



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

COMPLAINT INVESTIGATION OF
SUBSTANTIATED STATUTE OR RULE VIOLATIONS

DATE OF REPORT
4/26/2023

DVN
000206262

FACILITY NAME

LA PETITE ACADEMY, INC.

FACILITY ADDRESS

12836 TESSON FERRY RD

CITY

ST LOUIS

ZIP CODE

63128

PHONE NUMBER

(314) 842-3587

COUNTY

ST LOUIS

ASSIGNED SPECIALIST

FYFE, IAN

RULE/STATUTE VIOLATION(S)

VIOLATION(S)

5 CSR 25-500.182(1)(C)3.

Only constructive, age-appropriate methods of discipline shall be used to help children develop self-control and assume responsibility for their own actions.

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.

5 CSR 25-500.182(1)(C)8.

No discipline technique which is humiliating, threatening, or frightening to children shall be used. Children shall not be shamed, ridiculed, or spoken to harshly, abusively, or with profanity.

5 CSR 25-500.192(5)(A)

In case of accident or injury to a child, the provider shall notify the parent(s) immediately. If the child requires emergency medical care, the provider shall follow the parent's(s') written instructions.

5 CSR 25-500.102(1)(B)

Child care personnel shall cooperate with the department.

CONCLUSION SUMMARY

On April 26, 2023, the Office of Childhood (OOC) received an allegation that La Petite Academy, Inc. Director Alaysha Zorehkey was hit Child A (3-years-old) and gave Child A bruises. After conducting an investigation, Compliance Inspector (CI) Ian Fyfe has found this allegation to be substantiated based on the following evidence:

5 CSR 25-500.102(1)(B)., which states the following: "Child care personnel shall cooperate with the department."

On April 28, 2023, Compliance Inspector (CI) Ian Fyfe conducted an inspection to La Petite Academy, Inc. and observed video footage of the reported concerns. The video footage was captured on the facility's camera system. CI Fyfe was shown the video footage by District Manager Brian Schubert but was not permitted to record the video. CI Fyfe was not provided with a copy of the video prior to leaving the facility as Mr. Schubert stated that a formal request for the video footage was needed in order for CI Fyfe to receive a copy. On May 4, 2023, CI Fyfe made multiple attempts to receive the video footage from Mr. Schubert and Ms. Zorehkey but was unsuccessful due to lack of cooperation. Though La Petite Academy, Inc. staff did not cooperate with CI Fyfe's requests to provide the video footage in a timely manner, CI Fyfe ultimately received the requested video footage on May 15, 2023.

5 CSR 25-500.182(1)(C)3., which states the following: "Only constructive, age-appropriate methods of discipline shall be used to help children develop self-control and assume responsibility for their own actions."

AND

5 CSR 25-500.182(1)(C)7., which states the following: "Physical punishment including, but not limited to, spanking, slapping, shaking, biting, or pulling hair shall be prohibited."

AND

5 CSR 25-500.182(1)(C)8., which states the following: "No discipline technique which is humiliating, threatening, or frightening to children shall be used. Children shall not be shamed, ridiculed, or spoken to harshly, abusively, or with profanity."

On April 28, 2023, Compliance Inspector (CI) Ian Fyfe conducted an unannounced inspection to La Petite Academy, Inc. While

present at the facility on April 28, 2023, Compliance Inspector (CI) Ian Fyfe conducted interviews with Mr. Schubert and Ms. Zorehkey, as well as staff members Anna Reavey and Mollie Foster. All staff members interviewed by CI Fyfe were familiar with the reported concerns. Ms. Reavey and Ms. Foster were Child A's caregivers at the time of the reported concerns. The following information regarding the reported concerns was gathered through interviews conducted with the previously listed staff members as well as observations made by CI Fyfe while reviewing the facility's camera footage:

On April 25, 2023, Child A was having negative behaviors at the facility which included hitting others and throwing items at other children. At approximately 11:30 AM on April 25, 2023, Child A placed both of their hands on Child B's (3-years-old) neck while in Ms. Reavey and Ms. Foster's classroom. Ms. Reavey observed Child A do this and immediately went to Child A. As Ms. Reavey approached Child A, Child A removed their hands from Child B. Ms. Reavey stood directly behind Child A and Child B for approximately ten seconds. While Ms. Reavey was standing there, Child A reached back out towards Child B but did not actually touch Child B. Ms. Reavey quickly reacted by picking up Child A by their upper arms and carried them across the room towards Ms. Zorehkey. At this point, Ms. Zorehkey was alerted of the situation by Ms. Foster and had just entered the room. As Ms. Zorehkey approached Ms. Reavey and Child A, Child A began to get more upset. Ms. Zorehkey picked up Child A off of the floor solely by Child A's left arm, but then transitioned to holding Child A by their upper arm on both arms. Ms. Zorehkey then took Child A to her office near the front door.

