



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

REDACTED REPORT

June 13, 2023

Becky Samra
Kinderhaus Montessori PreSchool
701 N. Linden St.
Marshall, MI 49068

RE: License #: DC130400330
Investigation #: 2023D0217013
Kinderhaus Montessori School

Dear Mrs. Samra:

I conducted a special investigation because the child care licensing division received information regarding your facility that related to licensing rules or law. The information was related to the following:

R 400.8125(1) Staff; volunteer; requirements

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

- I interviewed the program director, child care staff members, parents, children, and others with relevant information.
- I completed an on-site inspection on the following date: 4/25/2023.

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

R 400.8158(3) Incident, accident, injury, illness, death, fire reporting.
R 400.8158(4) Incident, accident, injury, illness, death, fire reporting.

Due to the violations, you must send us a corrective action plan by 6/29/2023. 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"/>	<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"/>

You will be sent two copies of this report. One is **not for public disclosure** and one is a **redacted report**.

- The report marked **not for public disclosure** is for your records only. This copy may contain legally protected information. It must not be placed in your licensing notebook.

The report marked **redacted report** may have some legally protected information blacked out. The **redacted report** and any related corrective action plans must be placed in your licensing notebook. The **redacted 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,



Beth Goding, Licensing Consultant
 Child Care Licensing Bureau
 611 W. Ottawa
 P. O. Box 30837
 Lansing, MI 48909
 (269) 615-5489

enclosure

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

I. IDENTIFYING INFORMATION

License #:	DC130400330
Investigation #:	2023D0217013
Complaint Receipt Date:	04/24/2023
Investigation Initiation Date:	04/24/2023
Report Due Date:	06/23/2023
Licensee Name:	Kinderhaus Montessori PreSchool
Licensee Address:	701 N. Linden St. Marshall, MI 49068
Licensee Telephone #:	(269) 781-4062
Administrator:	Becky Samra, Designee
Licensee Designee:	Becky Samra, Designee
Name of Facility:	Kinderhaus Montessori School
Facility Address:	701 N. Linden St. Marshall, MI 49068
Facility Telephone #:	(269) 781-4062
Original Issuance Date:	08/21/2019
License Status:	REGULAR
Effective Date:	02/23/2022
Expiration Date:	02/22/2024
Capacity:	112
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
Inappropriate care and supervision resulted in Child A (male, [REDACTED]) and Child B (male, [REDACTED]) receiving multiple injuries.	No
Additional Findings	Yes

III. METHODOLOGY

4/22/2023	Contact - Face to Face [REDACTED] completed a face to face interview with Child A's Mother and Father and observed Child A during a home visit.
4/22/2023	Contact - Face to Face [REDACTED] completed a face to face visit and interview with Child B and C's Mother and observation of Child B and C at their home.
04/24/2023	Special Investigation Intake 2023D0217013
04/24/2023	Special Investigation Initiated - Telephone Phone contact with [REDACTED]. Arranged onsite for next date.
04/25/2023	Contact - Face to Face at 9:30 AM till 10:15 AM. Face to Face interview with Child A's Mother and Father and Child A at their home.
04/25/2023	Inspection Completed On-site Unannounced onsite inspection from 10:15 AM until 12:00 PM with [REDACTED]. Interviews completed with program director Becky Samra, and child care staff member 1 (CCSM1) child care staff member 2 (CCSM2) child care staff member 3 (CCSM3) and child care staff member 4 (CCSM4).
04/25/2023	Contact - Telephone call made [REDACTED] completed phone contact with Child D's Mother while onsite. Agreed to allow interview with Child D.

