GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

REDACTED REPORT

July 21, 2023

Chelsea Speers
Holt Lutheran Schools
2418 N Aurelius Rd
Holt, MI 48842

RE: License #: DC330016459
Investigation #: 2023D0197016
SonShine Early Childhood Center

Dear Ms. Speers:

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

R400.8125(1): Staff; volunteer; requirements.

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

- I interviewed program director/licensee designee, child care staff members, witnesses, and parents.
- I completed on-site inspections on the following dates: 4/27/23 and 5/23/23.

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

R400.8125(1): Staff; volunteer; requirements.
R400.8182 (3)(a): Ratio and group size requirements.
R400.8188(14): Sleeping, resting, and supervision.

I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by August 10, 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.	☐	☒
A rule or law violation was found and abuse and/or neglect of a child occurred.	☐	☒

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.

Please review the enclosed documentation for accuracy and 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.

Sincerely,

Jenny Camburn Brundage

Jenny L. Camburn Brundage, Licensing Consultant
Child Care Licensing Bureau
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909
(517) 262-9717

enclosure

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CHILD CARE LICENSING BUREAU
SPECIAL INVESTIGATION REPORT

I. IDENTIFYING INFORMATION

License #:	DC330016459
Investigation #:	2023D0197016
Complaint Receipt Date:	04/21/2023
Investigation Initiation Date:	04/21/2023
Report Due Date:	06/20/2023
Licensee Name:	Holt Lutheran Schools
Licensee Address:	2418 N Aurelius Rd Holt, MI 48842
Licensee Telephone #:	(517) 694-3182
Administrator:	Chelsea Speers, Designee
Licensee Designee:	Chelsea Speers, Designee
Name of Facility:	SonShine Early Childhood Center
Facility Address:	2418 N Aurelius Rd Holt, MI 48842
Facility Telephone #:	(517) 694-3182
Original Issuance Date:	06/30/1991
License Status:	REGULAR
Effective Date:	01/11/2022
Expiration Date:	01/10/2024
Capacity:	97
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
On 4/14/23, Child A's [redacted]) [redacted] of [redacted] when Child Care Staff Member (CCSM) 1 [redacted] out of [redacted]. Child A was crying and CCSM 1 did not console her and continued to walk. Child A received [redacted]. The incident report does not reflect what really happened and instead states that Child A was walking in the parking lot [redacted] and [redacted] tried to [redacted]	Yes
Child Care Staff Member (CCSM) 2 puts her [redacted] backs of [redacted] unknown [redacted]. It is not known when she does this, or if any child has sustained injuries.	Yes
Additional Findings	Yes

III. METHODOLOGY

04/21/2023	Special Investigation Intake 2023D0197016
04/21/2023	Special Investigation Initiated - Telephone Contact with [redacted]
04/27/2023	Inspection Completed On-site from approximately 9:40 a.m. – 1:00p.m. I was accompanied by [redacted] Face to face interview were conducted with CCSM 1, CCSM 2, CCSM 3, CCSM 4, CCSM 5, CCSM 6 and CCSM 7. Face to face observation of Child B.
04/27/2023	Contact - Telephone call made Interview with Child B's Mother by [redacted].
05/04/2023	Contact - Telephone call made Interviews with CCSM 8 and CCSM 9 by me and [redacted]
05/09/2023	Contact - Telephone call made Interview with [redacted]
05/15/2023	Contact - Telephone call made Interview with Child C, Child D, and Child E's Mother by me and [redacted]

05/15/2023	Contact - Telephone call made Unsuccessful contact attempted with Child H's Mother and Child I's Mother by me and [redacted].
05/16/2023	Contact - Telephone call made Pre-dispositional case conference with [redacted]
05/17/2023	Contact - Telephone call made. Interview with Child F and Child G's Mother by [redacted].
05/23/2023	Inspection Completed On-site from approximately 10:00 - 10:45a.m. Interview with Ms. Speers, licensee designee and program director.
06/15/2023	Contact - Telephone call received Contact with [redacted].
07/10/2023	Contact - Telephone call made Second interview with CCSM 1.
07/17/2023	Exit Conference with Ms. Speers.
07/18/2023	Inspection Completed-BCAL Sub. Compliance

