



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

July 13, 2023

Alicia Sapien
ELA Devine Schools Holdings
Suite 600
1650 Tysons Blvd
McLean, VA 22102

RE: License #: DC250402662
Investigation #: 2023D0125014
Peyton's Learning Place

Dear Ms. Sapien:

I conducted a special investigation because the child care licensing division received information regarding your facility that related to licensing rules or law. The information was related to the following:

R 400.8125(1) Staff; volunteer; requirements

The details of the information are in the attached report. To investigate:

- I interviewed the program director/licensee designee, child care staff members, and parents.
- I completed on-site inspections on the following dates: 05/23/2023.

As a result of this investigation, I found the following violation(s):

I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by 08/04/2023. You can use our [corrective action plan](#) form or create your own.

If you need help writing the corrective action plan, please contact me. If you do not send a corrective action plan, you may face disciplinary action. The corrective action plan must include the following:

- How compliance with each rule will be achieved.
- Who is directly responsible for implementing the corrective action for each violation.
- Specific time frames for each violation as to when the correction will be completed or implemented.



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- How continuing compliance will be maintained once compliance is achieved.
- The signature of the responsible party and a date.

During this special investigation:	Yes	No
A rule or law violation was found and a serious injury or death occurred.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
A rule or law violation was found and abuse and/or neglect of a child occurred.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

This report and any related corrective action plans must be filed in your licensing notebook. This report and any related corrective action plans will be online for parents to review under the [Statewide Search for Licensed Child Care Centers and Homes](#).

Please review the enclosed documentation for accuracy and contact me with any questions. In the event that I am not available, and you need to speak to someone immediately, please contact the local office at (517) 284-9730.

Sincerely,

Juli Gohl, Licensing Consultant
Child Care Licensing Bureau
611 W. Ottawa Street
P.O. Box 30837
Lansing, MI 48909
(810) 423-2832

Enclosure

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CHILD CARE LICENSING BUREAU
SPECIAL INVESTIGATION REPORT**

I. IDENTIFYING INFORMATION

License #:	DC250402662
Investigation #:	2023D0125014
Complaint Receipt Date:	05/17/2023
Investigation Initiation Date:	05/23/2023
Report Due Date:	07/16/2023
Licensee Name:	ELA Devine Schools Holdings
Licensee Address:	Suite 600 1650 Tysons Blvd McLean, VA 22102
Licensee Telephone #:	(703) 206-6302
Administrator:	Alicia Sapien
Licensee Designee:	Alicia Sapien
Name of Facility:	Peyton's Learning Place
Facility Address:	960 Tacoma Ct. Clio, MI 48420
Facility Telephone #:	(810) 640-8281
Original Issuance Date:	01/24/2020
License Status:	REGULAR
Effective Date:	11/24/2022
Expiration Date:	11/23/2024
Capacity:	225
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
On 05/16/2023, Child A (female, 5 years) was left unsupervised on the playground for approximately three minutes.	Yes

III. METHODOLOGY

05/17/2023	Contact – Telephone call received From license designee/program director Alicia Sapien
05/17/2023	Incident Report received From Ms. Sapien
05/17/2023	Special Investigation Intake 2023D0125014
05/22/2023	Contact - Telephone call made Interviewed Child A's Mother
05/23/2023	Special Investigation Initiated - On Site at center from 10:36 am - 12:45 pm; interviewed Ms. Sapien, assistant program director Brandy Nichols, child care staff member (CCSM) 3 and 4.
06/26/2023	Contact - Telephone call made Voicemail message for CCSM 1
06/26/2023	Contact - Telephone call made Voicemail message for CCSM 2
06/26/2023	Contact – Telephone call made To Child B and C's Mother
06/26/2023	Contact – Telephone call received From CCSM 2
06/26/2023	Inspection Completed-BCAL Sub. Compliance
06/26/2023	Exit Conference via email with Ms. Sapien

ALLEGATION: On 05/16/2023, Child A (female, 5 years) was left unsupervised on the playground for approximately three minutes.

INVESTIGATION: On 05/17/2023, I received a telephone call from license designee/program director Alicia Sapien who disclosed that Child A was left unsupervised on the playground for approximately two minutes. She followed the telephone call by sending me the written incident report. The report stated that Child Care Staff Members (CCSM's) 1 and 2 lined the children up to re-enter the building from the playground. They had 11 children listed as being present and counted 11 children prior to re-entering the building. However, they did not "check-in" a child that was dropped off while they were outside. Therefore, their count was actually 12 children. During this time Child A was in the tunnel portion of a climber when CCSM's 1 and 2 re-entered the building with 11 children, leaving Child A on the playground. Child A exited the tunnel and noticed that the class was no longer on the playground. She tried to enter the building from the door, yet it was locked. She moved a small bike to stand on it and open the gate and entered the parking lot. She located Child B (female, 3 years) and Child C's (male, 5 years) Mother who had arrived to drop her children off at the center. Child B and C's Mother walked Child A into the building and handed her off to CCSM 3.

On 05/22/2023, I interviewed Child A's Mother who stated that she received a call from the center after the incident occurred. She spoke to both CCSM 4 and Ms. Sapien about the incident. It was reported to her that Child B and C's Mother walked her into the building, and she was grateful for such.

On 05/26/2023, I completed an unannounced onsite inspection at the center from 10:36 am – 12:45 and interviewed Ms. Sapien, CCSM 's 3-5. Ms. Sapien and I watched the video together and I observed CCSM's 1 and 2 on the playground and enter the building. As soon as the door to the center shut (at 57 seconds), Child A exited the tunnel of the play structure (at 1 minute). I observed her knock on the door and attempt to open it (at 1 minute 15 seconds), yet it was locked. I then observed her attempt to open another nearby door, yet it was locked also (at 1 minute 35 seconds). She tried to unsuccessfully move the shelf used for CCSM's backpacks (at 2 minutes 40 seconds). She then exited moved the bike, stood on it, and opened the gate to the parking lot. She was out of view of the camera (at 2 minutes 53 seconds).