04/25/2023	Contact – Telephone call made. ██████████ and I completed phone contact with Child I's Mother while onsite.
04/25/2023	Contact - Face to Face ██████████ completed a face to face interview with Child D at the child care center.
04/25/2023	Contact - Telephone call made Phone contact with Child A's Father and Child A's Mother.
05/04/2023	Contact - Telephone call made Phone contact with Child E and F's Mother.
05/04/2023	Contact - Telephone call made Phone contact with Child G and H's Mother.
05/04/2023	Contact - Telephone call made Attempted phone contact with Child I's Mother. Left message.
05/04/2023	Contact - Telephone call made Attempted phone contact with child care staff member 5 (CCSM5). Left message.
05/04/2023	Contact - Telephone call made Phone contact with Child I's Mother.
05/04/2023	Contact - Telephone call received ██████████ received a call from Child G and H's Father.
05/11/2023	Contact - Telephone call received Phone contact with CCSM5.
05/11/2023	Contact – Telephone call made. Notified ██████████ of conversation with CCSM5.
05/12/2023	Contact- Telephone call made. ██████████ had phone contact with CCSM5.
05/15/2023	Contact - Telephone call made ██████████ completed phone contact with child care staff member 6 (CCSM6).
05/18/2023	Contact - Telephone call made Case conference with ██████████

06/05/2023	Contact - Document Received Received [REDACTED].
06/06/2023	Exit Conference Ms. Samra
06/06/2023	Inspection Completed-BCAL Sub. Compliance
06/06/2023	Corrective Action Plan Requested and Due on 06/28/2023

ALLEGATION: Inappropriate care and supervision resulting in Child A (male, [REDACTED]) and Child B (male, [REDACTED]) receiving multiple injuries.

INVESTIGATION: On 4/22/2023 [REDACTED] completed a home visit and face to face with Child A's Mother and Father and Child A. Child A's Mother reported that she has concerns about lack of supervision at the child care facility which she believes have led to her child being injured on multiple occasions.

Child A's Mother reported that there were two incidents in October where Child A was injured within the span of four days. The first incident occurred on 10/27/2022 when the child care reported that Child A was playing on a rainbow shaped climbing toy when he fell off of it onto the floor, [REDACTED] and had a [REDACTED]. She reported that the child care staff did call and notify her of the incident and injury. Child care staff told her that they had looked away for a bit when the incident occurred. Child A's Mother reported that she did take him to the doctor for examination. He did not require stitches but was [REDACTED].

Child A's Father reported that the time Child A [REDACTED], he had only been walking for a few months and was not stable on his feet. Child A's Father did not think it was unusual for Child A to fall and hurt himself, because he was just learning to walk. He expressed that after the second incident a few days later, he began to think it may be related to lack of supervision.

The second incident occurred on 10/31/2022 on the playground. Child A's Mother and Father stated that the incident occurred approximately 10 minutes before Child A's Father was arriving to pick him up for the day. They denied being notified of the injury before Child A's Father arrived to pick up. Child care staff told him at pick up that Child A was outside on the playground and tripped and fell while walking and [REDACTED] on the wood of the sandbox. Child A had a [REDACTED] from the incident.

Child A's Father reported that when he picked up Child A on that date the children were still on the playground. He reported that it seemed like too many children on

the playground for the number of child care staff. He was not able to state how many children were present or how many child care staff. He feels that the child care staff may not always be supervising the children when they are on the playground.

On 4/22/2023 [REDACTED] completed a home visit and face to face with Child B and C's Mother and Father and Child B and Child C (male, [REDACTED]). Child B and C's Mother reported that when she picked up the children on 4/21/2023, Child B immediately reported to her that he had a bad day at school. Child B reported that he was [REDACTED] by some other child care children when they were on the playground. He admitted to [REDACTED] one of the children back, but then all of the other children [REDACTED] on him and began [REDACTED] him while he [REDACTED] on the ground. Child B and C's Mother reported that Child B also reported being [REDACTED] during this incident.

Child B and C's Mother asked Child B if any child care staff assisted him or observed the incident. He reported that child care staff member 5 (CCSM5) only came over and told the other children "no" and then walked away. After they got home that day, she took off Child B's shirt and noticed he had [REDACTED] his [REDACTED]. Once she observed the injuries, she took him to the doctor's office for an examination. No medical treatment or other intervention was needed.

