



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

May 25, 2021

Christina Alighire
c/o REE Midwest, Inc.
1742 Crooks Rd
Troy, MI 48084

RE: License #: DC330294579
Investigation #: 2021D0185005
Rainbow Child Development Center-Okemos

Dear Ms. Alighire:

I conducted a special investigation because the child care licensing division received a complaint against your facility that related to licensing rules or law. The allegations were related to the following:

- R 400.8140(2)(a) Discipline.
- R 400.8140(2)(d) Discipline.

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

- I interviewed the person who made the complaint, program director, licensee designee, child care staff members, parents, and children.
- I completed on-site inspections on the following dates: 04/14/2021 and 04/30/2021.

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

- R 400.8140(2)(a) Discipline.**
- R 400.8140(2)(d) Discipline.**

I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by 06/15/2021. 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.
- 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 (866) 685-0006.

Sincerely,



Jessica Rindfleisch, Licensing Consultant
 Bureau of Community and Health Systems
 Child Care Licensing Division
 611 W. Ottawa Street
 P.O. Box 30664
 Lansing, MI 48909
 (517) 899-5744

enclosure

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF COMMUNITY AND HEALTH SYSTEMS
SPECIAL INVESTIGATION REPORT**

I. IDENTIFYING INFORMATION

License #:	DC330294579
Investigation #:	2021D0185005
Complaint Receipt Date:	04/09/2021
Investigation Initiation Date:	04/13/2021
Report Due Date:	06/08/2021
Licensee Name:	REE Midwest, Inc.
Licensee Address:	1742 Crooks Rd Troy, MI 48084
Licensee Telephone #:	(248) 519-1930
Administrator:	
Licensee Designee:	Christina Alighire, Designee
Name of Facility:	Rainbow Child Development Center-Okemos
Facility Address:	3682 Okemos Rd. Okemos, MI 48864
Facility Telephone #:	(517) 347-1919
Original Issuance Date:	04/14/2008
License Status:	REGULAR
Effective Date:	10/10/2020
Expiration Date:	10/09/2022
Capacity:	108
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
On 04/07/2021, Ms. Jasmine Busch flicked Child A and Child B. Ms. Busch engaged in a conversation about kid jail with the children in care after flicking Child A and Child B.	Yes

III. METHODOLOGY

04/09/2021	Special Investigation Intake 2021D0185005
04/13/2021	Special Investigation Initiated - Telephone Interview with Child A's Mother
04/13/2021	Contact - Telephone call made Interview with Child B's Mother
04/14/2021	Inspection Completed On-site Arrived at 2:30pm Interview with Ms. Christina Alighire, program director, Mr. Roje Williams, Child A, and Child B. Departed at 4:00pm
04/14/2021	Inspection Completed-BCAL Sub. Compliance
04/20/2021	Contact - Telephone call received Call from Ms. Jasmine Busch, child care staff member
04/22/2021	Contact - Telephone call made Interview with Ms. Busch
04/30/2021	Inspection Completed On-site Arrived at 2:20pm Interview with Ms. Alighire Departed at 4:00pm
05/05/2021	Contact - Telephone call made Interview with Ms. Brandi Blair, child care staff member
05/05/2021	Contact - Telephone call made Attempted interview with Ms. Chaesa Moffatt. Left message for her to call.

05/06/2021	Contact - Telephone call received Voice message from Ms. Moffatt
05/06/2021	Contact - Telephone call received Interview with Ms. Moffatt
05/18/2021	Exit Conference Interview with Ms. Alighire and Ms. Cheryl Tanasoff, regional manager

ALLEGATION: On 04/07/2021, Ms. Jasmine Busch flicked Child A and Child B. Ms. Busch engaged in a conversation about kid jail with the children in care after flicking Child A and Child B.

INVESTIGATION: On 04/08/2021, Ms. Christina Alighire, program director, called Ms. Monica Sturdivant, child care licensing consultant, and reported the incident. On 04/09/2021, Ms. Alighire provided Ms. Sturdivant with written documentation regarding the incident.