ALLEGATION: On 4/14/23, Child A's ([redacted]) [redacted] of [redacted] when Child Care Staff Member (CCSM) 1 [redacted] out of [redacted]. Child A was crying and CCSM 1 did not console her and continued to walk. Child A received [redacted]. The incident report does not reflect what really happened and instead states that Child A was walking in the parking lot, [redacted] and [redacted] tried to [redacted].

INVESTIGATION: I contacted [redacted] to coordinate the investigation [redacted] verified that Child A was [redacted] as Child A's [redacted] stated that she already spoke with Child A's parents. Child A's Father reported that on 4/14/23, the center called him saying that Child A [redacted] when she was walking outside with a CCSM, and she [redacted] Child A's Father took Child A to the emergency room, and she was treated for [redacted] Child A's Father did not report any other concerns to [redacted]. Child A's Mother told [redacted] that Child A always appears to be happy when she attends the center, and that she thought that [redacted] was a common [redacted] Child A will continue to attend the center. In addition, [redacted] stated that she

already completed an initial onsite inspection to the center on 4/21/23, alongside [redacted]. She observed Child A. There were no visible marks or bruises, and she appeared happy while in care. Child A was not interviewed due to her young age. [redacted] observed the center's video footage. The camera is motion censored. The camera shows CCSM 1 carrying Child A in her arms and appeared to be wiping a tear away on her while she was picking up another child. The moment before interaction was not recorded. [redacted] did not observe any concerning behaviors in this or any video clips, saying that the CCSMs and children did not appear overly upset. [redacted] planned to return to the center on 4/27/23 to complete more detailed interviews.

I completed an on-site inspection to the center on 4/27/23. I was accompanied by [redacted]. Collaborative interviews were completed with CCSM 3, CCSM 1, CCSM 4, CCSM 2, CCSM 6, and CCSM 5. Child A attends the Walker Room, which provides care for children ages 10 months to 2 years old.

Child Care Staff Member (CCSM) 3 stated that she normally works in the Walker Room, where Child A attends. She was working in the room the day of Child A's [redacted] and she observed it happen. CCSM 3 believes that it was an accident. She described Child A as a free spirit, very happy, playful, and always laughing. On 4/14/23, the children were outside taking a walk around the parking lot with CCSM 1, CCSM 4, and her. The children were using a child rope with Velcro around the children's wrists. The rope is made for young children, and it assists the children during transitions or when on walks. CCSM 3 was in the front of the rope while CCSM 1 was in the back of the rope. CCSM 4 was located further behind the group. Child A was the last child in line on the rope. One of the children took their Velcro off and CCSM 1 went to assist that child. While doing so, CCSM 1 got tangled in the rope with the children around her, including Child A. She did not remember seeing Child A [redacted]. CCSM 1 tried to get herself untangled. CCSM 1 was standing when she picked up Child A [redacted]. CCSM 1 twisted her own body while bringing Child A from behind her to in front of her. CCSM 3 stated that Child A's [redacted], but she was not entirely sure. CCSM 3 was not sure if CCSM 1's movement while picking up Child A was quick or slow. CCSM 1 seemed "normal" and not upset. CCSM 3 stated that this was a chaotic moment, but that CCSM 1 was not aggressive toward Child A. She believes that CCSM 1's first reaction was to try to untangle herself. CCSM 3 did not hear any sounds when this happened. Once Child A was moved in front of CCSM 1 she began to cry. CCSM 3 assumed that she was [redacted] so they took the Velcro off her wrist. They continued to walk around the parking lot. CCSM 1 picked up Child A. They decided to go inside after another child in the group got upset that Child A was picked up by CCSM 1 and not them. Once inside, Child A was still crying, so CCSM 3 asked her if she wanted a hug. When Child A went to stand up, she noticed that she did not put any [redacted]. CCSM 3 hugged Child A and she stopped crying. CCSM 3 gave Child A a toy, and she only used [redacted] to play with the toy. CCSM 3 told CCSM 4 and CCSM 1 her concerns. CCSM 1 took Child A to the office. A couple of minutes later, Child A's Father arrived. CCSM 3 stated that she has no