Child B and C's Mother further reported that back in the fall, Child B was [REDACTED] the toddler slide by some other children and when he got to the bottom the children [REDACTED] him and he had [REDACTED]. She expressed that the child care has not really responded to these issues and seems to have a "hands off" approach as their goal is to be more independent and figure out issues on their own. She feels that this may result in them not providing enough supervision. She further stated that the child care only told her that the children involved had been "dealt with" and that this would not be a problem for much longer because those boys were going to school next year.

Child B and C's Mother and Father stated that they have never been given details on the incidents or reassurance that the incidents would not continue. Child B and C's Father stated that they feel that there are simple solutions to the problem, but that the child care is not following up as needed.

On 4/25/2023 [REDACTED] and I completed a home visit and interviews with Child B and C's Mother and Father. Child B and C were also present during the visit. Child B and C's Mother reported that Child B attends the ½ day morning preschool program. They both expressed concerns with the level of supervision at the child care, because their child has been involved in several incidents of [REDACTED] with other children and had [REDACTED]. They do not feel that the child care is taking these issues seriously or addressing at all.

In the fall of last year, Child B had an incident where he received a [REDACTED] [REDACTED]. At that time, child care staff member 2 (CCSM2) was his teacher and she told

them Child B had been [REDACTED] off the slide by two boys, and then one of the boys [REDACTED] him [REDACTED]. The child care did not provide them with a written incident report and did not call them when this incident occurred. They only found out when they arrived for pick up. CCSM2 told them that she had "handled it" with the other boys involved.

On 4/20/2023 Child B reported that while on the playground, another boy [REDACTED] him in the [REDACTED]. Child B and C's Mother and Father indicated that the child care allows the children to play with sticks and rocks as part of their natural playground. They do not believe that the child care staff are supervising this play properly, because the kids [REDACTED] each other with [REDACTED] at each other. Child B and C's Mother reported that she works with Child I's Mother and that they recently pulled Child I (male, [REDACTED]) from care, because he has been [REDACTED] with [REDACTED] and had [REDACTED] him. When Child I's Mother spoke to the program director Becky Samra about her concerns with the sticks and rocks, she was told "this is Montessori and that's how it is."

Child B and C's Mother reported that Child I's story was in the back of her mind when Child B told her he had been hit with [REDACTED]. She checked his [REDACTED] and [REDACTED]. She contacted CCSM2 and asked if she was aware of the incident. CCSM2 told her that Child B and another child had [REDACTED]. CCSM2 never gave her a written incident report and did not call to notify her of the situation. She only knew about his incident because Child B reported to her at pick up.

On 4/21/2023 Child B had another incident on the playground when two other boys became upset with him for putting needles in their mud soup, so they began [REDACTED] him and [REDACTED]. Child B told her he had "owies" from the incident, so she examined his [REDACTED]. She reached out to CCSM2 to ask about the incident, but CCSM2 told her she did not see any such incident because she was on break when the children were on the playground. She suggested that child care staff member 5 (CCSM5) was on the playground with the children that day and may have more information. CCSM2 indicated that she was sorry for any incidents and would notify the director of their concerns.

Child B and C's Mother reported that program director Becky Samra reached out to her yesterday to follow up. Ms. Samra told her that CCSM5 was on the playground with the children during the 4/21/2023 incident. CCSM5 told her that she observed Child B playing in the mud with other children, and that there was mud flying. She intervened because the mud was flying but did not see any physical altercation. CCSM5 reported that Child B was on the ground when she walked up, but that Child B just got up and walked away. Child B did not report to CCSM5 that he was hurt or that there was an physical incident, so she did not think there was any issue.