Child A's Mother stated that on 04/07/2021 when she arrived at the center to pick up Child A, she asked Ms. Jasmine Busch, child care staff member, how Child A's day was. Ms. Busch told her Child A's day was good, but the rest of the children were not. Child A's Mother left the center with Child A. On the way home, Child A asked Child A's Mother in an angry voice, "Why didn't you tell me about kid jail?" Child A explained that Ms. Busch had told the children at the child care that day that they would be taken from their parents and sent to kid jail. They were told that they only would get three meals a day. Child A's Mother stated that what Child A was describing sounded like juvenile detention. Child A also reported that Ms. Busch told the children that if they are not nice to the teachers, the teachers will not be nice to them. Child A stated to Child A's Mother that he tries to be kind and respectful, but if Ms. Busch hurts him or she is mean to him, is that ok? Child A then told Child A's Mother that Ms. Busch had hurt one of the other children in care that day. He explained to her that Ms. Busch flicked Child B on the forehead and that made Child B cry. Child A then told Child A's Mother that he said to Ms. Busch that she shouldn't hurt a child like that and so Ms. Busch walked up to Child A and flicked him on the forehead as well. Ms. Busch asked Child A if that hurt and he replied, "no." Ms. Busch then stated that it didn't hurt Child B either and it was not a big deal. Child A's Mother stated that she reported the incident to Ms. Alighire. She added that Ms. Busch was no longer at the center.

Child B's Mother stated that she received a phone call from Child A's Mother on the evening of 04/07/2021 informing her that Child A had stated earlier that day Ms. Busch had flicked Child B on the forehead. Child B's Mother spoke to Child B about the allegation. She asked him if he was hit, and he said no. She asked him if a

teacher hit him, and he said no. She then asked him if anyone had hit his face, and he stated that he had been pinched. Child B said he cried because his bouncy ball got taken away. Child B demonstrated to Child B's Mother that he was pinched and not flicked on the face. Child B's Mother stated that she has only had positive experiences with Ms. Busch. They have been working on some behavior issues in the classroom with Child B. She added that he does tend to get upset at naptime. Child B's Mother was also aware that the children in the preschool classroom had been more aggressive the last few weeks. Some of the children had hit and kicked the child care staff members.

Ms. Alighire stated that on 04/08/2021, Child A's Mother informed her that on 04/07/2021, Child A reported that he and Child B were flicked on the forehead by Ms. Busch. Child A reported that Ms. Busch had been talking about the children's behavior when the incident occurred and that kid jail was discussed. This discussion occurred during nap time. Child A's Mother informed Ms. Alighire that she had reported the incident to Child B's Mother. Child B's Mother also spoke with Ms. Alighire. Child B's Mother informed her that she had spoken to Child B about the incident, and he reported that he was not flicked; he was pinched. Child B reported that he wasn't scared or hurt.

Ms. Alighire stated that after this information was reported to her, she spoke with the staff who were present when the incident occurred. She also notified the center's risk management department and her licensing consultant. Ms. Busch was placed on leave pending the results of the investigation. The child care staff members who were present during the incident along with Ms. Busch were Mr. Roje Williams and Ms. Brandi Blair, both child care staff members. The lead caregiver for the preschool classroom, Ms. Chaesa Moffatt, was not present as she was on vacation.

Child A was interviewed using the forensic interview protocol. He was able to distinguish between the truth and a lie, did not guess at a question he did not know the answer to, and corrected me when I stated incorrect information. He was able to engage in conversation and appeared to be very comfortable with the interview. He stated that the teachers in his classroom are Mr. Williams, Ms. Moffatt, Ms. Blair, and Ms. Busch; however, he referred to them by their first name. Child A stated that Ms. Busch isn't at the center right now. I asked Child A what he liked about Ms. Busch and he did not have an answer. He said there was "not great stuff" to say. He elaborated that on some Friday at nap time, the children were having a rough time. Mr. Williams told the kids to sit at the table. Ms. Busch stated that if the children in the classroom were not nice to the teachers, the teachers would not be nice to them. Child C brought up kid jail during the conversation, so Ms. Busch talked about kid jail and stated that if the children aren't nice to their teachers, they would go to kid jail. Ms. Busch then flicked Child B on the forehead. This made him cry. Ms. Busch then flicked Child A on the forehead. She said, "See, it doesn't hurt." Child A stated that the action made him feel surprised and uncomfortable. Child A demonstrated this action as his pointer finger rubbing against his thumb onto his forehead in a flicking