concerns regarding the type of care or supervision that the children receive. She has no concerns with how the children are picked up or handled. She has no concerns regarding the patience levels of the CCSMs. CCSM 3 later accompanied us outside, showing the area of the back parking lot where the injury occurred. She remembered hearing CCSM 1 say something about a [redacted] when CCSM 1 [redacted] Child A [redacted] but she believes that CCSM 1 may have just been talking and joking while speaking with Child A. CCSM 3 did not hear a [redacted]

Child Care Staff Member (CCSM) 1 stated that the on 4/14/23, the children were outside taking a walk at about 11:00 a.m. They had 10-11 children under 2 years of age, thus having the correct number of CCSMs to the children present. The CCSMs outside included CCSM 3, CCSM 4, and her. They were in the back parking lot when Child A [redacted] behind her. Child A was trying to run away while CCSM 1 was helping another child with a hat or shoe. CCSM 1 stated that she helped Child A stand up "without thinking about it" because she was distracted. She picked up Child A, which [redacted] She later learned from Child A's Father that her [redacted]

CCSM 1 stated that while taking walks outside, the children use the rope designed for young children. The rope helps keep the children from running away and to have safe transitions. While using the rope, the children are attached by Velcro around the wrist. They also use a wagon at times. Child A was at the back of the rope. CCSM 3 was in the front of the group with a wagon. CCSM 1 was positioned at the back of the rope. CCSM 4 was further back with another child. While walking another child lost their hat or shoe, and CCSM 1 went to grab it. The children stopped walking. She was assisting the child when Child A went to walk behind her getting stuck in the rope. Child A [redacted] CCSM 1 stated that she reached for Child A, and "not thinking" [redacted] CCSM 1 did not remember [redacted] anything. Child A's whole body "might" have come [redacted], but she did not remember. She was not sure if Child A [redacted] while CCSM 1 was [redacted] as the same time. As such, Child A may have been temporary suspended for one or two seconds. CCSM 1 stated that she thought she was helping her by reaching for her. CCSM 1 did not remember what she was thinking in that moment. CCSM 1 did not disclose being frustrated or upset. CCSM 1 remembered that she was facing forward while Child A was behind her turned at a right angle away from her. While [redacted] Child A, CCSM 1 twisted only her body as she brought Child A in front of her. Child A was [redacted]. Once Child A was moved in front of her, the group kept walking. CCSM 1 did not disclose saying anything about [redacted] Child A started crying about five minutes later while they walked. CCSM 1 thought that Child A was tired, so CCSM 1 comforted her by picking her up. The group then went inside. Once inside, it was realized that Child A did not want to [redacted], and her parents were notified. CCSM 1 stated that she "feels bad" about what happened and that she was distracted and focused on another child when she [redacted] Child A to move her in front of her. She stated that instead of doing two things at once, she should have only been doing one thing at a time. CCSM 1 stressed that she loves her job and

that she would not want to see a child be hurt or cry. [redacted] and I discussed appropriate and safe ways to pick up children. CCSM 1 agreed stating that she has been "very cautious" since this accident.