Child B and C's Mother reported that Child B does have a [REDACTED] [REDACTED] so she really worries about him getting [REDACTED]. She

realizes the playground is huge and she feels that the supervision is limited with the large space and large number of children outside at one time. Child B and C's Mother and Father indicated they do not believe the child care is out of ratio or over group size when on the playground. They further stated that the child care staff do appear to spread out in an effort to supervise all areas, but there is usually one area that is less monitored than the rest because the playground is so large.

Child B and C's Mother and Father stated that they did not get any incident reports or phone calls with any of the three situations. They only know about the incidents because Child B reported it to them, and they followed up by contacting the child care staff. They know there are good people at the child care, and that it is overall a good place, but they are concerned about the lack of supervision and communication.

██████████ forensically interviewed Child B while at the home. Child B was quite active during the interview and was difficult to follow at times. He reported that another child at the child care "██████████." He said he didn't want this child to ██████████ him. He reported that CCSM5 was present and told them "No." He stated that the other child ██████████ him "because they didn't want me to put ingredients in the soup." He stated that CCSM5 dumped the soup out. His mom took him to the doctor for his "owies" and pointed to his ██████████. There were no visible injuries to his ██████████. He started playing and stopped answering questions.

On 4/25/2023 ██████████ and I completed and unannounced onsite inspection and interview with Ms. Samra and child care staff member 1 (CCSM1), child care staff member 2 (CCSM2), child care staff member 3 (CCSM3) and child care staff member 4 (CCSM4). Ms. Samra was notified of the reported allegations. She acknowledged that she spoke to Child B and C's Mother yesterday about the three reported incidents. She also followed up with any child care staff that may have witnessed or been involved in any of the incidents with Child B.

Ms. Samra reported that during the 4/21/2023 incident, CCSM2 was on lunch break while the children were on the playground. CCSM5 was covering for her during this time. CCSM5 reported that Child B and a couple of other children were making mud soup. At one point, all of them began throwing mud around so CCSM5 intervened and told them to stop. CCSM5 stated that Child B was on the ground when she intervened, but she did not observe any physical altercation between the boys. CCSM5 also stated that Child B did not present as injured or report any incident of being hit. Ms. Samra spoke to the other child care staff that was on the playground, and no one noticed an incident of Child B being hit.

Ms. Samra stated that Child B and C's Mother did tell her about an incident of Child B being ██████████ a few days ago, but she did not know about this incident so she could not respond at the time. Child B and C's Mother also told her about an earlier incident of Child B being ██████████ a slide, but she did not recall that incident

either. She did follow up with CCSM2 about each scenario. CCSM2 confirmed there was an incident where Child B [REDACTED] slide. CCSM2 reported that she is not sure if an ouch report was written up for that incident, but they did notify the parent at pick up. CCSM2 also confirmed that Child B was involved in a [REDACTED] incident earlier this year, and the child care staff intervened and talked to the boys about their behavior. CCSM2 was not sure if an ouch report was completed for the [REDACTED] incident.

Ms. Samra reported that the child care children are allowed to use sticks for building forts, making dirt paths and other similar activities. They are not allowed to use for hitting. She stated that if the children start to use the sticks inappropriately, the child care staff intervene and take away the sticks. She expressed that it is not uncommon for the boys to try and use the sticks as weapons, but they do that with almost every toy. The child care staff know that they are not to allow or encourage this type of play and to stop it anytime it occurs.

Ms. Samra was not aware that there were concerns with supervision related to the incidents involving Child A. She reported that she is aware of the incident involving Child A [REDACTED] on the [REDACTED]. She reported that Child A was just over a year old and was a new walker. He was climbing on a climb and crawl activity foam play toy in a rainbow shape (pictures included). The rainbow shape is made up of three separate rainbow shapes, all different size variations that can all fit together to form one solid rainbow. The toy is approximately one foot in height at the peak of the rainbow shape, soft mat foam material, and approximately three feet in length when measuring the toy all put together. Child A was climbing up the rainbow and fell, [REDACTED] to the carpeted ground. He immediately [REDACTED]. The child care staff immediately notified the parents, and they picked him up and took to urgent care. An internal ouch report was completed and given to the parents.

