CCFS Spaulding requested two enrollment forms from provider, Tamia White. While Ms. White took a picture of the enrollment forms and it was indicated that the enrollment forms were sent via email to CCFS Spaulding at the time of visit on April 8, 2021; CCFS Spaulding has not received the enrollment forms via email as of April 19, 2021.

On April 8, 2021 CCFS Spaulding requested attendance records for January 25, 2021; February 24, 2021; and March 6, 2021. Provider, Tamia White stated that she does not keep attendance records because she was told by Department of Social Services that because she had the tablet and the sign in/out was electronic, that she no longer had to keep attendance on paper. She stated that she would reach out to Department of Social Services to try and obtain attendance records for these dates. As of April 19, 2021 CCFS Spaulding has not received any attendance documents for the requested dates.

On April 9, 2021 SOSA, Beth Stout stated that she contacted provider, Tamia White because CCFS Wallace was at the provider's home attempting to conduct an inspection. CCFS Wallace told Beth that she could hear children, but no one was answering the door. Beth stated that Tamia told her that she had a death in the family and that her own children were present and were under strict instructions to not answer the door for anyone.

The statements of provider, Tamia White and the information received from program specialist, Melissa Wolfe are contradictory. In addition, it has been determined, that Ms. White is only licensed to care for eight children at max capacity and there were times that she claimed ten children were in care. Without attendance records to determine the accuracy of attendance, the only information available is that Ms. White was caring for children outside of her licensed capacity.

The statements of provider, Tamia White and the information received from program specialist, Melissa Wolfe are contradictory. Following two attempted visits by CCFS Shalinda Wallace, a phone call was made to provider, Tamia White on February 24, 2021 by SOSA, Beth Stout. Provider, Tamia White told SOSA, Beth Stout that she was not caring for children because of a

death in the family. Documentation from Melissa Wolfe indicates that children were signed in under Ms . White's care and claimed on February 24, 2021.

CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The facility shall create a plan that ensures attendance records are kept for all staff members (paid employees and paid/unpaid volunteers) and children, each day children are present. A copy of the plan shall be provided to the Section for Child Care Regulation.	Yes	8/12/2021

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The provider and all assistants (paid employees and paid/unpaid volunteers) shall review the home's policies and all licensing rules and regulations regarding cooperation with the Department. The provider and all assistant(s) shall sign a statement to indicate they understand and agree to follow those rules and regulations. A copy of the signed statements shall be provided to the Section for Child Care Regulation.	Yes	8/12/2021

DISPOSITION	DISPOSITION DATE
SUBSTANTIATED	6/28/2021

APPROVING SUPERVISOR
CLARK, ANGELA