



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

**COMPLAINT INVESTIGATION OF  
SUBSTANTIATED STATUTE OR RULE VIOLATIONS**

**DATE OF REPORT**

11/16/2023

**DVN**

002941115

**FACILITY NAME**

CADENCE ACADEMY PRESCHOOL, BEAGLE

**FACILITY ADDRESS**

13444 BEAGLE LN

**CITY**

ST LOUIS

**ZIP CODE**

63141-6056

**PHONE NUMBER**

(636) 748-0033

**COUNTY**

ST LOUIS

**ASSIGNED SPECIALIST**

FYFE, IAN

**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.

5 CSR 25-500.102(1)(J)

All staff shall acquaint themselves with the child abuse and neglect law and shall make a report of any suspected child abuse or neglect to the Children's Division at the toll-free number 1-800-392-3738 or online at <https://apps.dss.mo.gov/OnlineCanReporting/default.aspx>.

**CONCLUSION SUMMARY**

On November 16, 2023, the Office of Childhood (OOC) received an allegation that caregiver Katina intentionally stepped on Child A's (3-years-old) leg, leaving a bruise. The parents were not notified and the child abuse and neglect hotline was not called. After conducting an investigation, Compliance Inspector (CI) Ian Fyfe has found this allegation to be substantiated based on the following evidence:

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

AND

5 CSR 25-500.102(1)(J), which states that: "All staff shall acquaint themselves with the child abuse and neglect law and shall make a report of any suspected child abuse or neglect to the Children's Division at the toll-free number 1-800-392-3738 or online at <https://apps.dss.mo.gov/OnlineCanReporting/default.aspx>."

On November 17, 2023, Compliance Inspector (CI) Ian Fyfe conducted an unannounced inspection to Cadence Academy Preschool, Beagle and interviewed Director Alicia Wilson and staff member Olivia Chomin-Windal. On November 9, 2023, staff member Stacey Parker informed Ms. Wilson that she had seen Katina Rogers kick and stomp on Child A's leg. The incident happened at 11:29 AM on November 9, 2024. Ms. Wilson and Regional Director Ben Engle reviewed camera footage and observed the incident. Ms. Wilson was unable to provide camera footage to CI Fyfe due to a system error. Ms. Wilson immediately removed Ms. Rogers from the classroom and suspended her. Child A did not appear to have any injuries following the incident. Ms. Wilson contacted Parent A (parent of Child A) and informed her of the incident. Ms. Wilson completed an accident report. No staff members called the child abuse and neglect hotline to report the incident.

On November 30, 2023, CI Fyfe interviewed staff member Stacey Parker. On the day of the reported concerns, prior to the incident, Child A was not being nice to another child. Ms. Rogers began addressing Child A's behaviors when Child A began kicking Ms. Rogers. Ms. Rogers responded by stomping on Child A's leg. Child A was upset and said "ouch". She informed Alicia Wilson about what she had seen. Ms. Wilson handled the incident appropriately.

On December 5, 2023, CI Fyfe interviewed Parent A (parent of Child A) via phone call. Parent A did not wish to provide any information regarding the reported concerns, Child A, the facility, or the facility staff members.

On December 14, 2023, CI Fyfe interviewed Regional Director Ben Engle. Alicia Wilson informed him of the reported concerns.

He reviewed the incident through the facility's camera system. He directed staff members to create written statements regarding what they had seen and relayed the information to the facility's human resources department. He did not contact the child abuse and neglect hotline to report the incident. Ms. Rogers ultimately had her employment terminated.

#### **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.

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 25-500.192(5)(B)

Information regarding the date and circumstance of any accident or injury shall be noted in the child's record.

5 CSR 25-500.102(1)(J)

All staff shall acquaint themselves with the child abuse and neglect law and shall make a report of any suspected child abuse or neglect to the Children's Division at the toll-free number 1-800-392-3738 or online at

<https://apps.dss.mo.gov/OnlineCanReporting/default.aspx>.

5 CSR 25-500.222(2)

An individual file shall be kept to identify each child and enable the provider to communicate with the parent(s) , guardian or legal custodian of the child in an emergency. Records shall include:

#### **CONCLUSION SUMMARY**

On November 16, 2023, the Office of Childhood (OOC) received an allegation that in September of 2023, caregiver Emma pulled Child B (2-years-old) very hard to the point that Child B was in pain. The Regional Director did not report this to the child abuse and neglect hotline. After conducting an investigation, Compliance Inspector (CI) Ian Fyfe has found this allegation to be substantiated based on the following evidence:

5 CSR 25-500.222(2), which states state: "An individual file shall be kept to identify each child and enable the provider to communicate with the parent(s), guardian or legal custodian of the child in an emergency. Records shall include:"

AND

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

AND

5 CSR 25-500.192(5)(A), which states that: "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."

AND

5 CSR 25-500.192(5)(B), which states that: "Information regarding the date and circumstance of any accident or injury shall be noted in the child's record."