Ms. Samra stated that she was not aware of the incident involving Child A falling on the playground and [REDACTED]. She is aware of [REDACTED] but pointed out that children in that age group often have biting incidents. They do everything they can to stop repeated [REDACTED], but sometimes it happens so fast they do not have a chance to stop it from occurring.

CCSM1 has been working at the child care for over a year. She reported that she is a "floater" and covers breaks for child care staff in all of the classrooms. She was working in the preschool classroom and was on the playground with Child B on the day of the mud pie incident. She knows that CCSM5 intervened to stop Child B and some other boys from throwing mud, but she is not aware of any physical altercation. CCSM1 expressed that Child B never reported any issues of being hit or hurt while on the playground that day or later. He did not present as crying or upset at any time that day.

CCSM1 is not sure if was working the day Child B was reportedly [REDACTED]. The child care policy is to take away sticks and talk to the children about safety issues if ever observe them hitting or using inappropriately. CCSM1 stated that if a child reports an injury or incident, the staff will console, provide first aid, and talk to them about what occurred. The lead child care staff will call and notify the parents. She is not aware of any incidents involving Child A.

CCSM2 is the lead child care staff in the preschool classroom with Child B. She has worked at the child care facility for over 4 years. On the day of the last reported incident (the mud pie incident) involving Child B, she was on a lunch break and not on the playground. She stated that CCSM1 and CCSM5 were on the playground with the children that day. She saw Child B immediately after they returned from the playground. He did not appear upset or hurt. He was active and playful and did not report any issues. CCSM1 and CCSM5 denied any incidents on the playground.

CCSM2 reported that after Child B went home that day, his mother texted her and reported that he had [REDACTED] from a incident with two other boys [REDACTED] him on the playground. CCSM2 told her she was not aware of any incident, and would talk to the other staff. CCSM5 told her that the only incident involving Child B on the playground was he and two other boys making mud soup and throwing it at each other. CCSM5 reported that she intervened because they were throwing mud and told them to stop. She reported that Child B was sitting on the ground when she intervened, and she asked him if he was ok. Child B responded that he was fine and did not report any physical altercation or injury.

CCSM2 stated that the other two children involved in the mud soup incident were Child D (male, [REDACTED]) and Child G (male, [REDACTED]). CCSM2 reached out to their parents and the parents spoke to the children. Both of the boys [REDACTED] Child B, but also reported that he [REDACTED] them and [REDACTED]. The parents of each child talked to them about their behaviors. CCSM2 stated that she had not written up an incident report regarding this situation.

CCSM2 expressed that Child B's Mother did mention another incident involving Child B getting [REDACTED]. CCSM2 reported that she did not directly witness this incident, but her assistant CCSM6 did observe and intervene. CCSM6 told her that Child B and another boy began [REDACTED] other [REDACTED]. She immediately intervened and took the [REDACTED] away from both boys. Neither child reported an injury from the incident nor presented as hurt in any way. No incident report was completed because it did not appear that either child was injured, and they were both hitting each other.

CCSM2 stated that she does not recall the earlier reported incident involving Child B being [REDACTED]. She acknowledged that she likely talked to Child B and C's Mother about what occurred, but she does not recall it at all.

CCSM2 stated that she is aware of the reported incident involving Child A falling off the rainbow toy in his classroom and [REDACTED]. CCSM3 was working in Child A's classroom when the incident occurred and came to get CCSM2 from the preschool room for assistance. CCSM2 had her call Child A's parents right away and had her write an incident report. Child A's parents came right away to pick up. CCSM2 is not aware of the incident of Child A [REDACTED] on the playground or any other issues with Child A.