Once Ms. Zorehkey was in her office with Child A, Ms. Zorehkey placed Child A in a corner of the room. Ms. Zorehkey and Child A remained in the office for approximately ten minutes until Parent A (parent of Child A) arrived to pick-up Child A. In the ten-minute period that Child A and Ms. Zorehkey were in Ms. Zorehkey's office, Child A crawled to the door that leads back to Child A's classroom numerous times. After Child A would crawl to the door, Ms. Zorehkey would either move Child A back to the desk area or stand against the door so that Child A was unable to open it. CI Fyfe observed Ms. Zorehkey act inappropriately towards Child A in what appeared to be attempts to control Child A during this time. Some of the inappropriate behaviors exhibited by Ms. Zorehkey included lifting Child A off of the ground solely by their right hand, placing her arm around Child A's neck, and grabbing Child A too hard on various parts of Child A's body. The reported concerns did occur in Child A receiving bruises on their arm. It is difficult to determine if it was Ms. Reavey or Ms. Zorehkey that caused the bruising to Child A as both staff members grabbed Child A where the bruising occurred. Ms. Reavey informed CI Fyfe that she was holding Child A hard enough to make sure that Child A did not "wiggle" out of her hold and Ms. Zorehkey informed CI Fyfe that she had a "death grip" on Child A at one point as well. Mr. Schubert also informed CI Fyfe that the bruising on Child A was ultimately caused by one of the staff members "handling" Child A, though he was unsure which staff member caused the injury.

On April 28, 2023, Compliance Inspector (CI) Ian Fyfe interviewed Parent A (parent of Child A) and Child A. On April 25, 2023, Parent A was picking up Child A's sibling, Child C (5-years-old), from the facility and saw Child A with Director Alaysha Zorehkey through the facility's front door. Child A was crying and was kicking the door at this time. When Parent A walked into the facility, Child A ran to Parent A and said that Ms. Alaysha had hit them and was mean to them. Child A was taken home by Parent A. While giving Child A a bath on the night of April 25, 2023, Parent A observed bruising on Child A's left arm. Parent A was able to provide CI Fyfe with photos of the bruising from April 25, 2023. On April 26, 2023, Parent A talked to Ms. Alaysha in her office at the facility. Ms. Zorehkey told Parent A that Child A had a rough day the previous day and told Parent A that she most likely caused the bruises on Child A. April 26, 2023, was Child A's last day at the facility. While at Parent A's residence, CI Fyfe interviewed Child A. Child A was vocal and was able to answer CI Fyfe's questions. Child A stated that Ms. Alaysha is naughty and is bad because she put Child A in the office and kicked Child A and hit Child A. CI Fyfe was able to photograph Child A's injuries during this interview.

5 CSR 25-500.192(5)(A)., "In case of accident or injury to a child, the provider shall notify the parent(s) immediately. If the child requires emergency medical care, the provider shall follow the parent's(s') written instructions."

An accident report was not completed for the incident involving Child A and Child B and Parent A and Parent B were not notified. When discussing the facility's policies and procedures on accident reports with Ms. Reavey and Ms. Foster, both staff members informed CI Fyfe that they do not always contact the parents of the injured children. Ms. Reavey stated that she will not contact the parents if the injury to the child does is minor or does not warrant a parent notification while Ms. Foster stated that she does not contact the parents as she forgets to do so sometimes.

CORRECTIVE MEASURES

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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.

COMPLETED (Y/N)

Yes

COMPLETED DATE

10/26/2023

DISPOSITION SUBSTANTIATED		DISPOSITION DATE 8/25/2023
APPROVING SUPERVISOR CHRISCO, MARLA L		