



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

March 14, 2022

Katelyn Barton
Battle Creek Y Center
182 Capital Ave Ne
Battle Creek, MI 49017

RE: License #: DC130406016
YMCA Lemon Tree Preschool At Crowell School
1418 Cooper Street
Albion, MI 49224

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 3/4/2022, I found 27 violation(s) listed below and explained in the attached report: listed below and explained in the attached report:

R 400.8110(12)	Applicant; licensee; licensee designee; requirements.
R 400.8110(3)(a)	Applicant; licensee; licensee designee; requirements.
R 400.8110(3)(c)	Applicant; licensee; licensee designee; requirements.
R 400.8110(4)	Applicant; licensee; licensee designee; requirements.
R 400.8112(2)(b)	Comprehensive background check; fingerprinting.
R 400.8112(2)(d)	Comprehensive background check; fingerprinting.
R 400.8112 (2)(e)	Comprehensive background check; fingerprinting.
R 400.8113(2)(b)	Program director qualifications; responsibilities.
R 400.8125(4)	Staff; volunteer; requirements.
R 400.8128	Staff; volunteer; tuberculosis.
R 400.8131(3)	Professional development requirements.
R 400.8131(4)	Professional development requirements.
R 400.8131(5)	Professional development requirements.
R 400.8131(8)	Professional development requirements.
R 400.8143(1)	Children's records.
R 400.8143(6)	Children's records.
R 400.8161(4)	Emergency procedures.
R 400.8161(5)	Emergency procedures.
R 400.8161(6)	Emergency procedures.
R 400.8164(2)	Telephone service.
R 400.8164(3)	Telephone service.
R 400.8170(11)	Outdoor play area.
R 400.8170(16)	Outdoor play area.
R 400.8315(1)	Food and equipment storage.
R 400.8330(10)	Food services and nutrition generally.
R 400.8335(8)	Food services and nutrition; provided by center.
R 400.8545(3)	Fire extinguishers.

Due to the violations, you must send us a corrective action plan by 3/28/2022. 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 Goding, Licensing Consultant
Child Care Licensing Bureau
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

License #: DC130406016

Licensee Name: Battle Creek Y Center

Licensee Address: 182 Capital Ave Ne
Battle Creek, MI 49017

Licensee Telephone #: (269) 788-0160

Licensee/Designee: Katelyn Barton, Designee

Name of Facility: YMCA Lemon Tree Preschool At Crowell
School

Facility Address: 1418 Cooper Street
Albion, MI 49224

Facility Telephone #: (269) 788-0160

Original Issuance Date: 08/31/2021

Capacity: 40

Age Range: Ages 3 years 0 months Thru 5 years 0
months

Program Components: GSRP
PRESCHOOL
FOOD SERVICE

II. METHODS OF INSPECTION

Date of On-Site Inspection(s): 03/03/2022
 Date of Environmental Health Inspection: 12/23/2020
 Date of Fire Safety Inspection: 1/21/21
 Date of Lead Hazard Risk Assessment, if applicable: 7/21/21
 Date of Documentation of Playground Compliance, if applicable: NO playground insp.

	No. of Records Reviewed	
No. of children enrolled in care	7	7
No. of staff employed	3	3
No. of volunteers	0	0
No. of children present at time of inspection	5	
No. of staff present at time of inspection	2	
No. of volunteers present at time of inspection	0	
No. of children interviewed/observed	5	
Persons Interviewed:		
Licensee/Licensee Designee	<input type="checkbox"/>	
Program Director	<input type="checkbox"/>	
Caregiving staff	<input checked="" type="checkbox"/>	

Approved Child Use Space: Room 133 and 128 are approved for care.
 Approved Program Director: No approved PD.
 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.
	(12) The following records must be retained and available to the department:

	(a) The name, address, and telephone number for each child enrolled and each employee for at least 2 years after the individual leaves the center.
The child care staff files did not have include address and phone numbers for each individual.	
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 extension letter was not posted.	
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 posted statement referred to previous requirements and regulations (ICHAT and central registry) and did not state that a comprehensive background check would be completed.	
R 400.8110	Applicant; licensee; licensee designee; requirements.
	(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 all reports such as, special investigations and related corrective action plan or original report.	
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 did not have completed consent and disclosures on file at the site.	
R 400.8112	Comprehensive background check; fingerprinting.
	(2) An applicant or licensee shall do all of the following: (d) Establish and activate an account and accurately enroll each individual listed in subrule (1) of this rule in the child care background check system.
The CCBC system did not have each individual connected to the license entered and connected in the system as required. REPEAT VIOLATION ESTABLISHED SIR2022D0217004 Dated 12/27/2021 Corrective Action Plan Dated 1/18/2022	
R 400.8112	Comprehensive background check; fingerprinting.
	(2) An applicant or licensee shall do all of the following: (e) Within the department's child care background check system, accurately complete and maintain the connection, disconnection, or withdrawn status of each individual associated with the license.
The CCBC system was not updated to accurately connect, disconnect, or withdraw each child care staff associated with the license. REPEAT VIOLATION ESTABLISHED SIR2022D0217004 Dated 12/27/2021 Corrective Action Plan Dated 1/18/2022	
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.

