



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

MARLON I. BROWN, DPA  
ACTING DIRECTOR

November 10, 2023

Kay Martin  
4631 McCain Rd  
Jackson, MI 49201

RE: License #: DC380017295  
Investigation #: 2023D0106021  
Lil Boy Blue Learning Center

Dear Kay Martin:

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:

R 400.8140 Discipline.

R 400.8146 Information provided to parents.

R 400.8188 Sleeping, resting, and supervision.

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

- I interviewed: Program director, licensee designee, child care staff members and parents.
- I completed onsite inspections on 6/7/2023 and 7/17/2023.

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

**R 400.8140 Discipline.**

I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by 10/9/2023. You can use our [corrective action plan](#) form or create your own.

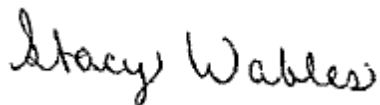
If you need help writing the corrective action plan, please contact me. If you do not send a corrective action plan, you may face disciplinary action. The corrective action plan must include the following:

- 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"/> |

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

Sincerely,



Stacy Wables, Licensing Consultant  
 Child Care Licensing Bureau  
 611 W. Ottawa Street  
 P.O. Box 30664  
 Lansing, MI 48909  
 (517) 899-5790

enclosure

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

**I. IDENTIFYING INFORMATION**

|                                       |                                         |
|---------------------------------------|-----------------------------------------|
| <b>License #:</b>                     | DC380017295                             |
| <b>Investigation #:</b>               | 2023D0106021                            |
| <b>Complaint Receipt Date:</b>        | 06/05/2023                              |
| <b>Investigation Initiation Date:</b> | 06/07/2023                              |
| <b>Report Due Date:</b>               | 08/04/2023                              |
| <b>Licensee Name:</b>                 | Kay Martin                              |
| <b>Licensee Address:</b>              | 4631 McCain Rd<br>Jackson, MI 49201     |
| <b>Licensee Telephone #:</b>          | Unknown                                 |
| <b>Administrator:</b>                 | N/A                                     |
| <b>Licensee Designee:</b>             | N/A                                     |
| <b>Name of Facility:</b>              | Lil Boy Blue Learning Center            |
| <b>Facility Address:</b>              | 1575 S. Dearing Road<br>Parma, MI 49269 |
| <b>Facility Telephone #:</b>          | (517) 750-2930                          |
| <b>Original Issuance Date:</b>        | 02/25/1982                              |
| <b>License Status:</b>                | REGULAR                                 |
| <b>Effective Date:</b>                | 11/05/2021                              |
| <b>Expiration Date:</b>               | 11/04/2023                              |
| <b>Capacity:</b>                      | 30                                      |
| <b>Program Type:</b>                  | CHILD CARE CENTER                       |

## II. ALLEGATION(S)

|                                                                                                                                                                     | Violation Established? |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| Child A (male, age 4) was told to “sit down and shut your mouth.”                                                                                                   | No                     |
| Child A did not take a nap, so he had to sit and watch other children eat popsicles. Child A was denied his request to use the bathroom, so he urinated on himself. | Yes                    |
| Child A screamed and cried for 1.5 hours and the child care staff members (CCSMs) did not contact his parents.                                                      | No                     |
| Child A is made to sit in the office by himself because he will not take a nap.                                                                                     | No                     |

## III. METHODOLOGY

|            |                                                                                                                                                               |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 06/05/2023 | Special Investigation Intake<br>2023D0106021                                                                                                                  |
| 06/07/2023 | Special Investigation Initiated - On Site<br>Observations and interviews with Kay Martin and Child Care Staff Member 1 (CCSM 1) from 11:00 a.m. to 12:30 p.m. |
| 07/17/2023 | Inspection Completed – On Site<br>Observation and interviews with Kay Martin, CCSM 1 and Child Care Staff Member 2 (CCSM 2) from 2:00 p.m. to 3:00 p.m.       |
| 10/11/2023 | Contact – Telephone call made<br>Calls to Child B’s Mother and Child C’s Mother.                                                                              |
| 10/31/2023 | Exit Conference<br>Exit conference completed via e-mail with licensee designee Kay Martin.                                                                    |

**ALLEGATION: Child A (male, age 4) was told to “sit down and shut your mouth.”**

**INVESTIGATION:** On 6/7/2023, I completed an unannounced on-site inspection at the child care center. I informed licensee Kay Marin of the allegations. Ms. Martin said she has never told Child A, or any other child, to “sit down and shut your mouth.” She has never heard either of her child care staff members (CCSMs) use these words with any children, including Child A.

I interviewed Child Care Staff Member 1 (CCSM 1). CCSM 1 said she has never heard any CCSMs speak to Child A, or any other child, in this way.

