



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

February 24, 2023

Brenda Bradbury
Northeast Michigan Community Service Agency
2569 US 23 South
Alpena, MI 49707

RE: License #: DC090314551
Investigation #: 2023D0012006
Pinconning ECC

Dear Ms. Bradbury:

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 400.8125(1) Staff; volunteer; requirements

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, caregivers, witnesses, parents, or others with relevant information.
- I completed 1 site visit on 1/24/2023

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

R 400.8125(1) Staff; volunteer; requirements

I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by 3/10/2023. 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.

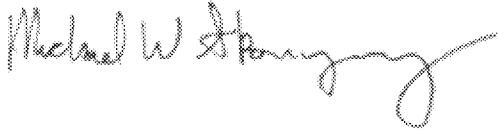
- Specific time frames for each violation as to when the correction will be completed or implemented.
- How continuing compliance will be maintained once compliance is achieved.
- The signature of the responsible party and a date.

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

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,



Michael Skonieczny, Licensing Consultant
 Child Care Licensing Bureau
 611 W. Ottawa St.
 P.O. Box 30664
 Lansing, MI 48909
 (989) 289-8572

enclosure

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

I. IDENTIFYING INFORMATION

License #:	DC090314551
Investigation #:	2023D0012006
Complaint Receipt Date:	12/19/2022
Investigation Initiation Date:	12/20/2022
Report Due Date:	02/17/2023
Licensee Name:	Northeast Michigan Community Service Agency
Licensee Address:	2569 US 23 South Alpena, MI 49707
Licensee Telephone #:	(989) 358-4659
Administrator:	Brenda Bradbury, Designee
Licensee Designee:	Brenda Bradbury, Designee
Name of Facility:	Pinconning ECC
Facility Address:	204 S. Manitou Pinconning, MI 48650
Facility Telephone #:	(989) 879-4155
Original Issuance Date:	09/29/2011
License Status:	REGULAR
Effective Date:	03/30/2022
Expiration Date:	03/29/2024
Capacity:	18
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
Child A was left alone in the bathroom and then called disgusting after he wiped feces on himself and the wall of the bathroom.	No

III. METHODOLOGY

12/19/2022	Special Investigation Intake - 2023D0012006
12/20/2022	Special Investigation Initiated – Telephone call to Child A's mother
12/20/2022	Contact - Telephone call made to Licensee Designee Brenda Bradbury
12/20/2022	Contact - Document Sent email to Brenda Bradbury
12/20/2022	Contact - Document Received several emails received from Brenda Bradbury.
12/21/2022	Contact - Telephone call made to Program Director Amanda Ross
12/22/2022	Contact - Telephone call made to child care staff member Stephanie Foor
12/22/2022	Contact - Telephone call made to child care staff member Torie Vollmer
12/22/2022	Contact - Telephone call made to child care staff member Staci Borton
01/04/2023	Contact - Telephone call received from Breda Bradbury.
01/17/2023	Contact - Telephone call received voicemail received form Child A's mother.
01/18/2023	Contact - Telephone call made to Child A's mother.
01/24/2023	Inspection Completed On-site from 11:00-11:35AM
01/24/2023	Exit Conference with Brenda Bradbury

ALLEGATION: Child A was left alone in the bathroom and then called disgusting after he wiped feces on himself and the wall of the bathroom.

INVESTIGATION: On 12/19/2022 I spoke with Child A's mother on the telephone. Child A has been attending Pinconning ECC for 2 years. Child care staff member Torie Vollmer is a problem in the classroom. She has yelled at Child A and other children before and she has made complaints to the licensee (Northeast Michigan Community Service Agency) before. In the most recent incident, Child A was left in the bathroom by himself and got feces on his hand. He began wiping the feces on the wall of the bathroom stall and on his clothes. Ms. Vollmer went into the stall and saw what Child A had done. She began yelling at Child A and called him disgusting and said he was bad. Child A is mostly non-verbal and has some challenges. This information was reported to her by child care staff member Stephanie Foor.

On 12/20/2022 I spoke with licensee designee Brenda Bradbury on the telephone. She spoke with her child care licensing consultant about this matter yesterday. Child A's mother and Ms. Vollmer do not like each other and there is a history of animosity between the two women. Child A's mother has posted about this incident and possibly others on social media mentioning Ms. Vollmer by name and then later by initials. The program is currently closed for the holidays early and may not open back up until this situation is remedied. She will forward all relevant information and telephone numbers to the consultant for review. She was unaware if there was an Individual Education Plan (IEP) for Child A that discussed bathroom supervision but would forward one if it was found.

An email was sent to Ms. Bradbury requesting any and all documentation related to this matter.

On 12/20/2022 Ms. Bradbury sent several emails containing staff phone numbers, staff member statements, a history of the complaints lodged by Child A's mother, and copies of text messages and social media posts relating to the incident.

On 12/21/2022 I spoke with program director Amanda Ross via telephone. Ms. Ross is currently out on medical leave and was not present for the incident. Ms. Ross has worked for 17 years for NEMSCA and 11 years of that has been at Pinconning ECC. Child A is a wonderful child who is mostly non-verbal, but has shown tremendous growth. Child A listens well for Ms. Foor but does not listen at all to Ms. Vollmer. Bathroom time has been a challenge for Child A but he has been doing well with potty training. Typically, one of the staff members will assist Child A with toileting because he cannot wipe himself and will play around in the stall. Ms. Foor is amazing with the children and talks very kindly to them. In her seven years at Pinconning ECC, Ms. Foor has not had a parent complaint. Ms. Vollmer has only been with the program for a year. Ms. Vollmer's adjustment to the classroom has been difficult. She speaks quite a bit harsher towards the children and as a consequence, the children don't respond very well to her. She has witnessed Child A crying when the only seat

left at snack time is at Ms. Vollmer's table. Child A's mother and Ms. Vollmer have a turbulent history and they obviously do not like each other.

