



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

DATE OF REPORT
12/6/2021

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
SNODGRASS, PENNY

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

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

The Office of Childhood determined the allegations of this complaint to be substantiated. The determination is based on documentation reviewed through the course of the investigation, observations made by Compliance Inspector (CI) Penny Snodgrass and interviews conducted with the director Shantelle Tomlin and 3 additional staff members; Chaniya Strothers, Robin Williams and Jasmine Brooks.

On December 13, 2021 Compliance Inspector (CI) Penny Snodgrass conducted an unannounced inspection arriving at this facility at 7:30 AM. During the inspection an interview was conducted with director Shantelle Tomlin. Shantelle Tomlin stated that she is the director. Shantelle Tomlin stated that she uses a substitute agency called Kiddie Sitters to help her with staffing but that relationship has now ended. Shantelle Tomlin stated that the facility opens at 6:30 AM and usually they have 1 child until 7:15 AM. Shantelle Tomlin stated that she is out of ratio because a 5th child just showed up and the next staff member comes in at 8 AM. Shantelle Tomlin stated that there are normally 2 teachers by 7:30 AM with Kiddie Sitters but that relationship has ended because of Kiddie Sitters breaking the contract agreement.

On December 13, 2021 Compliance Inspector (CI) Penny Snodgrass conducted an unannounced inspection at this facility arriving at 7:30 AM. Upon arrival at 7:30 AM Shantelle Tomlin was present with 4 children who were 1 years old, 2 years old and 2 children that were 3 years of age. At 7:45 AM CI Snodgrass observed that one additional 3 year old child arrived leaving Shantelle Tomlin out of ratio because she had 5 children present to herself at that time. At 7:34 AM the children present were a mixed age group of 1 child being 1 years old, 1 child was 2 years old and 3 children were 3 years old. CI Snodgrass observed that the next teacher didn't arrive until 8 AM leaving Shantelle Tomlin out of ratio for 15 minutes.

On December 22, 2021 CI Snodgrass conducted a 2nd unannounced inspection at this facility arriving at 11:15 AM. Interviews were conducted with Shantelle Tomlin and various staff.

On December 22, 2021 Shantelle Tomlin stated that today they are in ratio and that she rearranged the staff schedules to have staff coming in earlier in the morning so the facility can meet ratios.

On December 22, 2021 Chaniya Strothers stated that she is a 2 year old teacher. Chaniya Strothers stated that she started working at the facility in June 2021 and normally she works from 8 AM until 5 PM. Chaniya Strothers stated that when she arrives at 8 AM there are only about 2 - 2 kids at the facility and she gets her kids and goes to the 2 year old room. Chaniya Strothers stated that she doesn't have any ratio concerns.

On December 22, 2021 Robin Williams stated that she is a teacher and the assistant director at the facility. Robin Williams stated that she worked at the facility in 2016 and then left and came back in November, 2020. Robin Williams stated that she works from 8 AM - 5:30 PM and when she arrives at the facility at 8 AM Ms. Tomlin, Jasmine and Chaniya are present. Robin Williams stated that today Jasmine was with the infant/toddlers and only had a couple of children and when she arrives at 8 AM Jasmine leaves the infant/toddler room and goes to work in the 3 year old preschool room. Robin Williams stated that she has

no ratio concerns.

On December 22, 2021 an interview was conducted with Jasmine Brooks. Jasmine Brooks stated that she is a preschool 3 & 4 year old teacher and she works from 9 AM to 5:30 AM but sometimes comes in at 7:30 AM if needed. Jasmine Brooks stated that she worked at this facility in October 2019 and then left and came back in June, 2021. Jasmine Brooks stated that she has no ratio concerns. Jasmine Brooks stated that recently she starts out in the infant/toddler room at 7:30 AM and then goes to the preschool room at 8 AM and that Ms. Tomlin is at the facility when she arrives at 7:30 AM. Jasmine Brooks stated that when she arrives at the facility at 7:30 AM there is only about 2 children at the facility.

On December 22, 2021 CI Snodgrass conducted an unannounced inspection at this facility arriving at 11:15 AM. Upon arrival at this facility CI Snodgrass observed 4 staff members present in 4 different classrooms and all classrooms were compliant with staff to child ratios for Missouri.

Based on an observation made by CI Snodgrass on December 13, 2021 at 7:45 AM when Shantelle Tomlin was observed to be out of ratio this allegation is substantiated. CI Snodgrass observed Chantelle Tomlin had 5 children present to herself at that time. Upon arrival at 7:30 AM the facility was observed to be in ratio however at 7:45 AM an additional 3 year old child arrived leaving Shantelle Tomlin out of ratio. CI Snodgrass observed the children present were a mixed age group of 1 child being 1 years old, 1 child was 2 years old and 3 children were 3 years old. CI Snodgrass observed that the next teacher didn't arrive until 8 AM leaving Shantelle Tomlin out of ratio for 15 minutes.

VIOLATION(S)

5 CSR 25-600.020 (2)

A prospective child care staff member may begin work for a child care provider if:

5 CSR 25-600.020 (2)(A)

The prospective child care staff member has received notice from the department that the individual is eligible for employment or presence in a child care setting; or

CONCLUSION SUMMARY

The Office of Childhood determined the allegations of this complaint to be substantiated. The determination is based on documentation reviewed through the course of the investigation, observations made by Compliance Inspector (CI) Penny Snodgrass and interviews conducted with the director Shantelle Tomlin and 3 additional staff members; Chaniya Strothers, Robin Williams and Jasmine Brooks.

