



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

COMPLAINT INVESTIGATION OF  
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT  
1/25/2022

DVN  
002044791

**FACILITY NAME**

KIDDING AROUND, L.L.C.

**FACILITY ADDRESS**

826 SW BLUE PKWY

**CITY**

LEES SUMMIT

**ZIP CODE**

64063-3805

**PHONE NUMBER**

(816) 600-6440

**COUNTY**

JACKSON

**ASSIGNED SPECIALIST**

IBBOTSON, JESSICA

**RULE/STATUTE VIOLATION(S)**

**VIOLATION(S)**

5 CSR 25-500.222(11)

Records and reports shall be submitted to the department as required.

5 CSR 25-500.222(12)

Reports to the department shall be submitted as required.

5 CSR 25-500.222(7)

All enrollment records, medical examination records, and attendance records shall be filed in a place known to caregivers and shall be accessible at all times. Records shall not be in a locked area or removed from the facility during the hours the facility is open and operating.

5 CSR 25-500.112(1)

The following staff/child ratios shall be maintained on the premises at all times:

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;

5 CSR 25-500.112(1)(C)

Ages Three Through Four (3-4) Years. Groups composed solely of three (3) - and four (4) -year olds shall have no less than one (1) adult to ten (10) children;

5 CSR 25-500.112(1)(E)

Mixed Age Groups Two Years (2) and Up. Groups composed of mixed ages of children two (2) years of age and older shall have no less than one (1) adult to ten (10) children with a maximum of four (4) two (2) -year olds. When there are more than four (4) two (2) -year olds in a mixed group, the staff/child ratio shall be no less than one (1) adult to eight (8) children.

**CONCLUSION SUMMARY**

Compliance Inspector (CI) Jessica Glover, Compliance Inspection Supervisor (CIS) Tony Nurnberg and Program Coordinator (PC) Caron Ahlemeyer conducted an investigation regarding the allegation that the facility is often out of staff/child ratio. The allegation is substantiated based on the following evidence:

5 CSR 25-500.112(1) which states: "The following staff/child ratios shall be maintained on the premises at all times:"

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;"

On February 1, 2022, CI Glover conducted a walkthrough of the facility and observed a violation of staff/child ratios. Specifically, caregiver, Sydney Cusimano was caring for five children, ages 4-months-old to 1-year-old and caregiver, Lanesha Dennis was caring for six children, all the age of 1-year-old.

On February 1, 2022, director, Evynn Gibson stated the facility's staff/child ratios have been an ongoing issue.

5 CSR 25-500.112(1) which states: "The following staff/child ratios shall be maintained on the premises at all times:"  
AND

5 CSR 25-500. 112(1)(E) which states: "Mixed Age Groups Two Years (2) and Up. Groups composed of mixed ages of children two (2) years of age and older shall have no less than one (1) adult to ten (10) children with a maximum of four (4) two (2)-year olds. When there are more than four (4) two (2)-year olds in a mixed group, the staff/child ratio shall be no less than one (1) adult to eight (8) children."

On February 1, 2022, CI Glover conducted a walkthrough of the facility and observed a violation of staff/child ratios. Specifically, director, Evynn Gibson and caregiver, Mari Couzens, were caring for twenty children, five 2-years-old, six 3-years-old and nine 4-years-old.

On February 1, 2022, director, Evynn Gibson stated the facility's staff/child ratios have been an ongoing issue.

5 CSR 25-500.112(1) which states: "The following staff/child ratios shall be maintained on the premises at all times:"  
AND

5 CSR 25-500.112(1)(C) which states: "Ages three Through Four (3-4) Years. Groups composed solely of three (3)-and four (4)-years-old shall have no less one (1) adult to ten (10) children;"

On February 8, 2022, CI Glover and PC Ahlemeyer conducted a walkthrough of the facility and observed a violation of staff/child ratios. Specifically, director, Evynn Gibson was caring for fourteen children, ages 3-years-old to 4-years-old.

On February 8, 2022, director, Evynn Gibson stated she was unaware that the facility needed to maintain staff/child ratios on the building premises during nap time when staff go on breaks.

5 CSR 25-500.222(7) which states: "All enrollment records, medical examination records, and attendance records shall be filed in a place known to caregivers and shall be accessible at all times. Records shall not be in a locked area or removed from the facility during the hours the facility is open and operating."

AND

5 CSR 25-500.222(11) which states: "All records shall be available in the facility for inspection by the department upon request."

AND

5 CSR 25-500.222(12) which states: "Reports to the department shall be submitted as required."

On February 1, 2022, CI Glover and CIS Nurnberg requested staff and child attendance records for January 21, 2022, January 25, 2022, January 31, 2022, and February 1, 2022. Director, Evynn Gibson, stated she could not obtain the attendance documents at time of the inspection but would email them to CI Glover.

On February 8, 2022, CI Glover and PC Ahlemeyer requested staff and child attendance records. Ms. Evynn stated she did not want to obtain the records during the re-inspection, however she would try to email them later in the evening to CI Glover.

As of February 10, 2022, CI Glover never received staff and child attendance records, as requested.

## CORRECTIVE MEASURES

| CORRECTIVE MEASURE                                                                                                                                                                                                                                                                                     | COMPLETED (Y/N) | COMPLETED DATE |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|----------------|
| The facility shall notify all staff members of the violations which were substantiated, and specify the actions to be taken by all staff in order to comply with all licensing violations cited. A copy of the memo, letter, or staff meeting agenda(s) shall be submitted to the Office of Childhood. | Yes             | 9/19/2023      |
| CORRECTIVE MEASURE                                                                                                                                                                                                                                                                                     | COMPLETED (Y/N) | COMPLETED DATE |
| Signs shall be posted at all entrances of the rooms displaying the required staff/child ratios.                                                                                                                                                                                                        | Yes             | 2/16/2023      |
| CORRECTIVE MEASURE                                                                                                                                                                                                                                                                                     | COMPLETED (Y/N) | COMPLETED DATE |
| The facility shall create a plan that ensures attendance records are kept accessible 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 Child Care Compliance Section.                         | Yes             | 9/19/2023      |
| CORRECTIVE MEASURE                                                                                                                                                                                                                                                                                     | COMPLETED (Y/N) | COMPLETED DATE |
| The facility shall conduct a staff meeting to review licensing the center's policies and all licensing rules and regulation regarding the following rules: 5 CSR 25-500.112: Staff/Child Ratios - (All rules in this section will be reviewed.) 5                                                      | Yes             | 6/9/2022       |

CSR 25-500.222(7) which states, All enrollment records, medical examination records, and attendance records shall be filed in a place known to caregivers and shall be accessible at all times. Records shall not be in a locked area or removed from the facility during the hours the facility is open and operating. 5  
CSR 25-500.222(11) which states, All records shall be available in the facility for inspection by the department upon request. The facility must provide the Office of Childhood with a statement, signed by all staff (paid employees or unpaid volunteers), to indicate they understand and agree to follow those rules and regulations.

**DISPOSITION**

SUBSTANTIATED

**DISPOSITION DATE**

5/13/2022

**APPROVING SUPERVISOR**

NURNBERG, TONY A