On 7/17/2023, I completed an unannounced on-site inspection at the child care center. I informed CCSM 1 that additional concerns were brought to my attention that CCSM 1 specifically tells Child A to “sit down” and shut up.” CCSM 1 said when Child A requires redirection, she and the other CCSMs continue to use positive redirection. CCSM 1 denied she has ever told Child A to “sit down and shut up.” CCSM 1 said the school-age children often get aggravated with Child A’s “loud tantrums.” She has overheard the school-age children tell Child A to “shut up” when he is having a tantrum after not getting his own way. CCSM 1 and the other CCSMs always redirect the school-age children to speak more kind when they hear the school-age children speak harshly to Child A, or any other children.

On 10/11/2023, I spoke to Child B’s Mother by telephone. Child B’s Mother said Child B “loves it” at the center. She has never had any concerns with the CCSMs’ interactions with the children.

On 10/11/2023, I spoke to Child C’s Mother by telephone. Child C’s Mother said Child C “loves the people” at the center. She has never had any concerns with the CCSMs interactions with the children.

On 10/31/2023, I completed an exit conference via e-mail with licensee designee Kay Martin.

| <b>APPLICABLE RULE</b> |                                                                                                                                                                              |
|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>R 400.8140</b>      | <b>Discipline.</b>                                                                                                                                                           |
|                        | <b>(2) All of the following means of punishment are prohibited:<br/>(d) Inflicting mental or emotional punishment, such as humiliating, shaming, or threatening a child.</b> |

|                    |                                                                                              |
|--------------------|----------------------------------------------------------------------------------------------|
| <b>ANALYSIS:</b>   | The CCSMs use appropriate verbal redirection when encouraging children to follow directions. |
| <b>CONCLUSION:</b> | <b>VIOLATION NOT ESTABLISHED</b>                                                             |

**ALLEGATION:** Child A did not take a nap, so he had to sit and watch other children eat popsicles. Child A was denied his request to use the bathroom, so he urinated on himself.

**INVESTIGATION:** On 6/7/2023, I completed an unannounced on-site inspection at the child care center. I informed licensee Kay Marin of the allegations. Ms. Martin said there was a time where the children received popsicles as an extra treat. The popsicles were not a part of the regular planned meal or snack. Ms. Martin said the children received the extra treat if they followed directions appropriately during a specific task. Ms. Martin said there was most likely a time Child A did not receive the extra treat due to not following directions.

Ms. Martin said Child A has a history of asking to take frequent trips to use the bathroom within a short period of time. Child A is allowed to use the bathroom whenever he requests. Ms. Martin said she has noticed that Child A does not ask to use the bathroom as much when he is outside engaged in a fun activity. Child A mostly asks to use the bathroom frequently during learning activities that might not be as fun for him.

On 6/7/2023, I interviewed CCSM 1. CCSM 1 said the children earn extra incentives at times if they follow directions appropriately. None of the children, including Child A, are denied the planned meals and snacks provided by the center. It is possible Child A did not earn the extra incentive offered to all the children at one time.

CCSM 1 said Child A asks to use the bathroom multiple times within an hour. Child A is always allowed to go to the bathroom when he asks. CCSM 1 has brought her concern that Child A asks to use the bathroom an excessive number of times to Child A's Mother. Child A's Mother told CCSM 1 that she has discussed this issue with Child A's doctor who said Child A should be allowed to use the bathroom any time he asks. CCSM 1 said she noticed Child A asks to use the bathroom less frequently when he is playing outside. The only time Child A asks to use the bathroom when he is outside is if he is asked to sit down quietly for a few minutes when he is not behaving appropriately and not responding to verbal redirection. Child A asks to use the bathroom as soon as he is asked to take a "re-set" despite going an extended period without using the bathroom prior to being asked to sit down for a few minutes. CCSM 1 said she recalls a time where Child A urinated on himself. Child A had just used the bathroom a few minutes prior when he asked to use the bathroom again. CCSM 1 did not tell Child A he could not use the bathroom;

she only encouraged him to finish a short task he was working on that would only take a few minutes before he went to use the bathroom again.

On 7/17/2023, I informed CCSM 1 I received an additional concern that Child A was not being served meals provided by the center. CCSM 1 said that during my inspection on 6/7/2023, she forgot to inform me that although the center provides meals and snacks for the children, Child A's Mother requested to supply all the meals and snacks for Child A from home due to Child A being such a picky eater. I viewed the statement signed by Child A's Mother. The statement said "I, Child A's Mother, prefer to provide my child, Child A, with his/her lunch and or snack rather than Li'l Boy Blue Learning Center. Doing so, I further understand my responsibility to provide the proper foods that meet all nutritional requirements." Child A's Mother signed and dated the form on 9/28/2022. CCSM 1 said Child A does not eat the meals and snacks provided by the center as his mother has requested to provide all of Child A's meals and snacks from home. CCSM 1 does not recall any additional incidents of Child A wetting on himself since her previous interview on 6/7/2023.

On 10/11/2023, I spoke to Child B's Mother by telephone. Child B's Mother said she has never had any concerns with Child B not being provided with meals and snacks or adequate bathroom breaks.

