



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

August 26, 2022

Kelly Marble
Messiah Lutheran Church
5740 W. Holt Rd.
Holt, MI 48842

RE: License #: DC330097423
Investigation #: 2022D0428016
Messiah Child Development Center

Dear Ms. Marble:

I conducted a special investigation because the child care licensing bureau received a complaint against your facility that related to licensing rules or law. The allegations were related to the following:

R400.8125 (1) Staff; volunteers; requirements.

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

- I interviewed the program director, caregivers, witnesses, parents, children, or others with relevant information.
- I completed on-site inspections on the following date(s): June 10, 2022.

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

R400.8125 (1) Staff; volunteers; requirements.

I recommend issuance of a 1st 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, you must notify this office in writing and an administrative hearing will be scheduled. Even if you don't accept the provisional license, you must still send us an acceptable corrective action plan.

Due to the violations, you must send us a corrective action plan by September 19, 2022. You can use our [corrective action plan](#) form or create your own.

If you need help writing the corrective action plan, please contact me. If you do not send a corrective action plan, you may face disciplinary action. The corrective action plan must include the following:

- How compliance with each rule will be achieved.

- Who is directly responsible for implementing the corrective action for each violation.
- Specific time frames for each violation as to when the correction will be completed or implemented.
- How continuing compliance will be maintained once compliance is achieved.
- The signature of the responsible party and a date.

During this special investigation:	Yes	No
A rule or law violation was found and a serious injury or death occurred.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
A rule or law violation was found and abuse and/or neglect of a child occurred.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

This report and any related corrective action plans must be filed in your licensing notebook. This report and any related corrective action plans will be online for parents to review under the [Statewide Search for Licensed Child Care Centers and Homes](#).

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 (248) 860-3127.

Sincerely,



Kathryn Curreathers, Licensing Consultant
 Child Care Licensing Bureau
 Ottawa Building
 611 W. Ottawa Building
 PO Box 30664
 Lansing, MI 48909
 (248) 860-3127

Enclosure

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

I. IDENTIFYING INFORMATION

License #:	DC330097423
Investigation #:	2022D0428016
Complaint Receipt Date:	06/09/2022
Investigation Initiation Date:	06/10/2022
Report Due Date:	08/08/2022
Licensee Name:	Messiah Lutheran Church
Licensee Address:	5740 W. Holt Rd. Holt, MI 48842
Licensee Telephone #:	Unknown
Administrator:	N/A
Licensee Designee:	Kelly Marble, Designee
Name of Facility:	Messiah Child Development Center
Facility Address:	5740 W Holt Rd Holt, MI 48842
Facility Telephone #:	(517) 694-7344
Original Issuance Date:	12/20/2001
License Status:	REGULAR
Effective Date:	03/01/2022
Expiration Date:	02/29/2024
Capacity:	67
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
There have been several instances of biting by children in care with nothing been done by child care staff members to prevent it.	Yes

III. METHODOLOGY

06/09/2022	Special Investigation Intake 2022D042801
06/09/2022	Contact - Document Sent Sent email to complainant.
06/10/2022	Special Investigation Initiated - On Site From 10:00 AM to 11:20 AM. Interviewed Child Care Staff Members Kathleen Allen, Rachel Lysakowski
06/10/2022	Contact - Telephone call made Interviewed program director Kelly Marble
06/10/2022	Inspection Completed-BCAL Sub. Compliance
06/10/2022	Exit Conference with program director Kelly Marble.
06/10/2022	Contact – Telephone call made Left message for Child A's Mother
06/10/2022	Contact – Telephone call made Left message for Child B's Mother
06/10/2022	Contact – Telephone call made Interviewed Child C's Mother
06/10/2022	Contact – Telephone call made Left message for Child D's Mother

ALLEGATION: There have been several instances of biting by children in care with nothing been done by child care staff members to prevent it.

INVESTIGATION: On June 9, 2022, a complaint was received alleging that there have been several instances of biting at the center with nothing been done by child care staff members to prevent it. I attempted to contact the complainant but did not receive a response.

During the onsite inspection on June 10, 2022, I interviewed lead preschool child care staff member Kathleen Allen. Ms. Allen stated that program director Kelly Marble was not present at the center but that she was in charge during Ms. Marble's absence. Ms. Allen stated that biting has occurred in the toddler room where children are 18 months to 3 years old. Ms. Allen stated that multiple children were bit on June 8, 2022. She stated that two children in the toddler room are biters, Child A (male, age 2 years) and Child B (male, 20 months). An additional child care staff member was added to the toddler room within the last two to three weeks so that they can shadow Child A and Child B. Child A stopped biting for a while but started again last week. On June 8, 2022, Child A bit three children including Child B, Child C (female, age 19 months) and Child D (male, age 2 years). Ms. Allen stated that Rachel Lysakowski, Joleen Clark and Kara Nowland were the child care staff members present in the toddler room on June 8, 2022. The child care staff members have kept a log of the biting incidents and the log indicates that the child care staff members did not see Child A bite Child B, Child C or Child D but they assumed that Child A was responsible for the biting.

