



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

May 26, 2022

Callie Hull
Battle Creek Y Center
182 Capital Ave Ne
Battle Creek, MI 49017

RE: License #: DC130017052
Lemon Tree Preschool
Battle Creek Y Ctr
182 Capital Avenue, NE
Battle Creek, MI 49017

Dear Ms. Barton:

Attached is your renewal inspection report. You can find a copy of this renewal inspection report and any associated corrective action plans on our [website](#) under [Statewide Search for Licensed Child Care Centers and Homes](#). A description of when renewal inspection reports are completed can be found under [Overview of Licensing Reports](#).

During the renewal inspection on 5/25/2022, I found 28 violation(s) listed below and explained in the attached report: listed below and explained in the attached report:

R 400.8110(3)	Applicant; licensee; licensee designee; requirements.
R 400.8110(3)(b)	Applicant; licensee; licensee designee; requirements.
R 400.8110(3)(c)	Applicant; licensee; licensee designee; requirements.
R 400.8112(2)(b)	Comprehensive background check; fingerprinting.
R 400.8113(2)(b)	Program director qualifications; responsibilities.
R 400.8125(4)	Staff; volunteer; requirements.
R 400.8125 (5)	Staff; volunteer; requirements.
R 400.8128	Staff; volunteer; tuberculosis.
R 400.8131(12)	Professional development requirements.
R 400.8131(6)	Professional development requirements.
R 400.8131(8)	Professional development requirements.
R 400.8143(1)	Children's records.
R 400.8143(13)	Children's records.
R 400.8143(3)	Children's records.
R 400.8143(6)	Children's records.
R 400.8143(7)	Children's records.
R 400.8149(2)	Parent permission for transportation.
R 400.8155(5)	Child accidents and incidents; child and staff illness.
R 400.8161(2)	Emergency procedures.
R 400.8161(7)	Emergency procedures.
R 400.8170(11)	Outdoor play area.
R 400.8170(13)	Outdoor play area.
R 400.8173(8)	Equipment.
R 400.8330(10)	Food services and nutrition generally.
R 400.8380(1)	Maintenance of premises.
R 400.8380(4)	Maintenance of premises.
R 400.8380(5)	Maintenance of premises.
R 400.8545(3)	Fire extinguishers.

Due to the violations, you must send us a corrective action plan by 6/20/2022. 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.

I recommend issuance of a 2nd provisional license. If you accept the provisional license, you must sign and return the enclosed waiver form. If you do not accept the provisional license, the matter will be forwarded to the disciplinary unit.

During calendar year 2021:	Total
Number of serious injuries that occurred in facility.	0
Number of deaths that occurred in the facility.	0
Number of substantiated cases of abuse and/or neglect of a child that occurred at the facility.	0

Please 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.

Per MCL 722.113g, this report and any related corrective action plans must be filed in your Licensing Notebook.

Sincerely,



Beth Gaudin, Licensing Consultant
Bureau of Community and Health Systems
Unit 13, 7th Floor
350 Ottawa, N.W.
Grand Rapids, MI 49503
(269) 615-5489

enclosure

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CHILD CARE LICENSING BUREAU
RENEWAL INSPECTION REPORT**

I. IDENTIFYING INFORMATION

License #:	DC130017052
Licensee Name:	Battle Creek Y Center
Licensee Address:	182 Capital Ave Ne Battle Creek, MI 49017
Licensee Telephone #:	(269) 788-0160
Licensee/Designee:	Callie Hull, Designee
Name of Facility:	Lemon Tree Preschool
Facility Address:	Battle Creek Y Ctr 182 Capital Avenue, NE Battle Creek, MI 49017
Facility Telephone #:	(269) 788-0160
Original Issuance Date:	05/13/1991
Capacity:	37
Age Range:	Ages 2 years 6 months Thru 12 years
Program Components:	GSRP PRESCHOOL SCHOOL AGE

II. METHODS OF INSPECTION

Date of On-Site Inspection(s): 05/25/2022
Date of Environmental Health Inspection: Kitchen License
Date of Fire Safety Inspection: 08/17/2020
Date of Lead Hazard Risk Assessment, if applicable: 10/24/2016
Date of Documentation of Playground Compliance, if applicable: none

	No. of Records Reviewed
No. of children enrolled in care	25
No. of staff employed	5
No. of volunteers	0
No. of children present at time of inspection	23
No. of staff present at time of inspection	5
No. of volunteers present at time of inspection	0
No. of children interviewed/observed	23

Persons Interviewed:	Licensee/Licensee Designee	☒
	Program Director	☒
	Caregiving staff	☒

Approved Child Use Space: The preschool room on the main floor and the preschool on the lower level.