On December 13, 2021 CI Snodgrass conducted an interview with Shantelle Tomlin. Shantelle Tomlin stated that she is the director. Shantelle Tomlin stated that she uses a substitute agency called Kiddie Sitters to help her with staffing but that relationship has now ended. Shantelle Tomlin stated that the contract agreement was for Kiddie Sitters to make sure the staff were state document ready when they sent staff to work at this facility. Shantelle Tomlin stated that Kiddie Sitters was sending staff that didn't have all of their paperwork completed so she terminated the services with Kiddie Sitters. Shantelle Tomlin stated that Kiddie Sitters would send the Family Care Safety Registry (FCSR) instead of the eligibility letter. Shantelle Tomlin stated that she collects the paperwork on all staff and new staff and that she has sent emails to Kiddie Sitters stating what she needs on specific staff members and she will forward those emails to CI Snodgrass.

On December 13, 2021 CI Snodgrass received an email from Shantelle Tomlin concerning Kiddie Sitters. CI Snodgrass observed that Shantelle Tomlin was communicating with the management team at Kiddie Sitters concerning required documents that staff members must have to work at Tomlin Academy. CI Snodgrass observed that Shantelle Tomlin sent an email to support@kiddiesitters.com stating "In addition, I am assuming that her eligibility letter has not come in yet." CI Snodgrass observed that the subject line of the email was Re: Alahzeyai Harvey. Alahzeyai Harvey was a staff member sent to Tomlin Academy from Kiddie Sitters. CI Snodgrass observed that support@kiddiesitters.com replied back that the FCSR Eligibility letter was sent prior to her arrival. CI Snodgrass observed that Shantelle Tomlin replied back to support@kiddiesitters.com that the form sent was the FCSR and explains what the eligibility letter looks like. In addition CI Snodgrass observed that there was an additional email exchange between Shantelle Tomlin and support@kiddiesitters.com dated December 8, 2021. CI Snodgrass observed that the December 8, 2021 email from Shantelle Tomlin stated that "the last time the state showed up they asked for the eligibility letter. I have been written up for this before." CI Snodgrass observed support@kiddiesitters.com explained that their substitutes go through an extensive background check that includes social security number trace, county criminal check, national criminal database, sex offender registry and terrorist watch list and that this form is required for centers certified by the state upon hiring an employee.

On December 22, 2021 CI Snodgrass conducted a 2nd unannounced inspection at this facility arriving at 11:15 AM. Interviews were conducted with various staff.

On December 22, 2021 Chaniya Strothers stated that she is a 2 year old teacher. Chaniya Strothers stated that she started

working at the facility in June 2021 and normally she works from 8 AM until 5 PM. Chaniya Strothers stated that she has turned all her state paperwork into Ms. Tomlin.

On December 22, 2021 Robin Williams stated that she is a teacher and the assistant director at the facility. Robin Williams stated that she worked at the facility in 2016 and then left and came back in November, 2020. Robin Williams stated that she has turned all her hire paperwork into Ms. Tomlin.

On December 22, 2021 an interview was conducted with Jasmine Brooks. Jasmine Brooks stated that she is a preschool 3 & 4 year old teacher and she works from 9 AM to 5:30 PM but sometimes comes in at 7:30 AM if needed. Jasmine Brooks stated that she worked at this facility in October 2019 and then left and came back in June, 2021. Jasmine Brooks stated that she turned all her paperwork into Ms. Tomlin when she was hired.

On December 22, 2021 CI Snodgrass observed that the staff files for all staff present during the inspection were compliant with state regulations.

Based on the interview with Shantelle Tomlin and emails provided by Shantelle Tomlin this allegation is substantiated. Shantelle Tomlin stated that she used a substitute agency called Kiddie Sitters to help her with staffing but that relationship has now ended. Shantelle Tomlin stated that the contract agreement was for Kiddie Sitters to make sure the staff were state document ready when they sent staff to work at this facility. Shantelle Tomlin stated that Kiddie Sitters was sending staff that didn't have all of their paperwork completed so she terminated the services with Kiddie Sitters. On December 13, 2021 CI Snodgrass received an email from Shantelle Tomlin concerning Kiddie Sitters. CI Snodgrass observed that Shantelle Tomlin was communicating with the management team at Kiddie Sitters concerning required documents that staff members must have to work at Tomlin Academy. CI Snodgrass observed that Shantelle Tomlin sent an email to suupport@kiddiesitters.com stating "In addition, I am assuming that her eligibility letter has not come in yet." CI Snodgrass observed that the subject line of the email was Re: Alahzeyai Harvey. Alahzeyai Harvey was a staff member sent to Tomlin Academy from Kiddie Sitters. Based on the interview with Shantelle Tomlin of Kiddie Sitters services being terminated because they were sending her staff to work at the facility that didn't have their state required paperwork and the email stating that staff member Alahzeyai Harvey didn't have her eligibility letter this allegation is substantiated.

CORRECTIVE MEASURES

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
The facility shall conduct name to face head counts for each classroom every 30 minutes for 5 consecutive days. Each classroom caregiver that is conducting the head count shall sign the head count sheets to verify staff/child ratios are accurate.	Yes	5/17/2022

CORRECTIVE MEASURE	COMPLETED (Y/N)	COMPLETED DATE
Signs shall be posted at all entrances of the rooms displaying the required staff/child ratios.	Yes	9/16/2022

DISPOSITION	DISPOSITION DATE
SUBSTANTIATED	7/7/2022

APPROVING SUPERVISOR
NURNBERG, TONY A