



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

December 28, 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. Hull:

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 1/18/2023, I found 22 violation(s) listed below and explained in the attached report: listed below and explained in the attached report:

R 400.8110(14)	Applicant; licensee; licensee designee; requirements.
R 400.8110(3)(b)	Applicant; licensee; licensee designee; requirements.
R 400.8110(4)	Applicant; licensee; licensee designee; requirements.
R 400.8125(4)	Staff; volunteer; requirements.
R 400.8125(5)	Staff; volunteer; requirements.
R 400.8131(12)	Professional development requirements.
R 400.8131(3)	Professional development requirements.
R 400.8131(5)(c)	Professional development requirements.
R 400.8131(5)(d)	Professional development requirements.
R 400.8131(5)(e)	Professional development requirements.
R 400.8131(5)(f)	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(6)(c)	Children's records.
R 400.8170(3)	Outdoor play area.
R 400.8170(4)	Outdoor play area.
R 400.8330(10)	Food services and nutrition generally.
R 400.8380(1)	Maintenance of premises.
R 400.8380(5)	Maintenance of premises.
R 400.8545(3)	Fire extinguishers.
R 400.8335(1)	Food services and nutrition; provided by center.

Due to the violations, you must send us a corrective action plan by 12/24/2022. 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 3<sup>rd</sup> 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.

<b>During calendar year 2021:</b>	<b>Total</b>
Number of serious injuries that occurred in facility.	<b>0</b>
Number of deaths that occurred in the facility.	<b>0</b>

Number of substantiated cases of abuse and/or neglect of a child that occurred at the facility.	0
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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 Goding, Licensing Consultant  
Bureau of Community and Health Systems  
611 W. Ottawa  
P.O Box 30664  
Lansing, MI 48909  
(269) 615-5489

enclosure

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

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	DC130017052
<b>Licensee Name:</b>	Battle Creek Y Center
<b>Licensee Address:</b>	182 Capital Ave Ne Battle Creek, MI 49017
<b>Licensee Telephone #:</b>	(269) 788-0160
<b>Licensee/Designee:</b>	Callie Hull, Designee
<b>Name of Facility:</b>	Lemon Tree Preschool
<b>Facility Address:</b>	Battle Creek Y Ctr 182 Capital Avenue, NE Battle Creek, MI 49017
<b>Facility Telephone #:</b>	(269) 788-0160
<b>Original Issuance Date:</b>	05/13/1991
<b>Capacity:</b>	40
<b>Age Range:</b>	Ages 2 years 6 months Thru 12 years
<b>Program Components:</b>	GSRP PRESCHOOL SCHOOL AGE

**II. METHODS OF INSPECTION**

Date of On-Site Inspection(s): 12/12/2022  
 Date of Environmental Health Inspection: Food Service License  
 Date of Fire Safety Inspection: 10/2020  
 Date of Lead Hazard Risk Assessment, if applicable: 10/2016  
 Date of Documentation of Playground Compliance, if applicable: None

		No. of Records Reviewed
No. of children enrolled in care	25	18
No. of staff employed	6	6
No. of volunteers	0	0
No. of children present at time of inspection	18	
No. of staff present at time of inspection	5	
No. of volunteers present at time of inspection	0	
No. of children interviewed/observed	18	
Persons Interviewed:		
Licensee/Licensee Designee	<input checked="" type="checkbox"/>	
Program Director	<input checked="" type="checkbox"/>	
Caregiving staff	<input checked="" type="checkbox"/>	

Approved Child Use Space: The child care room on the lower level and the child care room on the main floor are approved for care.  
 Approved Program Director: Callie Hull  
 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:

<b>R 400.8110</b>	<b>Applicant; licensee; licensee designee; requirements.</b>
	(14) A center shall post a notice in a place accessible and visible to parents, staff, and visitors stating that smoking and vaping are prohibited in the center and on the center's property.
A no smoking or vaping sign is not visible for parents, staff, and visitors for the lower-level preschool. There is a sign on the entrance to the main floor preschool classroom. The two preschools have their own entrance.	
<b>R 400.8110</b>	<b>Applicant; licensee; licensee designee; requirements.</b>
	(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 and accessible to child care parents for children enrolled in the main floor preschool classroom.	
<b>REPEAT VIOLATION ESTABLISHED</b> <b>LSR Dated 5/22/2022</b> <b>Corrective Action Plan Dated 6/15/2022</b>  <b>LSR Dated 10/14/2020</b> <b>Corrective Action Plan Dated 10/16/2020</b>	
<b>R 400.8110</b>	<b>Applicant; licensee; licensee designee; requirements.</b>
	(4) There must be a licensing notebook on the premises that includes all licensing inspection and special investigation reports and related corrective action plans for the last 5 calendar years, and a summary sheet outlining the documents contained in the notebook. The notebook must be in a place accessible to parents and prospective parents at all times during the center's normal hours of operation.
The licensing notebook did not contain the licensing inspection and special investigation reports for the last 5 years, and the summary sheet was not completed.	
<b>R 400.8125</b>	<b>Staff; volunteer; requirements.</b>
	(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.
<p>The staff and volunteer screening policy posted in the classrooms indicated that comprehensive background checks would be completed on all unsupervised volunteers and child care staff; however the policy in the parent handbook indicated that volunteers would be required to complete an ICHAT and central registry clearance. The handbook policy does not meet licensing requirements for comprehensive background checks for any unsupervised volunteers.</p> <p style="text-align: center;"><b>REPEAT VIOLATION ESTABLISHED</b>  <b>LSR Dated 5/22/2022</b>  <b>Corrective Action Plan Dated 6/15/2022</b></p>	
<b>R 400.8125</b>	<b>Staff; volunteer; requirements.</b>
	<p>(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:</p> <p style="padding-left: 40px;">(a) The individual is aware that abuse and neglect of children is against the law.</p> <p style="padding-left: 40px;">(b) The individual has been informed of the center's policies on child abuse and neglect.</p> <p style="padding-left: 40px;">(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.</p>
<p>Three of the six child care staff did not have the required written statements indicating they are aware abuse and neglect is against the law, they are aware of the center's policies on child abuse and neglect and that they are mandated reporters.</p> <p style="text-align: center;"><b>REPEAT VIOLATION ESTABLISHED</b>  <b>LSR Dated 5/22/2022</b>  <b>Corrective Action Plan Dated 6/15/2022</b></p>	
<b>R 400.8131</b>	<b>Professional development requirements.</b>
	<p>(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.</p>

Child care staff have not completed required 2020, 2021 or 2022 health and safety refreshers.

**REPEAT VIOLATION ESTABLISHED**  
**LSR Dated 5/22/2022**  
**Corrective Action Plan Dated 6/15/2022**

<b>R 400.8131</b>	<b>Professional development requirements.</b>
	(3) Before caring for children, all child care staff members and unsupervised volunteers who work directly with children shall be trained on prevention of shaken baby syndrome, abusive head trauma and child maltreatment, and recognition and reporting of child abuse and neglect.
Two of the six child care staff currently caring for children have not completed the required health and safety training (module 2) which includes prevention of shaken baby syndrome, abusive head trauma, child maltreatment, and recognition and reporting of child abuse and neglect.	
<b>R 400.8131</b>	<b>Professional development requirements.</b>
	(5) Within 90 days of being hired, or the first day as an unsupervised volunteer, all child care staff members and unsupervised volunteers who work directly with children shall complete the following trainings, which may count toward annual professional development hours and are available at MiRegistry: (c) Building and physical premises safety.
Two of the six child care staff employed for over 90 days have not completed the required health and safety training (module 2) which includes building and physical premises and safety.	
<b>R 400.8131</b>	<b>Professional development requirements.</b>
	(5) Within 90 days of being hired, or the first day as an unsupervised volunteer, all child care staff members and unsupervised volunteers who work directly with children shall complete the following trainings, which may count toward annual professional development hours and are available at MiRegistry: (d) Emergency preparedness and response planning.