Approved Program Director: Amy Acker

Approved Central Administrator: No

Approved Variances: No

Key Indicator Inspection: No

III. DESCRIPTION OF FINDINGS & CONCLUSIONS

This renewal inspection involved a review of all applicable child care center administrative rules and statutes. Verification of compliance included direct observations of the physical environment and the program, discussions with staff, and a review of the center's records, including staff records and children's records. Staff records include background checks and training information. Children's records include child information cards, physical examination dates, and immunizations.

During the inspection, the center was found to be in compliance with all applicable rules and statutes except for the following violations:

R 400.8110	Applicant; licensee; licensee designee; requirements.
	(3) All of the following must be in a place, accessible, and visible to parents: (a) The current license and, if applicable, the letter extending the license beyond the expiration date.
The current license was not posted in the lower preschool classroom visible to parents. The licensee had the previous license posted.	
R 400.8110	Applicant; licensee; licensee designee; requirements.
	(3) All of the following must be in a place, accessible, and visible to parents: (b) A copy of these rules and a copy of the last page of any variances granted.
A copy of the licensing rules was not visible or accessible in the upper preschool.	
REPEAT VIOLATION ESTABLISHED LSR Dated 10/14/2020 Corrective Action Plan Dated 10/16/2020	
R 400.8110	Applicant; licensee; licensee designee; requirements.
	(3) All of the following must be in a place, accessible, and visible to parents: (c) A notice stating that the center requires a comprehensive background check on its employees and unsupervised volunteers.
The comprehensive background check was not posted in a visible or accessible place in the lower level preschool.	
REPEAT VIOLATION ESTABLISHED LSR Dated 10/14/2020 Corrective Action Plan Dated 10/16/2020	
R 400.8112	Comprehensive background check; fingerprinting.
	(2) An applicant or licensee shall do all of the following: (b) Maintain a copy of the completed and signed form or forms for each individual entered into the child care background check system under the license.

Child care staff members did not have a copy of their signed consent and disclosure on file.	
R 400.8113	Program director qualifications; responsibilities.
	(2) A program director shall be present in the center in the following manner: (b) At least 50% of the time children are in care but not less than a total of 6 hours per day for programs operating 6 or more continuous hours.
The lower level private-pay preschool operates independently from the GSRP preschool classroom and does not have an approved program director overseeing this program.	
R 400.8125	Staff; volunteer; requirements.
	(4) A licensee shall have a written policy regarding screening and supervision of staff and volunteers, including volunteers who are parents of a child in care. The policy must include a statement that any individual registered on the public sex offender registry (PSOR) is prohibited from having contact with any child in care.
The screening policy located in the staff handbook contradicts the posted screening policy and neither include the PSOR statement. These policies should not contradict and must include the PSOR statement.	
R 400.8125	Staff; volunteer; requirements.
	(5) A written statement must be signed and dated by staff and volunteers at the time of hiring or before volunteering indicating all of the following information: (a) The individual is aware that abuse and neglect of children is against the law. (b) The individual has been informed of the center's policies on child abuse and neglect. (c) The individual knows that all staff and volunteers are required by law to immediately report suspected abuse and neglect to children's protective services.