CCSM2 is familiar with Child I and the reported issues that resulted in his parents pulling him from the child care. She stated that Child I's Mother contacted her and reported that Child I was being [REDACTED] the classroom and on the playground. She reported that Child I had been [REDACTED] and [REDACTED] at him. CCSM2 was surprised by the allegations and concerns. She stated that Child I was a good kid that got along with all the other children. He played actively with other children, and she does not recall any incident of Child I being [REDACTED] and [REDACTED]. She reported that the only injury incident she recalls, is Child I was getting in line to go home with all the other children, and a little girl accidentally [REDACTED] [REDACTED].

CCSM3 is the lead teacher in Child A's classroom. She has worked at the child care for almost 2 years. She was working on the day of each incident involving Child A. She reported that the first incident was when Child A fell off a rainbow foam climbing toy. She stated that Child A and another child were both playing on the toy when the incident occurred. CCSM3 was sitting right there and watching the children when Child A [REDACTED] to the carpeted ground and [REDACTED]. She used a [REDACTED] [REDACTED] and asked for CCSM2 to come and assist.

CCSM3 stated that they immediately called the parents, and they came to pick up quite quickly. They took him to the urgent care and his [REDACTED] [REDACTED]. CCSM3 stated that the accident was not related to lack of supervision. She did complete the required internal incident report.

CCSM3 stated that a day or so after Child A had [REDACTED], he was running on the grass towards a play area that has wooden barriers surrounding it to keep in the wood chips. He tripped on the grass and [REDACTED]. She saw him running and was right behind him when he tripped and fell. He did [REDACTED] a little and there [REDACTED]. CCSM3 stated that she immediately called Child A's Father and notified. Child A's Father arrived shortly after to pick him up. He did not ask CCSM3 anything about the incident and seemed fine. Child A was calm and his [REDACTED]. She believes an ouch report was completed and sent home with the father.

CCSM4 has worked at the child care for approximately one year and has been working in Child A's classroom. She was working the day that Child A [REDACTED] [REDACTED]. She was changing a diaper and CCSM3 was on the floor helping and watching Child A and another child while they climbed and played on the foam

rainbow climbing toy. Child A was on the toy and [REDACTED] to the carpeted ground and [REDACTED]. The parents were called immediately, and Child A was picked up and taken to urgent care for treatment.

CCSM4 stated that a day or two after Child A [REDACTED], he was running on the playground and fell and hit his [REDACTED] that surrounds one of the play areas to keep in the wood chip ground cover. CCSM3 was right by Child A when he fell. She took Child A inside, applied pressure and called his father. CCSM4 does not know if Child A's Father came early to pick him up or not. No medical follow up occurred. An ouch report was written up and given to Child A's Father.

CCSM4 stated that she realizes it seems weird that Child A had two incidents resulting in an injury within two days of each other. She expressed that both incidents were simply accidents and not related to a lack of supervision. They almost always write up an ouch report if a child is injured, so she is sure that one was completed for both incidents. These are given to the parents and copies are not saved by the child care.

During the onsite inspection, [REDACTED] completed phone contact with Child D's Mother to ask for permission to interview Child D while at the child care. Child D's Mother agreed to allow [REDACTED] to forensically interview Child D.

[REDACTED] forensically interviewed Child D while he was finishing lunch in his classroom. Child D repeatedly attempted to leave during the interview. He reported that when they play with sticks they will [REDACTED]. He reported that he was recently making mud pies. He was asked if he played with Child B while making mud pies. He stated that he does not like playing with Child B. He stated that when they make mud pies they get muddy and touch each other to make themselves "mud monsters." He reported that they will be on "teams," and he has lots of kids on his team. He stated that Child B is on [REDACTED]. He was asked if anyone [REDACTED] anyone else while they were playing. He stated that "Child B [REDACTED]." He reported that Child B [REDACTED] "because he wanted to." He denied that anyone hit him back. He further stated, [REDACTED]. He denied that anyone was [REDACTED] the ground. He reported that CCSM5 told them not to play in the mud. He denied that she said anything else to them.