Child Care Staff Member (CCSM) 4 stated that the class was walking in the back parking lot. The children were using the child rope while walking. CCSM 4 was walking behind the group but close to CCSM 1. The group stopped walking. Child A walked around the back of CCSM 1 and Child A [redacted] When Child A [redacted] her back was on CCSM 1's [redacted] from CCSM 1's body. CCSM 1 tried to assist Child A to [redacted] Child A around her body, and putting Child A back to being in front of her. Child A was still attached to the rope. CCSM 1 did not look at Child A as she lifted her, but rather reached back and [redacted] Halfway through moving Child A, CCSM 1 changed from [redacted] She heard CCSM 1 make a comment "you better stop playing around before [redacted]" or [redacted] making the statement like it was a" joke." CCSM 4 did not hear [redacted] CCSM 4 stated that Child A is silly, funny, and she can be "clumsy", so falling is not unusual. Child A whined "a little" as she was being helped up by CCSM 1. CCSM 4 "did not think much about [redacted] Child A's [redacted]. She did not remember seeing Child A's [redacted] the ground. She stated that CCSM 1 "may" have been frustrated that the children were not cooperating while walking, but the actions toward Child A was not aggressive or malicious. She did not believe CCSM 1's actions were excessive in force, and that this was an accident. CCSM 4 stated that when they brought the children back inside, that it was noticed that Child A was [redacted]. CCSM 4 stated that she is "heartbroken" that Child A [redacted]. She stated that she would have not [redacted] child in that [redacted], believing she should have been [redacted] a different way.

I observed the children's walking rope. This rope is a common piece of equipment used in child care centers to assist young children during times of transition. The children can open the Velcro wrist attachments by pulling on them. I suggested that the center use a rope with handles instead of Velcro to reduce the chance of children and CCSMs becoming entangled while walking.

Child Care Staff Member 5, Child Care Staff Member 7 and Child Care Staff Member 9 stated that although they work in the room, they were not working when Child A was [redacted] They have not observed any concerning interactions between the current CCSMs and the children. They have not observed the CCSMs appear stressed for frustrated with the children. CCSM 9 has observed CCSM 1 pickup children in the past with no concerns. Child Care Staff Member 2 and Child Care Staff Member 6 stated that they did not have any firsthand information as they do not work in Child A's Room.

[redacted] and I conducted a telephone interview with Child Care Staff Member (CCSM) 8. CCSM 8 was not working in the room the day Child A was [redacted] As such, she did not have first information. CCSM 8 stated she has not had any

previous concerns regarding CCSM 1. She descried CCSM 1 as a good person, but that she is young with not a lot of experience working with children. CCSM 8 has not observed her be rough the children, saying that she is "pretty good", and the children love her. She has not observed CCSM 1 being mean toward the children. She believes that the [redacted] could have been an accident but wonders about the two different stories regarding what happened. Specifically, CCSM 1 told her that Child A [redacted] on a walk. Child A reached for her, and she [redacted] and that she heard something [redacted] CCSM 8 was then told by "another" that while out for a walk that Child A and CCSM 1 got tangled in the rope, CCSM 1 got upset, and she [redacted] Child A, causing the [redacted] She was told by the "other" person that Child A continued to [redacted]. CCSM 8 did not identify the "other" person.

[redacted] interviewed [redacted], Child A's treating physician. [redacted] discussed the disclosed information that CCSM 1 [redacted] Child A from behind and [redacted] her forward. [redacted] advised that [redacted] is caused by such a [redacted], and that this action by CCSM 1 could have caused [redacted]. Child A did not disclose any information to him.

I completed a telephone interview with Child C, Child D, and Child E's Mother with [redacted]. Child C, Child D, and Child E's Mother stated that she has used the center for almost five years. She has been "pleased" with the center. There has been a lot of staff turnover, but she is impressed with the regular CCSMs. She has no concerns regarding her children's care or supervision, nor how the children are picked up by the CCSMs. She has only observed positive interactions between children and the CCSMs. In addition, her children like attending the center, and they have not expressed or exhibited any concerns. She believes that the CCSMs have good communication with her, including about age-appropriate injuries, which have been "few and far between."

[redacted] interviewed Child F and Child G's Mother. She has used the center for four years with no concerns. She has no concerns regarding the CCSMs, saying that they are responsive and utilize the on-line computer system to communicate messages. Child F and Child G have not sustained any unexplained injuries, and that she receives either an incident report or an explanation of what happened. In addition, her children have not disclosed any concerns.

