



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

September 28, 2022

Foster Adoptive Family Resource
415 South 28th Street
Battle Creek, MI 49015

RE: License #: DC130292463
Investigation #: 2022D0207012
Take-A-Break Childcare Center

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:

400.R 400.8182(3) Ratio and group size requirements.

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

- I interviewed the program director, licensee, child care staff member, and parents.
- I completed an on-site inspection on the following date 8/3/2022.

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

R 400.8182(3) Ratio and group size requirements.

722.120(1)(c) 1973 Public Law Act 116

I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by 10/9/2022. 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.

| 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](#).

Sincerely,

Charnell Lennox

Charnell Lennox, Licensing Consultant
 611 West Ottawa St.
 PO Box 30664
 Lansing, MI 48909

enclosure

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

I. IDENTIFYING INFORMATION

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|---------------------------------------|---|
| License #: | DC130292463 |
| Investigation #: | 2022D0207012 |
| Complaint Receipt Date: | 08/02/2022 |
| Investigation Initiation Date: | 08/03/2022 |
| Report Due Date: | 10/01/2022 |
| Licensee Name: | Foster Adoptive Family Resource |
| Licensee Address: | 415 South 28th Street Battle Creek, MI 49015 |
| Licensee Telephone #: | (269) 660-0448 |
| Administrator: | N/A |
| Licensee Designee: | Teresa Thrash |
| Name of Facility: | Take-A-Break Childcare Center |
| Facility Address: | 415 South 28th Street Battle Creek, MI 49015 |
| Facility Telephone #: | (269) 660-0448 |
| Original Issuance Date: | 10/25/2007 |
| License Status: | REGULAR |
| Effective Date: | 05/18/2022 |
| Expiration Date: | 05/17/2024 |
| Capacity: | 60 |
| Program Type: | CHILD CARE CENTER |

II. ALLEGATION(S)

| | Violation Established? |
|--|-----------------------------------|
| Many of the child care rooms are out of ratio. | Yes |
| Additional Findings | Yes |

III. METHODOLOGY

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|------------|--|
| 08/02/2022 | Special Investigation Intake 2022D0207012 |
| 08/03/2022 | Special Investigation Initiated - On Site Interviews completed onsite with Program Director Rhonda Fracassi, Child Care Staff Member 1, Child Care Staff Member 2 and Child Care Staff Member 3 from 11:15 A.M. to 12:00 P.M. |
| 08/04/2022 | Contact – Document received Electronic attendance sheets provided by Ms. Fracassi. |
| 08/04/2022 | Contact - Document Text message from Child Care Staff Member 3. |
| 08/04/2022 | Contact - Telephone call made Phone call to licensing consultant Beth Goding. |
| 08/04/2022 | Contact - Telephone call made Phone call to Child A's mother, Child B's mother and Child C's mother. Left messages. |
| 08/04/2022 | Contact - Telephone call received Phone call from Child A's mother and Child B's mother. |

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| 08/10/2022 | Contact - Telephone call made phone call to Child C's mother. |
| 08/22/2022 | Contact - Document Received text message received from Child Care Staff Member 2. |
| 08/26/2022 | Contact - Telephone call made Exit conference completed with Licensee Teresa Thrash. |
| 08/26/2022 | Corrective Action Plan Requested and Due on 09/16/2022 |
| 09/15/2022 | Contact - Document Sent Email to Licensee Teresa Thrash reminding her the CAP is due. |

ALLEGATION: Many of the child care rooms are out of ratio.

INVESTIGATION: On 8/3/2022 I completed an onsite inspection and interviews with program director Rhonda Fracassi and child care staff members who asked for their names not be used. Ms. Fracassi reported that all classrooms are always within ratio and the child safety is their number one priority. She explained that she recently fired a child care staff member due to their attitude and believes this complaint is a result of that. She is currently short staffed and will fill in when needed in classrooms and they move children around from classroom to classroom when needed to ensure ratio is correct. Ms. Fracassi reported that parents sign the children into the center at the door, and then the child care staff members use tablets in their classroom to sign them into each room when rooms are combined or children are moved around. She reported that she could have someone from the center provide me with the attendance sheets from the computer program as she did not know how to do this. Ms. Fracassi escorted me to each classroom to complete interviews with child care staff members.