Rachel Lysakowski toddler lead caregiver stated that she moved from the infant room to the toddler room on March 17, 2022. Ms. Lysakowski stated that she cared for Child A and Child B in the infant room before they transitioned to the toddler room. Child A and Child B were biting in the infant room and continued to bite in the toddler room. She has been working to correct Child A and Child B's behavior. There are always three child care staff members in the classroom so that Child A and Child B can be shadowed. On Wednesday, June 8, 2022, Child C had a bite mark that was seen on her arm during a diaper change after lunch. Child D had a bite mark that was seen on his arm when child care staff members were coming inside from the outdoor play area with the nine children in the class. Ms. Lysakowski stated that none of the child care staff members saw Child C and Child D being bitten but she assumed that they were bitten by Child A because of the type of marks that were left. Child A typically leaves a full mouth bite on the arm which is what Child C and Child D had. Child B typically leaves more of a smaller bite because he nips when he bites and not with his mouth wide open. Child A, B, C and D are mostly non-verbal so none of them could explain what happened. Neither Child C nor Child D cried at any point, so child care staff members were not alerted that they were bit.

Ms. Lysakowski stated that there have been several instances of biting, but child care staff members have been working to prevent it from happening.

Child care staff member Joleen Clark has worked at the center for almost one year. She stated that she was a floater in both the infant and toddler rooms until May 2022 when she started working full-time in the toddler room. Ms. Clark has worked in child care her entire adult life and she knows that toddlers sometimes go through a phase when they bite at this age due to teething or being angry. She stated that she and the other child care staff members separate the children in groups and try to shadow Child A and Child B, but sometimes children move so quickly that child care staff members are not able to catch them before they bite. Ms. Clark stated that Child C sometimes bites on her own arm and has left bite marks. She stated that she keeps a log of every bite mark that she sees or every incident of biting that she witnesses. Ms. Clark states that Child D has been bitten quite a bit. Child D is not aggressive, but he takes toys from other children and Child A and Child B react by biting. She has heard about more biting incidents than she has witnessed but there is a log of incidents and there have been several.

Child care staff member Kara Nowland started working at the center in May 2022. She stated that she has seen at least 20 incidents of biting since she began working at the center in the toddler room. Ms. Nowland stated that she tries to shadow Child A and Child B who were known to bite but when other children needed her attention she would be pulled away and the biting would happen. There are always three child care staff members in the toddler room. Child D is bitten the most because he sometimes tries to take toys but not in a mean or aggressive way and he gets bitten by Child A or Child B. Ms. Nowland stated that the biting happens so quickly and sometimes without notice and not just over toys so it's hard to predict.

On June 10, 2022, I spoke with Program director Kelly Marble, she stated that two children were bit on Wednesday, June 8, 2022, but the three child care staff members in the room, Ms. Lysakowski, Ms. Clark and Ms. Nowland did not see any of the incidents. Ms. Clark saw a bite mark on Child C and on Child D, but she did not know when it happened. Ms. Marble stated that Ms. Lysakowski informed her about the bite marks when she saw them. Ms. Marble stated that Child A and Child B have been biting since they were in the infant room. Ms. Marble has assigned three child care staff members to the toddler room so that one child care staff member could shadow Child A, a second child care staff member could shadow B and the third child care staff member could watch out for Child D since he seems to be targeted by Child A and Child B. Ms. Marble stated that she has instructed the child care staff members to split the children up into groups as much as possible within the room. Ms. Marble stated that Child A, Child B and Child D are all non-verbal so Child A and Child B cannot express themselves with words and Child D cannot always report when he's been bit if it wasn't witnessed. Ms. Marble stated that things had improved since the first complaint was investigated in February. The biting seems to happen in spurts, and it just started happening again in April. Ms. Marble stated that since the biting started happening again, she has bought books

about biting that child care staff members have been reading to the children in the toddler room. Ms. Marble thought that maybe the children were hungry and lashing out so she added a morning snack in addition to breakfast, lunch and afternoon snack to see if that would help. Prior to Wednesday, June 8, 2022, Child D was bit by Child B before Memorial Day at the end of May while fighting about going down a slide. She stated that the bite was pretty bad, and the mark was still visible when Child D returned to the center after being gone for three days. Ms. Marble has always notified parents of all the incidents of biting whether their child was the biter or the child that was bitten. Ms. Marble stated that she will be calling Early-On Michigan an organization that provides services to infants and toddlers to see if they can assistance. Ms. Marble is also meeting with the center's board to develop a biting policy with consequences for repeated instances of biting.

I attempted to contact the parents Child A, Child B, and Child D but did not receive a response.

Child C's Mother stated that Child C (female, age 19 months) has been bitten a couple of times at the center when she was fighting with another child over a toy. Child C has also bitten children in care once or twice when she was teething. Child C's Mother stated that Child C has had a couple of marks that were gone by the next day. She always receives an injury report whenever Child C was bitten or if she fell and hurt herself. Child C's Mother stated that she understands that biting happens at this age, and she is happy with the care that Child C receives at the center. Child C's Mother stated she has never had a single complaint about the center and appreciates the communication that she receives.

On March 29, 2022, the center was cited for not providing appropriate care and supervision of children at all times due to at least 14 biting incidents that occurred between July 29, 2021 and January 27, 2022.

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:	Appropriate care and supervision of children was not provided at all times resulting in at least nine documented instances of biting by Child A (male, age 2 years) and Child B (male, age 20 months) who were known biters.
CONCLUSION:	REPEAT VIOLATION ESTABLISHED SIR 2022D0185007 Dated 03/29/2022 Corrective Action Plan Dated 04/15/2022

IV. RECOMMENDATION

Upon receipt of a corrective action plan, I recommend modification of the current status of the license to 1st provisional status.



08/26/2022

Kathryn Curreathers
Licensing Consultant

Date

Approved By:



08/29/2022

Darlese McConnell
Area Manager

Date