I completed a second on-site inspection with [redacted]. I observed Child A's room. The children were outside playing, including Child A. The children in the room were being directly supervised. The children actively approached the CCSMs for care and attention. The children did not express or exhibit any concerns.

I completed a pre-disposition conference with [redacted] on 5/16/23. During the initial conference, [redacted] was not able to give a disposition recommendation due to a pending law enforcement investigation. I spoke with [redacted] a final time on 6/15/23. She verified that there would be no further law enforcement intervention regarding the

incident, as their investigation is closed with no further action. [redacted] stated that she did not make any findings and will close her investigation.

I addition, I reviewed two incident reports regarding Child A's [redacted] One incident report was an internal document written by CCSM 1. This internal document was provided to Child A's Father on 4/14/23. The second incident report was written by Ms. Speers, licensee designee. The second incident report was sent to the department on 4/14/23. The incidents reports were similar, but not identical, as one report was more detailed than the other. The internal incident report written by CCSM 1 reported that "We were walking in the parking when she [redacted] she reached up for my hand to pull herself up with her right hand and then I [redacted] The second incident report written by Ms. Speers reported that "The class was walking in the parking lot when (Child A) [redacted] She reached for (CCSM1's) hand to pull herself up with her right hand. (CCSM 1) [redacted]. (Child A) started crying. (CCSM 1) picked her up and carried her to the classroom where the staff looked at her [redacted] and noticed that she was [redacted] (CCSM 1) brought (Child A) into the office where we decided that we should call mom and dad and let them know that she might need to be seen."

I spoke with CCSM 1 a second time. This was to clarify CCSM 1's statement in her internal incident report that she [redacted] Child A's [redacted], as well as to clarify that other CCSMs heard her say something about [redacted] while picking Child A up. During CCSM 1's initial interview, she indicated that she could not remember if she [redacted] nor did disclose making any comments about Child A's [redacted] CCSM 1 stated that she did not remember [redacted] while picking up Child A. She [redacted] something, but she is not certain saying that everything happened quickly and there was a lot of noise with the children. She did not remember saying anything out loud about [redacted]

CCSM 1's stated that she was in a hurry to complete the internal incident report for Child A's Father as she was arriving quickly. She wanted to be sure that he had the report when he arrived. CCSM 1 indicated that explaining things can be difficult for her, and she often does not express herself well, especially in writing. CCSM 1 stated that she meant to say that she "may have [redacted] instead of that she [redacted].

I interviewed Ms. Speers, licensee designee and program director with [redacted]. Ms. Speers stated that she was notified quickly by CCSM 1 after Child A was [redacted]. She spoke with CCSM 1, who was calm and said that she helped Child A up when she [redacted] CCSM 1 told her that she picked her up and brought her inside where she was observed [redacted] As such, the parents were quickly contacted. CCSM 1 did not describe in detail how she picked up Child A. Ms. Speers stated that there have not been any previous concerns regarding CCSM's care or treatment of the children, saying that CCSM 1 gets nervous about even minor injuries with the children. Ms. Speers described CCSM 1 as "dedicated and moldable," saying that she asks questions, and she wants to learn. Ms. Speers does not believe that CCSM

1 would internally hurt a child. In addition, Ms. Speers stated that the center is no longer using the Velcro child walking rope and now using a rope with handles.

Regarding the two incident reports, Ms. Speers verified that CCSM 1 completed the internal report, while she signed the incident repot sent to the department. I provided Ms. Speers with consultation regarding the incident reports. Specially, that incident reports should contain as much detail as possible when communicating with both parents and the department.