Child care staff members did not have a signed written statement on file confirming that they know abuse/neglect is against the law, that they are aware of the center's policies, and that they are mandated reporters.	
R 400.8128	Staff; volunteer; tuberculosis.
	A center shall keep on file at the center evidence to verify that each child care staff member and each volunteer who has contact with children at least 4 hours per week for more than 2 consecutive weeks is free from communicable tuberculosis (TB). Verification of TB status is required within 1 year before employment or volunteering.
Child care staff members did not have verification of freedom from communicable TB on file.	
R 400.8131	Professional development requirements.
	(12) When the department of licensing and regulatory affairs or the department of education publishes a notice that a new health and safety update document or a new health and safety update training activity has been published on MiRegistry, the licensee shall ensure that all personnel read and acknowledge the document or complete the activity within 6 month of the notice.
Child care staff members have not completed the required health and safety refresher courses from 2020 or 2021. A new health and safety refresher was also issued for 2022 and is required by the end of the year.	
R 400.8131	Professional development requirements.
	(6) All child care staff members who work directly with children shall complete 16 clock hours of professional development annually on topics relevant to job responsibilities that include, but are not limited to, any of the following subjects: (a) Child development and learning. (b) Health, safety, and nutrition. (c) Family and community collaboration. (d) Program management. (e) Teaching and learning. (f) Observation, documentation, and assessment. (g) Interactions and guidance. (h) Child care center administrative rules.

Child care staff members have not completed the required 16 hours of annual training.	
R 400.8131	Professional development requirements.
	(8) An on-going professional development plan must be developed and implemented to include all the training and professional development required by these rules.
The ongoing staff training plan does not address that all staff must complete orientation of licensing rules and center policies before unsupervised contact with children. All child care staff must complete shaken baby, abusive head trauma, child maltreatment and recognition of abuse/neglect; and all unsupervised child care staff must complete prevention and control of infectious diseases, including immunizations REPEAT VIOLATION ESTABLISHED LSR Dated 10/14/2020 Corrective Action Plan Dated 10/16/2020 LSR Dated 10/17/2018 Corrective Action Plan Dated 11/7/2018	
R 400.8143	Children's records.
	(1) At the time of a child's initial attendance, a center shall obtain a child information card, using a form provided by the department or a comparable substitute, that is completed and signed by the child's parent. The center shall keep it on file and accessible in the center.
The child information cards are missing required content such as, date of admission, employer and physician phone numbers, and allergies and special needs. Updated version of child information cards has been issued by the department.	
R 400.8143	Children's records.
	(13) Parents shall be notified before each field trip.
The child care facility has been taking children on field trips to areas in the YMCA used for large gross motor play. They are not notifying parents before each trip.	

R 400.8143	Children's records.
	(3) For children under school-age, at the time of a child's initial attendance, a center shall obtain, keep on file, and make accessible in the center 1 of the following: (a) A certificate of immunization showing a minimum of 1 dose of each immunizing agent specified by the department of health and human services (DHHS). (b) A copy of a waiver addressed to DHHS and signed by the parent stating immunizations are not being administered due to religious, medical, or other reasons.
Three enrolled children did not have certificates of immunization or a waiver on file.	
R 400.8143	Children's records.
	(6) Within 30 days of a child's initial attendance, a center shall obtain, keep on file, and make accessible in the center a record of a physical evaluation of the child that notes any restrictions and is signed by a physician or the physician's designee. An electronic record from a physician's office will be accepted. The physical evaluation must be performed within 1 of the following time limits: (c) For preschoolers, within the preceding 12 months.
Eight children enrolled for over 30 days do not have physical evaluations on file signed by a physician or a physician's designee.	
R 400.8143	Children's records.
	(7) Physical evaluations must be updated as follows: (b) Every 2 years for preschoolers.
One child had a physical evaluation that was over 2 years and had not been updated.	
R 400.8149	Parent permission for transportation.
	(2) A center shall obtain a parent's written permission for any non-routine transportation before each trip.
The child care has been taking children on field trips with in the YMCA but do not have written permission that details the locations and dates/times of field trip.	