<p>The child care does not have an approved PD as required meeting requirements and responsibilities.</p> <p style="text-align: center;">REPEAT VIOLATION ESTABLISHED SIR2022D0217004 Dated 12/27/2021 Corrective Action Plan Dated 1/18/2022</p>	
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.
<p>The child care had multiple screening policies in various locations that contradict or differ and none include the required PSOR statement.</p>	
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.
<p>Child care staff did not have verification of freedom from TB on file.</p>	
R 400.8131	Professional development requirements.
	(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.
<p>Child care staff working directly with children have not completed the required health and safety trainings including shaken baby, abusive head trauma, child maltreatment, and reporting of abuse/neglect.</p> <p style="text-align: center;">REPEAT VIOLATION ESTABLISHED SIR2022D0217004 Dated 12/27/2021 Corrective Action Plan Dated 1/18/2022</p>	

R 400.8131	Professional development requirements.
	(4) Before unsupervised contact with children, all child care staff members who work directly with children shall complete prevention and control of infectious disease training, including immunizations.
<p>Unsupervised child care staff working directly with children have not completed the required health and safety trainings including prevention and control of infectious disease training, including immunizations.</p> <p style="text-align: center;">REPEAT VIOLATION ESTABLISHED SIR2022D0217004 Dated 12/27/2021 Corrective Action Plan Dated 1/18/2022</p>	
R 400.8131	Professional development requirements.
	<p>(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:</p> <ul style="list-style-type: none"> (a) Administration of medication. (b) Prevention of and response to emergencies due to food and allergic reactions. (c) Building and physical premises safety. (d) Emergency preparedness and response planning. (e) Handling and storage of hazardous materials and appropriate disposal of bio-contaminants. (f) Precautions in transporting children, if applicable. (g) Child development.
<p>Child care staff working directly with children for over 90 days, have not completed the required health and safety trainings.</p>	
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.
<p>The ongoing professional development plan does not address all required components such as, health and safety training requirements, first aid/CPR requirements, new trainings issued by the department, or shaken baby/maltreatment.</p>	

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, employer details and phone number, physician phone number, date of admission, allergies and special needs.	
REPEAT VIOLATION ESTABLISHED SIR2022D0217004 Dated 12/27/2021 Corrective Action Plan Dated 1/18/2022	
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.
Three of the reviewed child files were missing required physical evaluations.	
R 400.8161	Emergency procedures.
	(4) The crisis management plan required by subrule (2) of this rule must be maintained in a place known and easily accessible to all personnel.
During the onsite inspection, child care staff did not know where to locate crisis management plans.	
R 400.8161	Emergency procedures.
	(5) A fire drill program, consisting of at least 1 fire drill quarterly, must be established and implemented.
The child care has not completed any fire drills.	

R 400.8161	Emergency procedures.
	(6) A tornado drill program, consisting of at least 2 tornado drills between the months of March through November, must be established and implemented.
The child care has not completed any tornado drills.	
R 400.8164	Telephone service.
	(2) During the hours the center is in operation, a phone number known to the public and available to parents to provide immediate access to the center must be provided.
The child care does not have a phone number that is known to the public or department that allows immediate access and contact.	
R 400.8164	Telephone service.
	(3) Emergency phone numbers, including 911, fire, police, and the poison control center, and the facility's physical address and Two main cross streets, must be conspicuously posted in a place visible to staff.
The emergency numbers were not posted.	
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 has been utilizing installed playground equipment located on the premises that has not ben inspected by a certified playground inspector. During the onsite inspection, a child fell off a non-approved swing and was injured.	
R 400.8170	Outdoor play area.
	(16) The depth of the loose-fill surface material must be restored to its required depth when it has moved or becomes otherwise compromised.

<p>During the onsite inspection, children were using playground swings that have not been approved by a certified playground inspector. The ground surface materials under the swing were depleted and did not provide the appropriate shock absorption.</p>	
R 400.8315	Food and equipment storage.
	(1) Each refrigerator must have an accurate working thermometer indicating a temperature of 41 degrees Fahrenheit or below.
<p>The refrigerator used by the child care does not have an accurate working thermometer.</p>	
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.
<p>The child care does not have any posted menus. Child care staff reported that they have not received an advance menu for over two months.</p>	
R 400.8335	Food services and nutrition; provided by center.
	(8) All of the following apply to milk: <ul style="list-style-type: none"> (a) Containers must be labeled with the date opened. (b) Milk must be served within 7 days of opening. (c) Milk must not be served if the contents appear to be unsanitary or have been unrefrigerated for a period exceeding 1 hour. (d) Milk must not be combined with the contents of other partially filled containers.
<p>Milk containers were not labeled with the date opened.</p>	
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.
<p>The fire extinguishers have not been checked on a monthly basis with initial and date of inspection.</p>	

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IV. RECOMMENDATION

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

Beth Goding

3/11/2022

Beth Goding
Licensing Consultant

Date

Approved By:

Yolanda Sims

3/11/2022

Yolanda Sims
Area Manager

Date

Erika Bigelow

03/14/2022

Erika Bigelow
CCLB Division Director

Date

Emily Laidlaw

3/18/22

Emily Laidlaw
CCLB Bureau Director

Date