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:	On 4/14/23, CCSM 1 picked up Child A by her [redacted] while outside. Although CCSM 1 did not intend to [redacted] Child A, CCSM 1 failed to provide appropriate care when she picked up Child A [redacted], causing her [redacted] to be become [redacted].
CONCLUSION:	**REPEAT VIOLATION ESTABLISHED** **Special Investigation Report number 2022D0614012 dated 6/27/22 and related Corrective Action Plan dated 7/6/22.** **Special Investigation Report 2022D0614016 dated 8/2/22 and the related Corrective Action Plan dated 8/2/22.**

ALLEGATION: Child Care Staff Member (CCSM) 2 puts her foot on the backs of multiple unknown children out of anger. It is not known when she does this, or if any child has sustained injuries.

INVESTIGATION: I contacted [redacted] to coordinate the investigation. She does not have an identified child as it relates to this allegation. She stated that during her initial on-site to the center, that she observed an incident report of a child refusing to walk or listen to Child Care Staff Member (CCSM) 2. During her initial on-site, this specific child had no marks or injuries, nor was he interviewed due to shyness. [redacted] interviewed the child's mother, who did not report any current concerns regarding CCSM. 2.

I completed an on-site inspection to the center on 4/27/23. I was accompanied by [redacted]. Collaborative interviews were completed with CCSM 3, CCSM 1, CCSM 4, CCSM 2, CCSM 6, and CCSM 5. CCSM 2 works in the toddler room which cares for children ages 18 months- 3 years old.

CCSM 6 stated that she works alongside CCSM 2 in the toddler room. She described CCSM 2 as "awesome" and patient with the children. She has not observed CCSM 2 be frustrated or use physical discipline with the children. She has not observed CCSM 2 put her foot on the children. She stated that the children "love" CCSM 2. Discipline in the room consists of talking and giving the children a break to another area of the room. The children may sit down for about 30 seconds.

CCSM 5 stated that she has worked on occasion in the toddler room. She has not had any concerns regarding CCSM to child interactions. She has never observed CCSM 2 put her foot on the children. She has not observed CCSM 2 appear stressed or upset with the children.

CCSM 2 stated that she works in the toddler room. She was asked about the children in the room. She stated that the room has some new children, so learning the nap routine can be difficult. The CCSMs in the room read the children stories and have the children lay on their cots. The CCSMs spread out and sit next to the children to pat their backs or hold their hands to keep them on their cots. If the children do not want to lay down, they pick them up and lay them back down. The CCSMs sometimes rest their hands on their backs while rubbing circles and patting them to help the children stay still so they stop trying to get up. When this is done, most children fall asleep in less than a minute. If a child does not fall asleep quickly, the CCSMs continue to stay with the children rubbing their backs. In addition, some of the children flail around, so the CCSMs are careful to not let the children hit their heads on the walls. Sometimes they also hold and cuddle the children and then try to have them lie down again. CCSM 2 used Child C as an example, saying that she flails and throws herself backwards. CCSM 2 sometimes has Child C lay down and she holds her foot. She also puts one or both hands on her lower back and assist her to stop moving by holding her in place so that she will stay on the cot. CCSM 2 stated if some of the children do not want to lie down or sleep, they may hold and rock them, or they may take them out of the nap room to the main child care room. CCSM 2 denied using discipline at the facility, saying the children in the toddler room are too young for time out. The toddler room uses talking and redirection. CCSM 2 has no concerns regarding the CCSMs treatment of the children. None of the children have been injured during nap time.

CCSM 2 was asked directly about putting her foot on a child, and she said "yes", indicating that it was with Child B ([redacted]). Child B is no longer in the toddler room due to her age. She last attended the toddler room the end of 2022 before moving to the next room. CCSM 2 stated that Child B's parents asked that the CCSMs not sit next to or pat Child B during nap time. As such, CCSM 2 continued to stand next to Child B while she was on her cot. CCSM 2 would take her shoe off and gently rest her foot on Child B's [redacted]. She would lean against the wall with all her weight on the floor. CCSM 2's foot that contacted Child B had no additional weight on it. CCSM 2 stated that was not done out of anger, as she was trying to help her fall asleep. CCSM 2 also sat and rubbed her back a little, but

mostly used her foot to gently rock her back and forth. She stated that this was done to help Child B stay on her cot to honor what she thought were the parents' wishes. Child B would quickly fall asleep in less than a minute. CCSM 2 stated that she placed her foot on Child B approximately 10-15 times. In addition, she may have done with this with other children, but she did not remember any other specific information. CCSM 2 denied that any child was injured, nor did any child express any concern. She denied using any physical discipline with the children. She again stated that placing a foot on the children was not done out of anger and that she was trying to help the children fall asleep.