AND

5 CSR 25-500.102(1)(J), which states that: "All staff shall acquaint themselves with the child abuse and neglect law and shall make a report of any suspected child abuse or neglect to the Children's Division at the toll-free number 1-800-392-3738 or online at <https://apps.dss.mo.gov/OnlineCanReporting/default.aspx>."

On November 17, 2023, Compliance Inspector (CI) Ian Fyfe conducted an unannounced inspection to Cadence Academy Preschool, Beagle and interviewed Director Alicia Wilson and staff member Olivia Chomin-Windal. The reported concerns occurred on September 20, 2023, at about 1:55 PM, and involved staff member Emma Smith and Child B. On the day of the reported concerns, Ms. Chomin-Windal was looking into Child B and Ms. Smith's classroom and saw Child B grabbing another child's hair. Ms. Smith stopped Child B by hitting his hand. Child B began crying after the hit. Ms. Chomin-Windal informed the previous staff member in charge, Jakchala Oster-Brown, about the reported concerns. Ms. Oster-Brown did not report the incident to the child abuse and neglect hotline and failed to address the situation appropriately. This was the second time that she had seen Ms. Smith physically discipline a child. In a previous incident, Ms. Smith pinched Child E's (3-years-old) shoulders after Child E accidentally hit Ms. Smith. Child E was upset afterwards. Ms. Chomin-Windal did not report this information to facility management and did not report the incident to the child abuse and neglect hotline. While CI Fyfe was present at the facility, Parent B (parent of Child B) arrived to the facility for a scheduled meeting with Ms. Wilson. During this

meeting, Ms. Wilson and Ms. Chomin-Windal informed Parent B of the reported concerns. Parent B was upset after learning about the reported concerns. There was no incident report written in the file.

Additional concerns were expressed to CI Fyfe regarding Ms. Oster-Brown. Two previous choking incidents that involved Child C (18-months-old) and Child D (2-years-old) were not addressed appropriately. Following each child's choking incident, Ms. Oster-Brown instructed staff members to not contact the parents of either child, instructed staff to not call for medical services, and failed to complete an accident report for the choking incident involving Child C. Child C and Child D no longer attend the facility. There is no enrollment form present at the facility for Child D.

On November 30, 2023, CI Fyfe interviewed staff member Stacey Parker via phone call. Ms. Parker was unfamiliar with the reported concerns and denied having any concerns regarding Ms. Smith or Ms. Oster-Brown.

On December 5, 2023, CI Fyfe interviewed Parent B via phone call. Prior to the incident described in the reported concerns, she has not had many concerns regarding the facility or its' staff members. After speaking to staff members Alicia Wilson and Olivia Chomin-Windal, she asked Child B at home if anyone had hit him. Child B responded with yes and told her that Ms. Emma [Smith] had hit him on his hand. She did not see any marks, bruises, or injuries on Child B's hand at that time.

On December 5, 2023, CI Fyfe interviewed Parent C and Parent D (parents of Child C) via phone call. Neither Parent C nor Parent D received an accident report for Child C's choking incident, and neither parent was notified in a timely manner. Parent C believes that Child C's caregiver at the time of the incident, Cindy Lindsay, did everything correct. Ms. Lindsay reported the incident to the assistant director at the time, Ms. Jay [Oster-Brown], however Ms. Jay did not report the incident to either parent.

On December 5, 2023, CI Fyfe interviewed staff member Cindy Lindsay via phone call. Ms. Lindsay was able to recall the incident. On the day of Child C's choking incident, she gave Child C the heimlich maneuver after Child C choked on a piece of fruit. She informed Ms. Jay [Oster-Brown] about what had happened so that Ms. Jay could complete an accident report and contact the Child C's parents. Child C's parents came into the facility the following day and told her that they were never notified of what had happened.

On December 14, 2023, CI Fyfe interviewed Regional Director Ben Engle via phone call. Mr. Engle is familiar with the incidents involving Child B and Child C. He directed staff members to write statements regarding what they had seen and he reviewed the camera footage of the incident. He denies that Ms. Smith hit Child B.

On December 14, 2023, CI Fyfe interviewed Parent E (parent of Child E) via phone call. Parent E is unfamiliar with the incident involving Child E and Ms. Smith. She has no overall concerns regarding Child E's caregivers or the care that Child E receives at the facility.

**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.	No	

DISPOSITION	DISPOSITION DATE
SUBSTANTIATED	1/13/2024

**APPROVING SUPERVISOR**  
CHRISCO, MARLA L