[REDACTED] completed phone contact with Child I's Mother while at the child care facility. She asked for permission to interview Child I, but he is out of the center at this time for a [REDACTED]. She agreed to allow Child I to be interviewed at a later time. Child I has been attending care for approximately two years. She denied having any concern with supervision. Child I has not been injured while in care.

On 4/25/2023 [REDACTED] completed a follow up phone contact with Child A's Father. Child A's Father stated that it is possible that the child care contacted him regarding the incident of Child A [REDACTED]. He believes that they may have called when he was already on his way.

On 4/25/2023 [REDACTED] completed a follow up phone contact with Child A's Mother. She reported that Child A's Father just texted her and stated that he checked his phone and the child care did call him on the day Child A [REDACTED] on the playground. Child A's Mother stated that she is [REDACTED] with Child A's treating physician and they went trick or treating together the night that Child A [REDACTED]. His doctor told her that it was a [REDACTED], and no other medical attention is necessary. Child A's Mother expressed that she does not really feel that the child care was negligent or failed to provide appropriate supervision. She reported that Child A is an active boy and it just happened. Unfortunately, he had accidents two days apart, so it seemed concerning at the time.

On 5/4/2023 [REDACTED] and I completed phone contact with Child E and F's Mother. Child E (female, [REDACTED]) and Child F (female, [REDACTED]) have been enrolled for over a year. She has had a great experience with the child care. If one of her children has had an accident with a resulting injury, they always send a text or call and give an ouch report form. Child E is enrolled in the same classroom as Child A and Child F is the classroom with Child B. There are always enough staff and no concerns with supervision.

On 5/4/2023 [REDACTED] and I completed phone contact with Child G and H's Mother. Child G and Child H (male, [REDACTED]) have been enrolled for approximately two years. Child G is enrolled in the same classroom as Child B and was reportedly one of the boys involved in the mud pie incident.

Child G and H's Mother reported that CCSM2 contacted her and notified that another child was reporting that Child B had [REDACTED]. She was surprised because Child G is [REDACTED] kid that typically [REDACTED] with other children. She is unsure what happened, but she talked to Child G about not touching other children in that way and to keep his hands to himself. Child G and H's Mother denied any concerns with the child care. The two boys have gotten minor, accidental injuries a few times, but the child care always notifies.

On 5/4/2023 [REDACTED] and I completed phone contact with Child I's Mother. Child I's Mother believes that Child I experienced some [REDACTED] from the older kids while he was attending. When he first started things were going great, but around October 2022 things started to go downhill. Child I would come home daily and report that he was being [REDACTED]. She stated that Child I is quite [REDACTED], but he would report that children were [REDACTED] at him, [REDACTED] and other children [REDACTED] him. She was notified about one incident of him being [REDACTED], but no other incidents were reported. She felt that the child care treated the incidents as "kids will be kids" and did not address properly. She does not believe that the child care provides enough supervision on the playground, and that is why all these incidents are occurring. She wrote them when she pulled Child I from care and explained that he did not feel safe there. They did not attempt to discuss with her at all.

On 5/4/2023 [REDACTED] had phone contact with Child G and H's Father. He expressed that the child care contacted him to discuss the reported incident involving Child G, Child I and Child B on the playground. He felt that the child care handled it correctly by following up with the involved parents. He is a teacher and knows it can be difficult to keep direct supervision of all the children at all times. He feels that the child care staff do their best to keep eyes on all the kids, but they cannot possibly see everything or stop everything before it starts. He did request that Child G not be interviewed, because they have already discussed the situation with him.

On 5/11/2023 I had phone contact with (CCSM5). She was made aware of the reported allegations and concerns involving Child B. She was one of the child care staff members on the playground during the mud pie incident. She stated that Child B, Child G, and Child I were playing in the mud and making mud pies. She was keeping an eye on them and saw them start to throw the mud and rub the mud on each other. She intervened and told them to stop and no more mud.