[redacted] and I observed Child B. She did not appear to have any injuries. Child B was shy and would not speak.

CCSM 9 stated that she has worked in the toddler room. During nap time, the CCSMs sit and pat the children's back. If children do not want to nap, they ask that the children stay quiet on their cot, they can be given books or stuffed animals, or they are allowed to go into the next room in the play area. She has not observed any concerning interactions between the CCSMs and children, saying that she has never observed the children being held down. She has never observed anyone put their feet on the children.

CCSM 7 stated that she has observed in the toddler room. She has no concerns regarding the interactions between the CCSMs and the children. The children nap on a cot and they are patted to help them fall asleep. If children do to stay on the cot the CCSMs talk to them and help them lay back down. If the children continue to not want to lay down, the children can go into the playroom. CCSM 9 has not observed CCSM 2 put her foot on a child.

CCSM 8 stated that did not have any firsthand information. However, she has heard that CCSM 2 puts her foot on the children when they "try to get up or act up." CCSM 8 has not observed this occur. She has not observed any concerning behaviors between CCSM 8 and the children.

CCSM 1 and CCSM 3 do not work with CCSM 2. CCSM 1 and CCSM 3 have no concerns regarding the type of care or supervision that the children receive. They have no concerns regarding the patience levels of the CCSMs, or how the children are handled.

I observed in the toddler room. I observed the children napping in the nap room. The nap room is connected to the main playroom by a door. There were six children napping with two CCSMs in the nap room, thus having enough CCSMs in the room. There were two additional CCSMs located in the playroom. The two CCSMs with sitting on the floor and rubbing the children's backs. The door to the room was open. I observed a child sit up on their cot. The child was verbally redirected to lay down. I observed another child try to get off their cot. That child was assisted to lay back

down through verbal direction and gently assisting the child to lay back down. I did not observe any concerning interactions between the CCSMs and the children.

Child B's Mother was interviewed by [redacted]. Child B's' Mother denied telling the CCSMs that they could not sit next to our assist Child B with falling asleep. She did not agree with any CCSM placing their foot on Child B. She did not report any previous concerns.

I interviewed Child C, Child D, and Child E's Mother with [redacted] Child C, Child D, and Child E's Mother has used the center for child care for almost five years. She has been "pleased" with the center. There has been a lot of staff turnover, but she is impressed with the regular CCSMs. She has no concerns regarding her children's care or supervision. She has only observed positive interactions between children and the CCSMs. In addition, her children like attending the center, and they have not expressed or exhibited any concerns. She stated that Child C is usually a napper, but in the past month has not been as consistent. If Child C does not want nap, she is allowed to stay awake and sit on her cot. The CCSMs asked her if it was okay to rock Child C to sleep, to which she has no concerns. She has "heard" that CCSM 2 makes the children nap or sit quietly on their cots, but she was not sure what was meant by that.

Child F and Child G's Mother was interviewed by [redacted]. She has used the center for four years with no concerns. In addition, her children have not disclosed any concerns.

I interviewed Ms. Speers, licensee designee and program director. She stated that no one expressed any concerns to her regarding CCSM 2. CCSM 2 has not had any previous disciplinary issues. She stated that CCSM 2 loves the children, that she is a "mothering person", and that she would not hurt a child. Ms. Speers stated that the children in the toddler room nap daily. The CCSMs will pat the children on their backs and verbally redirect them to lay down. The children are not forced to lay down. If the children do not want to nap, they can go into the playroom. Ms. Speers was not aware of CCSM 2 placing her foot on a child.