R 400.8155	Child accidents and incidents; child and staff illness.
	(5) A center shall have a written policy detailing when children, staff, and volunteers will be excluded from the center due to illness.
The child care does not have a written policy detailing when staff and volunteers would be excluded from the center due to illness.	
R 400.8161	Emergency procedures.
	(2) The written procedures must include all of the following: (a) A plan for evacuation. (b) A plan for safely moving children to a relocation site.
The posted emergency plans do not all include a detailed plan for evacuation such as, the fire plan does not include designated meeting place or how children will be moved to a relocation site. Further, the plans have 3 different relocation sites identified in different emergency plans and none of them include an address.	
R 400.8161	Emergency procedures.
	(7) A written log indicating the date and time of fire and tornado drills must be kept on file at the center.
The child care does not have a written log indicating the dates and times of fire and tornado drills.	
R 400.8170	Outdoor play area.
	(11) The playground equipment, use zones, and surfacing in the outdoor play area must be inspected by a certified playground safety inspector and an approval granted for playground equipment and areas used before issuance of an original license, upon request of the department, and before using any newly added playground equipment. The center shall provide documentation of the inspection to the department upon request and shall keep it on file at the center.
The child care installed outdoor play equipment in 2020, but did not have a certified playground inspection for approval before use.	
R 400.8170	Outdoor play area.
	(13) All pieces of playground equipment that have an elevated playing or climbing surface, regardless of the height of the

	playing or climbing surface, must be surrounded by a shock absorbing surface and meet the guidelines defined by the Consumer Product Safety Commission (CPSC) Handbook for Public Playground Safety, which is available at no cost at www.cpsc.gov. This handbook is also available for inspection, and distribution at no cost, at the Michigan Department of Licensing and Regulatory Affairs, Bureau of Community and Health Systems, Child Care Division, 611 West Ottawa Street, Lansing, MI 48933. The shock absorbing surface material may be either unitary or the loose-fill type. An exception to this subrule is provided for natural playgrounds.
The playground includes a zip-line and a climbing wall with heights exceeding 30 inches that do not have shock absorbing surface materials surrounding the fall areas.	
R 400.8173	Equipment.
	(8) A current and accurate equipment inventory must be provided to the department before issuance of the original license and updated and made available at each renewal.
The child care does not have a current and accurate equipment inventory.	
R 400.8330	Food services and nutrition generally.
	(10) Menus must be planned in advance, dated, and posted in a place visible to parents. Food substitutions must be noted on the menus the day the substitution occurs.
Menus were not posted in a place visible to parents in either preschool classroom.	
R 400.8380	Maintenance of premises.
	(1) The premises must be maintained in a clean and safe condition and must not pose a threat to health or safety.

The maintenance/electrical room and a room used for storing surplus hand weights exercise machines, and other equipment was open and accessible to child care children in the lower preschool classroom. This room also contained a maintenance cart with bleach and other toxic chemicals that were accessible. REPEAT VIOLATION ESTABLISHED Interim Dated 12/19/2019 Corrective Action Plan Dated 1/9/2020	
R 400.8380	Maintenance of premises.
	(4) Floors, interior walls, and ceilings must be kept in sound condition, good repair, and maintained in a clean condition.
The walls and ceiling surrounding the lower-level preschool ground floor windows were damaged from water and moisture causing bubbling, falling dry wall, and peeling paint. REPEAT VIOLATION ESTABLISHED LSR Dated 10/14/2020 Corrective Action Plan Dated 10/16/2020	
R 400.8380	Maintenance of premises.
	(5) There must be no flaking or deteriorating paint on interior and exterior surfaces or on equipment accessible to children.
The damage around the lower-level ground floor windows in the preschool classroom is causing paint to peel and bubble.	
R 400.8545	Fire extinguishers.
	(3) Fire extinguishers shall be properly mounted, inspected, and maintained in accordance with NFPA-10. The fire extinguisher shall bear a tag indicating the last date of inspection or service and the initials of the person who performed the inspection or service.

Fire extinguishers used by the child care facility were not inspected on a monthly basis with initial and dates of inspection. These fire extinguishers must also be serviced annually.

REPEAT VIOLATION ESTABLISHED
Interim Dated 12/19/2019
Corrective Action Plan Dated 1/9/2020

IV. RECOMMENDATION

Upon receipt of an acceptable corrective action plan, I recommend issuance of a 2nd provisional license.



5/26/2022

Beth Goding
Licensing Consultant

Date



5/26/2022

Yolanda Sims
Area Manager

Date



05/31/2022

Erika Bigelow
Division Director

Date



6/3/2022

Emily Laidlaw
Bureau Director

Date