On 12/22/2022 I spoke with child care staff member Stephanie Foor via telephone. She has worked at Pinconning ECC for eight years. On the day of the incident, she was told by Ms. Vollmer and Ms. Borton to go eat lunch. She eats lunch in an office across from the bathrooms. After a few minutes, she heard Child A crying and Ms. Vollmer yelling at him. Ms. Vollmer was heard saying, "Oh my God. This is disgusting. You are disgusting. This is gross." She went into the bathroom to check on Ms. Vollmer and Child A and found Child A standing in his underwear at the sink while Ms. Vollmer was cleaning up. She modeled how to talk with Child A about what happened. Ms. Vollmer is not skilled at talking with kids in a kind way. Child A's mother found out about the incident later that day and she told Child A's mother everything she remembered, but did not tell her that Ms. Vollmer called Child A disgusting. Ms. Vollmer and Child A's mother have some negative personal history and there have been complaints made about Ms. Vollmer by Child A's mother in the past. The whole staff knows that Child A should not be unsupervised in the bathroom.

On 12/22/2022 I spoke with Torrie Vollmer on the telephone. She is aware of the allegations. On that day during lunchtime, Child A needed to use the bathroom so he was told to go by himself. I noticed him going in and out of the bathroom and asked him if he had to poop but he did not respond. She then went in to help Child A. He was in the stall by himself. After a minute or two I checked on him and he had pooped. He had reached behind him and got feces on his hands, and it got onto the wall and his clothes. She told Child A to stop doing that and that it was gross. She got baby wipes and began cleaning his hands and the wall. She got underwear on Child A and helped him wash his hands in the sink. She then yelled for assistance and started to get Child A's pants on him. She told Ms. Foor that Child A was playing with his feces. Ms. Foor told Child A, "That's disgusting. We don't play with our poop." Ms. Vollmer stated she never left Child A alone in the bathroom, but he was by himself in the stall. She never said Child A was disgusting and Ms. Foor was the one who said that word. She never raised her voice to Child A but was talking loudly asking for assistance. Child A's mother posted an inaccurate story about the incident on social media with her name. She does not recall any big issues between her and Child A's mother in the past.

On 12/22/2022 I spoke with child care staff member Staci Borton on the telephone. She was asked about the incident. Ms. Vollmer was in the bathroom with Child A and she was with the rest of the children. She did not see or hear anything that had gone on in the bathroom and only heard about what happened after the incident was over from Ms. Vollmer. After the incident the day continued on as normal and there were no real issues that day to deal with. Everyone was surprised when this incident became such a big deal. Ms. Vollmer was in the bathroom with Child A but not in the stall from what she heard. This is typical. She has never heard Ms. Foor or Ms. Vollmer call a child names in the past.

On 1/4/2023 I spoke to Ms. Bradbury on the telephone. She reported that the site is still closed and might remain that way until the report is completed. She was advised that the report could take a while and that there was no reason to keep the site closed. Ms. Bradbury was advised of the staff member's conflicting statements.

She later called back and reported that the site will reopen on 1/9/2023.

On 1/17/2023 I received a voicemail from Child A's mother requesting a call back.

On 1/18/2023 I spoke with Child A's mother on the telephone. She wanted to know the result of the investigation and was told that the investigation was ongoing and not yet concluded. She was asked if there was any documentation showing that staff knew not to leave Child A unattended in the bathroom stall. She thought it was in Child A's IEP and would email/text it to the investigator if it was in there.

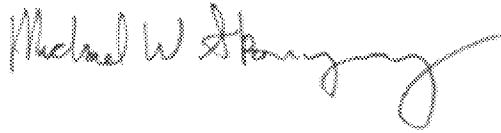
On 1/24/2023 I conducted an onsite visit at Pinconning ECC. No staff members were interviewed. All staff members present treated the children respectfully and appropriately. The bathroom area was observed. Each bathroom had a stall for children to use and a handwashing sink. The breakroom where Ms. Foor was eating on the day of the incident was noted to be directly across the hall from the bathrooms.

On 1/24/2023 I completed an exit conference with Ms. Bradbury.

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:	Based on my investigative findings there is not a preponderance of evidence to show that a staff member provided inappropriate care or supervision of Child A. Child A was alone in the stall but not the bathroom. Given his age and challenges, accidents occur at times. No documentation or IEP was provided showing that Child A had to be supervised while in the bathroom stall. In terms of how Child A was spoken to, Ms. Foor indicated that Ms. Vollmer used the word disgusting towards Child A. Ms. Vollmer said that Ms. Foor is the one who use that word in discussing the situation with Child A. No other witnesses or accounts were found to exist. As there is no way to prove that Child A was spoken to in a negative fashion, there is no way to definitively know which account is more accurate.
CONCLUSION:	VIOLATION NOT ESTABLISHED

IV. RECOMMENDATION

I recommend no change in this child care center license.



02/24/2023

Michael Skonieczny
Licensing Consultant

Date

Approved By:



02/24/2023

Rose A. Rafferty
Area Manager

Date