Child Care Staff Member 1 reported that at least three days a week her room is not within ratio. She is often by herself with too many children and the ratio for youngest child to the group is not followed. She does not think the staff get the support and appropriate supplies from management. She said that she is not consistent with signing the children in and out on the tablet.

Child Care Staff Member 2 reported that there are several times throughout each week that her classroom is out of ratio. She reported it is difficult for her to provide adequate care and makes her job stressful when this happens. She feels that things go much better in her room when there are at least two child care staff members present. Child Care Staff Member 2 reported that Ms. Fracassi does not substitute in her classroom when needed and she does not believe there is adequate training provided. She signs children into her classroom when she remembers.

Child Care Staff Member 3 stated that she is always within ratio and believes that she gets the adequate support she needs. I received a text message from Child Care Staff Member 3 on 8/4/2022. In the message she reported that her classroom is not always within ratio, and she apologized for lying. She stated that she was scared of losing her job if she told the truth and that her classroom is out of ratio on many occasions.

During my inspection the school age room had eleven children ages 5 and above with one child care staff member. The toddler room had four children present ages 12 to 30 months with one child care staff member. The preschool classroom had six children present ages 3-4 years old with one child care staff member.

I spoke with the assigned licensing consultant for the center, Beth Gonding on 8/4/2022 and provided her with an update of the investigation.

On 8/4/2022 I interviewed Child A and Child B's mothers. They both reported that they sign their children into the facility using the computer at the door and then the child is taken to the classroom. Child A's mother is not aware of what the ratio requirements are and just figured the center follows them because they have to. She said that at times it is very loud in the center like things are hectic, but it hasn't concerned her. Child B's mother believe there are always enough caregivers for her child's classroom. She knows her child has been moved to a different classroom throughout the day. She is not familiar with the other caregivers, so this does bother her.

I interviewed Child C's mother on 8/10/2022. She has no concerns regarding the center and is not aware of the ratio requirements. She said that her only concern this summer has been the amount of staff turnover and she thinks it's more difficult for her child to adjust to new caregivers all the time.

I was provided with a PDF of sign in and out sheets for the center by Ms. Fracassi on 8/4/2022. The sheets did not specify which classroom the children were in or specify if they had been moved from room to room. They have the drop off person's name, time of arrival, time of departure, pick up person's name and a column for "attendance authorization".

On 8/26/2022 I completed an exit conference with licensee Teresa Thrash. Ms. Thrash reported that she believes the center is within ratio and questioned the

validity of those interviewed due to the timing of the complaint with a recent termination of a child care staff member. I informed Ms. Thrash that for this investigation only current employees were interviewed, and their identities protected as they were very concerned about repercussions such as termination of their employment for speaking honestly to me. I also discussed my concerns that Ms. Fracassi did not provide truthful information during the investigation. I provided Ms. Thrash with a corrective action plan on 8/26/2022 and again on 9/15/2022.