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:	Child Care Staff Member 2 put her foot gently on the back of at least one child during nap time as an attempt help the child fall asleep and to stay on their cots. It does not appear that this was done out of anger. There have not been any injuries.
CONCLUSION:	**REPEAT VIOLATION ESTABLISHED** **Special Investigation Report number 2022D0614012 dated 6/27/22 and related Corrective Action Plan dated 7/6/22.** **Special Investigation Report 2022D0614016 dated 8/2/22 and the related Corrective Action Plan dated 8/2/22.**

ADDITIONAL FINDINGS:

INVESTIGATION: CCSM 6 stated that when all the children in the nap room fall asleep, the CCSMs may leave the nap room to go into the adjoining playroom to complete other job-related tasks such as cleaning. The door to the nap room is left open. The CCSMs listen for the children and will check on them if they hear anything. If the CCSMs do not hear the children waking up, they will wait for the first child to wake up and come to the door.

CCSM 5 stated that once all the children in the toddler room are asleep in the nap room, the CCSMs may leave the room, but they keep the door open.

CCSM 2 stated that once all the children fall asleep in the nap room, they will go to adjoining room but leave the door open about 1 ½ inch gap. The CCSMs use this time to work on other work-related duties. The CCSMs often check on the children. They also constantly listen for the children. The children come out of the room when they wake up.

CCSM 7 stated she has observed the CCSMs be very attentive with the children. When she has been in the toddler room, there is usually at least one CCSMs in the nap room with the sleeping children. If the CCSMs are not in the nap room, a CCSM will stay next to the open nap room door to listen for the children.

APPLICABLE RULE	
R 400.8182	**Ratio and group size requirements.**
	(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: **(a) Child Care Staff Member to Child Ratio for infants and Toddlers, birth until 30 months of age is 1 to 4.**
ANALYSIS:	Four CCSMs reported that napping children may be left alone in the nap room while sleeping. The CCSMs leave the nap room door open so they can listen for the children.
CONCLUSION:	**REPEAT VIOLATION ESTABLISHED** **Special Investigation Report number 2022D0197011 dated 12/1/21 and the related Corrective Action Plan dated 12/21/21.**

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:	Four CCSMs reported that napping children may be left alone in the nap room while sleeping. The CCSMs leave the nap room door open so they can listen for the children.
CONCLUSION:	**REPEAT VIOLATION ESTABLISHED** **Special Investigation Report number 2022D0614012 dated 6/27/22 and related Corrective Action Plan dated 7/6/22.** **Special Investigation Report 2022D0614016 dated 8/2/22 and the related Corrective Action Plan dated 8/2/22.**

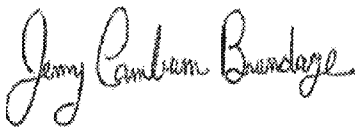
ADDITIONAL FINDINGS:

INVESTIGATION: On 4/27/23, I observed the children in the toddler room napping in the nap room. I observed the nap room to be too dark to easily assess the children. I provided consultation of ways to keep the room dim, while still adding additional light.

APPLICABLE RULE	
R 400.8188	**Sleeping, resting, and supervision.**
	(14) Resting or sleeping areas must have adequate soft lighting to allow the child care staff member to assess children.
ANALYSIS:	On 4/27/23, I observed the children in the toddler room napping in the nap room. I observed the nap room to be too dark to easily assess the children.
CONCLUSION:	**VIOLATION ESTABLISHED**

IV. RECOMMENDATION

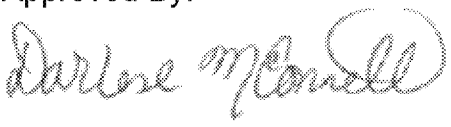
Upon receipt of an acceptable corrective action plan, I recommend no change in the license status.



7/21/23

Jenny L. Camburn Brundage Date
Licensing Consultant

Approved By:



07/23/2023

Darlese McConnell Date
Area Manager