motion. Child A stated that he had not witnessed Ms. Busch hurt a child or make them sad prior to this incident.

Child B was also interviewed using the forensic interview protocol. He was able to distinguish between the truth and a lie, did not guess at a question he did not know the answer to, and corrected me when I stated incorrect information. Child B also listed the teachers in his classroom as Mr. Williams, Ms. Moffatt, Ms. Blair, and Ms. Busch. He also referred to them by their first names. I asked Child B what happens at the child care when kids get in trouble. He stated that they get pinched. I asked who pinches the children and he replied, "I don't know." Child B stated that when he is good, he gets treats. When he is naughty, he gets pinched. This made him feel sad. Child B showed me where he was pinched. He pointed to the inside of his elbow and the back of his leg. He stated that no grownups saw this happen. The interview was terminated when Child B asked for the interview to be finished.

Ms. Busch stated that on 04/07/2021, the children in care were having a rough day. There had been issues recently with the children hitting each other and the teachers. There had been lots of changes in staffing and she felt that was contributing to their behavior. After naptime that day the child care staff members wanted to talk to the children about what needed to be worked on for them to have better behavior. All of the children were sitting at the tables. Ms. Busch and Mr. Williams started talking to the children. Mr. Williams stated that he knows the children are smart and that they would rather have fun and play than have to talk about behavior concerns. They discussed that the children can't hit each other or their teachers. They stated that they can't do that behavior at home and it is no different at child care. They asked the children if they hit their mom and dad. Several of them said yes. Ms. Busch stated that they were trying to relate the conversation to things the children would understand. She walked up to Child B and said, "Would you like it if I touched you and I didn't ask?" At that moment, Ms. Busch lightly brushed the back of her long finger nail against his forehead. Child B started to cry and grunt. He was already having a rough day, so Ms. Busch wasn't surprised. She then walked up to Child A and touched his forehead in the same way. She asked Child A, "does that hurt?" Child A replied, "no, because you didn't hit me." Ms. Busch stated that she was trying to demonstrate that it is frustrating if someone touches you and they didn't ask if that was ok. She was trying to get the message across that if someone doesn't ask you to touch them, then you don't touch them. She agreed that using children for this demonstration was not the best idea. She could also see where a child might confuse what she did with being flicked. Ms. Busch denied flicking, pinching, or hitting a child. Her intent was not to hurt anyone.

Ms. Busch also stated that there was a discussion about what happens when people don't follow the rules. Child C stated that they would go to jail. Child A then added that there is adult jail and kid jail. Ms. Busch agreed that if adults don't follow the rules they have to go to jail. Child A added that the food at jail is gross. Ms. Busch stated that there was no discussion about children being taken from their parents. At one point she followed up with a statement about making sure the children follow the

rules so they can stay at home with their parents. This conversation was not intended to scare the children. Ms. Busch added that at no point in the conversation did any child seem scared.

The following day, Ms. Busch received a phone call from Ms. Alighire informing her that a complaint had been made against her and what the complaint was about. Ms. Alighire told her that they could discuss the matter more when she arrived at the center for her shift. When Ms. Busch arrived at the center that afternoon, she spoke with Ms. Alighire about the incident. She was then informed that she had to go home and that she was being placed on unpaid leave pending the results of an investigation into the matter.