CCSM5 stated that she absolutely did not see any of the children become physical in any other way. No child was hitting with sticks or pushing. She would not allow that type of behavior if she saw it occur. She checked to make sure all of the boys were okay, because mud was thrown around. They all denied any issues or concerns. Child B was not upset or crying and did not verbalize any incident to her. She did not write anything up because she did not see any incident that would require this to be done and no one reported any injury.

On 5/12/2023 [REDACTED] had phone contact with CCSM5. She reported that on the day of the mud pie incident, it was a gloomy and overcast day. Child B, Child G and Child I were making mud pies and scooping mud onto logs. She was observing them the whole time from approximately 10 feet away. At one point, she saw that they were starting to throw mud at one another. She intervened and told them no more mud. The boys were all trying to blame each other for throwing mud, but never did any one report a physical altercation. She never observed anyone hitting or pushing each other. No one was crying or upset. She has been a teacher and worked in child care for over 32 years and she feels qualified to recognize "bullying" and she did not see anything to support that was occurring. She has not observed Child B being picked on or left out. She did not file any report on the incident, because she did not feel it was warranted. She is not familiar with the other reported incidents. She does not work in Child A's classroom and primarily floats around in the preschool rooms. She has observed children trying to use the sticks on the playgrounds as play [REDACTED] and the child care staff always intervene when that occurs.

On 5/15/2023 [REDACTED] had phone contact with child care staff member 6 (CCSM6). She has worked at the child care for approximately one year and is an assistant in the preschool classroom. She was working the day Child B reported he

was [REDACTED] on the ground. Child B did report to her that he was [REDACTED] another child. She did not see the actual [REDACTED], but she saw the boys all playing [REDACTED]. She talked to the other child involved, took the [REDACTED], and talked to all the children about appropriately using the [REDACTED]. The other child involved apologized to Child B for [REDACTED] and they resumed playing.

CCSM6 stated that anytime the children have sticks and are not using them appropriately, they remove them from them. They actually removed most of the sticks from the playground since this incident. The child care likes to encourage imaginative play but not when it is dangerous. She does not know anything about Child B being [REDACTED] in the past. She never works in the classroom with Child A and is not aware of anything related to his reported incidents.

On 5/18/2023 I had a phone case conference with [REDACTED] [REDACTED] will be closing her case with no findings.

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:	There is not enough information to support that child care staff failed to provide appropriate care and supervision when the reported incidents occurred.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION: During the onsite inspection, Ms. Samra acknowledged that she was aware that Child A was seen by a physician and treated for an injury that occurred at the child care. She was also aware that Child B was taken to the doctor for an examination following the mud pie incident. She did not notify licensing verbally within 24 hours or follow up with written notice for either incident.

APPLICABLE RULE	
R 400.8158	Incident, accident, injury, illness, death, fire reporting.
	(3) A licensee, licensee designee, or program director shall report to the department, via phone, fax, or email, within 24 hours of notification by a parent that a child received

	medical treatment or was hospitalized for an injury, accident, or medical condition that occurred while the child was in care.
ANALYSIS:	Ms. Samra failed to notify the department within 24 hours of two incidents of children receiving medical treatment following an accident at the child care.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.8158	Incident, accident, injury, illness, death, fire reporting.
	(4) A licensee, licensee designee, or program director shall submit a written report to the department of the occurrences outlined in subrules (1), (2), (and (3) of this rule, in a format provided by the department, within 72 hours of the verbal report to the department.
ANALYSIS:	Ms. Samra failed to submit a written report to the department within 72 hours of two incidents of children receiving medical treatment following an accident at the child care.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Upon receipt of an acceptable corrective action plan, I recommend no change to the status of the license.



6/12/2023

Beth Goding
Licensing Consultant

Date

Approved By:



6/13/2023

Yolanda Sims
Area Manager

Date