Ms. Sapien confirmed that she was not at the center on 05/16/2023 when the incident occurred and found out when CCSM 4 called and notified her at approximately 10:00 am. She immediately came to the center, arriving at approximately 11:00 am. CCSM 4 told her that Child A was left on the playground and Child B and C's Mother brought her back into the center from the parking lot. CCSM 3 was in the lobby at the time when Child B and C's Mother entered the building with Child A and though that she was left in the parking lot, so he walked her to her room. When he entered the room the CCSM's seemed surprised and didn't realize that they had left her. CCSM 3 updated CCSM 4 and that is when she

called and notified Ms. Sapien. At this time, she interviewed CCSM's 1 and 2 separately and provided written statements. She understood from them that CCSM 2 counted only 11 children when 12 were present, as the 12th child arrived while they were on the playground. The center has a name to face procedure which was not followed. CCSM's 1 and 2 were placed on administrative unpaid leave and asked to leave for the day. On 05/18/2023, per the center's Human Resources department, CCSM 1 and 2 were terminated.

Per my interview with CCSM 5, she is the program supervisor. She stated that after the incident, on 05/17/2023 they asked her to speak with the CCSM's in their rooms with the children, about being safe, especially on the playground. At this time, Child A raised her hand and shared with the class that she was in the tunnel and heard CCSM 1 say to line up and when she exited the tunnel, they were already in the building. She added that she knocked on the door and then got a bike and got out. She did not add any additional details. CCSM 5 was not involved in any other matter related to the incident.

Per my interview with CCSM 4, she was entering the building for the day on 05/16/2023 and saw Child B and C's Mother, Child A, and CCSM 3 in the lobby. Child B and C's Mother told her that Child A ran up to her in the parking lot and asked her where her mommy went. Child B and C's Mother thought that Child A's Mother was still in the parking lot (in her car). At this time Child A was asking for a toy that was believed to have been left with her mother. When CCSM 3 and Child A exited the building, Child A told him that her mother had left, and her toy was on the playground. CCSM 3 took Child A to the playground and then they re-entered the building and he took her to her class. When CCSM 3 returned he notified CCSM 4 that her toy was on the playground and her mother was not in the parking lot. CCSM 3 told her that when he arrived at Child A's room, CCSM 1 and 2 were shocked. At that time, she called and reported the incident to Ms. Sapien. Both her and Ms. Sapien had conversations with Child A's Mother. She reviewed the video that evening and notified others about Child A standing on the bike and opening the gate.

Per my interview with CCSM 3, he agreed with the timeline previously identified. He added that when he took Child A to the parking lot, he thought her mother was in her car. When she arrived outside, he asked her where it was, and she told him it was on the playground. He asked her why it was there, as he thought her mother had it. So, he then asked her where her mother was, and she said that she took off. He asked again, "Your mom left you?" and she said "yes". They then went to the playground and her toy was on the cement portion of the ground by the door. He asked her where toy was there, and she replied, "my friends left me behind". He asked her how she got out of the playground, and she pointed to the bike and said, "I climbed on it and pushed the (gate) handle down." At this time, he walked her back to her class and added that CCSM 1 and 2 did not seem shocked when he brought Child A to the room. He told them that she notified him that her mother took off on her and what she said about using the bike to get out of the playground. He just dropped her off and then came back to the lobby.

On 06/26/2023, I interviewed CCSM 1, who confirmed that she worked with Child A on 05/16/2023. When they started to go into the building from the playground, she asked CCSM 2 how many children they had and then they re-counted when they entered the building. They did not do the face to name procedure. The number was 11 children. She believes another child was dropped off outside, making the number 12, but that child was not checked in, so they only counted 11. After she found out what had occurred, she was shocked and kept asking herself “how did we goof up?” She confirmed that she was initially placed on administrative unpaid leave and then terminated.

On 06/26/2023, I interviewed CCSM 2, who confirmed the timeline previously identified. She added that a child was dropped off when they were on the playground and she forgot to check him in, as she was talking to his mother. As a result, they only counted 11 children, when there were actually 2. They did not do the face to name procedure. She confirmed that she was initially placed on administrative unpaid leave and then terminated.

On 06/26/2023, I interviewed Child B and C’s Mother who stated on 05/16/2023 she was running late and arrived at the center later than normal. When she got out of the car, she heard someone screaming, so she looked at the playground. She saw Child A, who was already in the parking lot and asked her what was going on. Child A told her that her friends left her. She then walked her into the building and that is when she handed her off to CCSM 3.

APPLICABLE RULE	
R 400.8125	Staff; volunteer; requirements.
	(1) All staff and volunteers shall provide appropriate care and supervision of children at all times.
ANALYSIS:	On 05/16/2023, the center did not provide appropriate care and supervision when Child A was left unsupervised on the playground for approximately 2 minutes.
CONCLUSION:	REPEAT VIOLATION ESTABLISHED SIR 2022D0521007 Dated 02/07/2022 CAP Dated 02/28/2022 SIR 2020D0125012 Dated 07/14/2020 CAP Dated 07/28/2020

IV. RECOMMENDATION

Upon receipt of an acceptable corrective action plan, I recommend no change to the current license status.



07/13/2023

Juli Gohl
Licensing Consultant

Date

Approved By:



07/13/2023

Crecendra Boone
Area Manager

Date