Ms. Blair stated she was present in the classroom on the day of the incident. There had been a lot of behavior issues in the preschool classroom prior to the incident. During nap time the child care staff members were talking to the children about their behavior. They talked to the children about how they need to make good choices and keep their hands to themselves. Ms. Busch walked up to Child B and touched his forehead with her fingernail several times lightly to demonstrate that touching a classmate without their permission was unkind. Child B was already having a rough day and he made it seem like the action hurt him. He said, "Ow, that hurts. Don't hurt me." Ms. Busch replied, "I'm not hurting you." Ms. Busch then walked over to Child A and did the same action. Ms. Busch asked Child A if that hurt and he replied no. Ms. Busch then stated, "That's correct. I did not hurt you or [Child B]." During the conversation, the children were asked if they knew what would happen if an adult hurt someone and Child A stated that they would go to jail. Child C stated that there is also a kid jail. She stated that she had watched a show with Child C's Mother where kids went to jail. Ms. Blair recognized the description of the show as "Beyond Scared Straight." She remembered a discussion about nasty food but did not recall any discussion about showering. Ms. Blair stated that there was no discussion about children being taken from their parents. Ms. Blair stated that the children were asked at one point if they hit their siblings or parents at home and several of them replied "yes."

Mr. Williams stated that he was present in the classroom on the day of the incident. The children were super rowdy that day. They had been hitting each other. After snack, before the class was going to go outdoors, the child care staff members had the children sit down and they discussed the class rules. They talked about keeping hands to themselves. They talked about why it's not ok to hit the children in care and the teachers. The children were asked if they hit their parents and if it is ok for them to hit their parents and several of the children said no. Ms. Busch said things such as "If you keep being bad to us, why can't we be bad to you" and "I'll treat you how you treat me." He admitted that all of the child care staff members were very frustrated at the end of a trying day. At some point Child A said that if the children keep being bad, they will have to go to "juvie" which the child care staff members then referred to as "kid jail." Mr. Williams did recall discussion about children being taken from their parents to go to "kid jail" and that you can't eat and shower when

you want there. Mr. Williams stated that he did not witness the incident where Ms. Busch flicked Child A and Child B as he was not looking in that direction. He has never witness Ms. Busch being physical with the children in care.

Ms. Moffatt stated that she was not present in the classroom on 04/07/2021 when the incident occurred. She stated that she has worked in the classroom with Ms. Busch on a few occasions and has never witnessed any questionable behavior from her. She has never witnessed her handle a child inappropriately or speak to them in an inappropriate way. Ms. Busch is a very experienced teacher who always gets down on the children’s level. Ms. Moffatt was aware of several children in the classroom having a hard time controlling their behavior. Usually that behavior occurred when she was not present.

Ms. Alighire reported that Ms. Busch was terminated from employment on 04/28/2021. She also reported that all staff will be receiving positive guidance training to learn more positive ways to interact with children.

APPLICABLE RULE	
R 400.8140	Discipline.
	(2) All of the following means of punishment are prohibited: (a) Hitting, spanking, shaking, biting, pinching, or inflicting other forms of corporal punishment.
ANALYSIS:	On 04/07/2021, Ms. Busch rubbed her nail in a flicking motion on Child A and Child B’s forehead to demonstrate not touching another person without permission. This made Child A cry. This was done during a disciplinary discussion after several children in the classroom were not following the rules.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.8140	Discipline.
	(2) All of the following means of punishment are prohibited: (d) Inflicting mental or emotional punishment, such as humiliating, shaming, or threatening a child.

ANALYSIS:	On 04/07/2021, Ms. Busch engaged in a conversation with the children in the classroom about going to kid jail in an attempted to get them to listen to the child care staff members after several children were exhibiting behavior issues.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Upon receipt of an acceptable written corrective action plan, I recommend that the status of this license remain unchanged.

Jessica Rindfleisch

05/25/2021

Jessica Rindfleisch
Licensing Consultant

Date

Approved By:

Erika Bigelow

05/25/2021

Erika Bigelow
Area Manager

Date