Two of the six child care staff employed for over 90 days have not completed the required health and safety training (module 2) which includes emergency preparedness and response planning.	
<b>R 400.8131</b>	<b>Professional development requirements.</b>
	(5) Within 90 days of being hired, or the first day as an unsupervised volunteer, all child care staff members and unsupervised volunteers who work directly with children shall complete the following trainings, which may count toward annual professional development hours and are available at MiRegistry: (e) Handling and storage of hazardous materials and appropriate disposal of bio-contaminants.
Two of the six child care staff employed for over 90 days have not completed the required health and safety training (module 2) which handling and storage of hazardous materials and disposal of bio-contaminants.	
<b>R 400.8131</b>	<b>Professional development requirements.</b>
	(5) Within 90 days of being hired, or the first day as an unsupervised volunteer, all child care staff members and unsupervised volunteers who work directly with children shall complete the following trainings, which may count toward annual professional development hours and are available at MiRegistry: (f) Precautions in transporting children, if applicable.
Two of the six child care staff employed for over 90 days have not completed the required health and safety training (module 2) which includes precautions in transporting children.	
<b>R 400.8131</b>	<b>Professional development requirements.</b>
	(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.
<p>Child care staff have not completed the required 16 hours of professional development in 2021 or 2022.</p> <p style="text-align: center;"><b>REPEAT VIOLATION ESTABLISHED</b>  <b>LSR Dated 5/22/2022</b>  <b>Corrective Action Plan Dated 6/15/2022</b></p>	
<b>R 400.8131</b>	<b>Professional development requirements.</b>
	(8) An on-going professional development plan must be developed and implemented to include all the training and professional development required by these rules.
<p>The child care facility did not have an ongoing professional development plan developed for review.</p> <p style="text-align: center;"><b>REPEAT VIOLATION ESTABLISHED</b>  <b>LSR Dated 5/22/2022</b>  <b>Corrective Action Plan Dated 6/15/2022</b></p> <p style="text-align: center;"><b>LSR Dated 10/14/2020</b>  <b>Corrective Action Plan Dated 10/16/2020</b></p> <p style="text-align: center;"><b>LSR Dated 10/17/2018</b>  <b>Corrective Action Plan Dated 11/7/2018</b></p>	
<b>R 400.8143</b>	<b>Children's records.</b>
	(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.
<p>Child information cards were missing required data such as; date of admission and employer and physician details and phone numbers.</p> <p style="text-align: center;"><b>REPEAT VIOLATION ESTABLISHED</b>  <b>LSR Dated 5/22/2022</b>  <b>Corrective Action Plan Dated 6/15/2022</b></p>	

<b>R 400.8143</b>	<b>Children's records.</b>
	<p>(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:</p> <p>(c) For preschoolers, within the preceding 12 months.</p>
<p>Children enrolled for over 30 days did not have a physical evaluation on file.</p> <p style="text-align: center;"><b>REPEAT VIOLATION ESTABLISHED</b>  <b>LSR Dated 5/22/2022</b>  <b>Corrective Action Plan Dated 6/15/2022</b></p>	
<b>R 400.8170</b>	<b>Outdoor play area,</b>
	<p>(3) A center operating with children in attendance for 3 or more continuous hours per day shall provide daily outdoor play, unless prevented by inclement weather or other weather conditions that could result in children becoming overheated or excessively chilled.</p>
<p>The child care program has not been providing daily outdoor play.</p>	
<b>R 400.8170</b>	<b>Outdoor play area.</b>
	<p>(4) A center operating with children in attendance for 3 or more continuous hours a day shall have an outdoor play area that has at least 1,200 square feet. More than 1,200 square feet of outdoor play area may be required when the minimum amount is not adequate for the number of children for which the center is licensed.</p>
<p>The child care no longer has a designated outdoor play area that can be used by the child care children. The program previously had a designated play area but installed unapproved playground equipment without notifying the department. This equipment was built and installed without an approved playground inspection. Following the last onsite inspection, a playground inspection was completed for the equipment and the play area and it was deemed unsafe for use. The licensee has indicated that they will not remove the equipment and has no other available outdoor space for outdoor play.</p>	