| APPLICABLE RULE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|--|--------------------|--|--|--|--|--|-----|--|--------------------|-----|--|--------|----|-----|---|--------|----|-----|---|---------|----|-----|---|---------|----|-----|--------------|---------|----|
| R 400.8182 | Ratio and group size requirements. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | <p>(3) In each room or well-defined space, the maximum group size and ratio of child care staff members to children, including children related to a staff member or the licensee, must be as shown in Table 4:</p> <table border="1"> <thead> <tr> <th colspan="4">Table 4 Child Care Staff Member to Child Ratios</th> </tr> <tr> <th></th> <th>Age</th> <th>Child Care Staff Member to Child Ratio</th> <th>Maximum Group Size</th> </tr> </thead> <tbody> <tr> <td>(a)</td> <td>Infants and toddlers, birth until 30 months of age</td> <td>1 to 4</td> <td>12</td> </tr> <tr> <td>(b)</td> <td>Preschoolers, 30 months of age until 3 years of age</td> <td>1 to 8</td> <td>16</td> </tr> <tr> <td>(c)</td> <td>Preschoolers, 3 years of age until 4 years of age</td> <td>1 to 10</td> <td>30</td> </tr> <tr> <td>(d)</td> <td>Preschoolers, 4 years of age until school-age</td> <td>1 to 12</td> <td>36</td> </tr> <tr> <td>(e)</td> <td>School-agers</td> <td>1 to 18</td> <td>36</td> </tr> </tbody> </table> | | | Table 4 Child Care Staff Member to Child Ratios | | | | | Age | Child Care Staff Member to Child Ratio | Maximum Group Size | (a) | Infants and toddlers, birth until 30 months of age | 1 to 4 | 12 | (b) | Preschoolers, 30 months of age until 3 years of age | 1 to 8 | 16 | (c) | Preschoolers, 3 years of age until 4 years of age | 1 to 10 | 30 | (d) | Preschoolers, 4 years of age until school-age | 1 to 12 | 36 | (e) | School-agers | 1 to 18 | 36 |
| Table 4 Child Care Staff Member to Child Ratios | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Age | Child Care Staff Member to Child Ratio | Maximum Group Size | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (a) | Infants and toddlers, birth until 30 months of age | 1 to 4 | 12 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (b) | Preschoolers, 30 months of age until 3 years of age | 1 to 8 | 16 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (c) | Preschoolers, 3 years of age until 4 years of age | 1 to 10 | 30 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (d) | Preschoolers, 4 years of age until school-age | 1 to 12 | 36 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (e) | School-agers | 1 to 18 | 36 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| ANALYSIS: | There is evidence to support the allegation that the center is consistently out of ratio based on Child Care Staff Member interviews. |
| CONCLUSION: | VIOLATION ESTABLISHED |

ADDITIONAL FINDINGS:

INVESTIGATION:

During my onsite inspection and interview Ms. Fracassi reported that the center is never out of ratio, and child safety is her number one priority. She stated that she will fill in for classrooms when needed. Child Care Staff Member 1, Child Care Staff Member 2, and Child Care Staff Member 3 all reported that prior to my interview with them, they were told by Ms. Fracassi to tell me that their classroom is always within ratio. The child care staff members all reported they were fearful their employment would be terminated by Ms. Fracassi if they were honest. They all asked for their names to not be used in the investigation report.

| APPLICABLE RULE | |
|------------------------|---|
| 722.120(1)(c) | 1973 Public Law Act 116. |
| | <p>(1) The department may investigate, inspect, and examine conditions of a child care organization and may investigate and examine the books and records of the licensee. The licensee shall cooperate with the department's investigation, inspection, and examination by doing all of the following:</p> <p>(a) Admitting members of the department into the child care organization and furnishing all reasonable facilities for thorough examination of its books, records, and reports.</p> <p>(b) Allowing the department to perform routine investigative functions during the course of an investigation, inspection, or examination. Routine investigative functions include, but are not limited to, interviewing potential witnesses, such as staff and household members, and taking photographs to assess and document the conditions of the child care organization and its compliance with this act and the rules promulgated under this act.</p> <p>(c) Providing accurate and truthful information to the department, and encouraging witnesses, such as staff and household members, to provide accurate and truthful information to the department.</p> |

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| ANALYSIS: | Ms. Fracassi asked child care staff members to be dishonest during a licensing investigation and was not truthful with the department during the investigation. |
| CONCLUSION: | VIOLATION ESTABLISHED |

IV. RECOMMENDATION

Upon receipt of an approved corrected action plan, I recommend no change in license status.

Charnell Lennox

9/28/2022

Charnell Lennox
Licensing Consultant

Date

Approved By:

Yolanda Sims

9/28/2022

Yolanda Sims
Area Manager

Date