<b>R 400.8330</b>	<b>Food services and nutrition generally.</b>
	(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.
<p>During the onsite inspection, the menu for December was not posted. Child care staff indicated that they did not receive a menu for this month. The main floor preschool classroom had the November menu posted. The lower preschool classroom had a September menu posted.</p> <p style="text-align: center;"><b>REPEAT VIOLATION ESTABLISHED</b>  <b>LSR Dated 5/22/2022</b>  <b>Corrective Action Plan Dated 6/15/2022</b></p>	
<b>R 400.8380</b>	<b>Maintenance of premises.</b>
	(1) The premises must be maintained in a clean and safe condition and must not pose a threat to health or safety.
<p>A room near the lower-level preschool classroom is accessible to child care children. This room is not safe for children and contains unsafe equipment and chemicals such as large weight lifting equipment, heavy, adult-use weights, toxic cleaning supplies, and stacks of boxes.</p> <p style="text-align: center;"><b>REPEAT VIOLATION ESTABLISHED</b>  <b>LSR Dated 5/22/2022</b>  <b>Corrective Action Plan Dated 6/15/2022</b></p> <p style="text-align: center;"><b>Interim Dated 12/19/2019</b>  <b>Corrective Action Plan Dated 1/9/2020</b></p>	
<b>R 400.8380</b>	<b>Maintenance of premises.</b>
	(5) There must be no flaking or deteriorating paint on interior and exterior surfaces or on equipment accessible to children.
<p>The walls in the upper and lower preschool classrooms have peeling and flaking paint.</p> <p style="text-align: center;"><b>REPEAT VIOLATION ESTABLISHED</b>  <b>LSR Dated 5/22/2022</b>  <b>Corrective Action Plan Dated 6/15/2022</b></p> <p style="text-align: center;"><b>LSR Dated 10/14/2020</b>  <b>Corrective Action Plan Dated 10/16/2020</b></p>	

<b>R 400.8545</b>	<b>Fire extinguishers.</b>
	(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.
<p>Fire extinguishers near the lower-level preschool classroom and adjacent to the boiler room were not inspected on a monthly basis with the date and initials of the person inspecting.</p> <p style="text-align: center;"><b>REPEAT VIOLATION ESTABLISHED</b>  <b>LSR Dated 5/22/2022</b>  <b>Corrective Action Plan Dated 6/15/2022</b></p> <p style="text-align: center;"><b>REPEAT VIOLATION ESTABLISHED</b>  <b>Interim Dated 12/19/2019</b>  <b>Corrective Action Plan Dated 1/9/2020</b></p>	
<b>R 400.8335</b>	<b>Food services and nutrition; provided by center.</b>
	(1) Food and beverages provided by a center must be of sufficient quantity and nutritional quality to provide for the dietary needs of each child according to the minimum meal requirements of the child and adult care food program (CACFP), as administered by the Michigan department of education, based on 7 CFR part 226, 1-1-18 edition, (2018) of the United States Department of Agriculture, Food and Nutrition Service, CACFP, and is hereby adopted by reference. A copy can be obtained at no cost from CACFP at <a href="http://www.fns.usda.gov/cacfp/meals-and-snacks">http://www.fns.usda.gov/cacfp/meals-and-snacks</a> . In addition, a copy is 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.
<p>During the onsite inspection, the upper preschool did not provide children with the minimum requirement of milk during their lunch service. The child care staff indicated that they had run out of milk; however it was noted that there was additional milk located in the basement that could have been used.</p>	

**IV. RECOMMENDATION**

Upon receipt of acceptable corrective action plan, I recommend issuance of a 3<sup>rd</sup> provisional license.



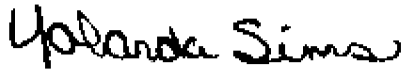
12/15/2022

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Beth Goding  
Licensing Consultant

Date

Approved By:



12/15/2022

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Yolanda Sims  
Area Manager

Date

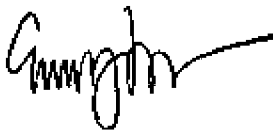


12/16/2022

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Erika Bigelow  
Division Director

Date



12/29/2022

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Emily Laidlaw  
Bureau Director

Date