On 10/11/2023, I spoke to Child C's Mother by telephone. Child C's Mother said she believes if children do not respond to verbal redirection, the CCSMs have the children sit at a table for a few minutes which she believes is an appropriate form of discipline.

| APPLICABLE RULE |                                                                                                                                        |
|-----------------|----------------------------------------------------------------------------------------------------------------------------------------|
| R 400.8140      | Discipline.                                                                                                                            |
|                 | (2) All of the following means of punishment are prohibited:<br>(e) Depriving a child of meals, snacks, rest, or necessary toilet use. |
| ANALYSIS:       | Child A was not allowed a popsicle treat due to not following instructions during a specific task.                                     |
| CONCLUSION:     | VIOLATION ESTABLISHED                                                                                                                  |

**ALLEGATION:** Child A screamed and cried for 1.5 hours and the CCSMs did not contact his parents.

**INVESTIGATION:** On 6/7/2023, I completed an unannounced on-site inspection at the child care center. I informed licensee Kay Martin of the allegations. Ms. Martin said it is common for Child A to scream and cry if he does not get his way. Ms.

Martin said she and the other CCSMs can usually assist Child A with calming himself. There have been situations where Child A will not calm down despite repeated attempts by herself and the other CCSMs so they will call Child A's Mother to come pick up Child A. Child A goes home due to excessive crying and screaming once every couple of weeks or so. They call Child A's Mother only as a last resort. Child A's Mother told Ms. Martin that Child A has been at other child care centers where the CCSMs frequently called her requesting she come pick up Child A. Child A's Mother told Ms. Martin she prefers not to get frequent calls to come pick up Child A from the center.

I interviewed CCSM 1. CCSM 1 said Child A has difficulty in expressing his wants and needs at times. Despite the CCSMs working with him on his communication skills, there are times Child A becomes agitated to the point he screams and cries out of frustration. Child A's Mother told CCSM 1 that the previous center Child A attended called her to pick up Child A for "every little thing." Child A's Mother has expressed to CCSM 1 that she is grateful this center attempts to work with Child A's behavior instead of calling her to come pick up Child A all the time. CCSM 1 said in the six months Child A has attended the center she can only recall two occasions where she called Child A's Mother and asked her to pick him up. During those times CCSM 1 was concerned because the strategies the CCSMs used in the past to help Child A calm down were not working. Child A was so upset he was screaming to the point he was hyperventilating and appeared to have difficulty catching his breath. CCSM 1 called Child A's Mother because she believed those two situations were extreme and she was concerned for Child A's well-being. On the other occasions where Child A had screaming tantrums, his health and safety did not seem to be affected and he was responding to the CCSMs attempts to verbally soothe him, so she chose not to call Child A's Mother.

I reviewed the center's notification plan. The notification plan does not list excessive crying as a reason to contact parents. Ms. Martin and CCSM 1 said there is no special plan on file for them to contact Child A's Mother due to excessive crying.

On 10/11/2023, I spoke to Child B's Mother by telephone. Child B's Mother said she does not believe anything has happened with Child B at the child care center that would require an incident report. She believes the CCSMs would provide her with a report if anything ever happened to Child B where a written report would be required.

On 10/11/2023, I spoke to Child C's Mother by telephone. Child C's Mother said the CCSMs provide "wonderful" communication. The CCSMs always let her know how Child C's day was when she picks Child C up from the center. Child C's Mother does not believe there have been any incidents that have required a written incident report. The CCSMs just give her a general overview every day.

| <b>APPLICABLE RULE</b> |                                                                                                                                                                                                                                                                                                                                                               |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>R 400.8146</b>      | <b>Information provided to parents.</b>                                                                                                                                                                                                                                                                                                                       |
|                        | <b>(1) A center shall provide a written information packet to each parent enrolling a child that includes at least all of the following:</b><br><b>(h) Parent notification plan for accidents, injuries, incidents, and illnesses.</b>                                                                                                                        |
| <b>ANALYSIS:</b>       | The center has written plan for notifying parents for accidents, injuries, incidents and illnesses. The CCSMs said Child A often has tantrums causing him to cry when he does not get his way. CCSMs have asked Child A's Mother to come pick him up while screaming and crying if the crying is extreme and seems to be affecting his well-being and safety. |
| <b>CONCLUSION:</b>     | <b>VIOLATION NOT ESTABLISHED</b>                                                                                                                                                                                                                                                                                                                              |

**ALLEGATION:** Child A is made to sit in the office by himself because he will not take a nap.

**INVESTIGATION:** On 6/7/2023, I completed an unannounced on-site inspection at the child care center. I informed licensee Kay Martin of the allegations. Ms. Martin said Child A is very "sporadic" with his naps. Child A had difficulty napping when he first started at the center. The CCSMs encouraged Child A to calm himself and take a nap every day. But there are some days where Child will not settle down and not cause a disruption to the other children in the classroom who are trying to nap. On these days the CCSMs offer Child A quiet activities to engage in while the other children are nap.

I interviewed CCSM 1. CCSM 1 said every day she encourages Child A to lay down and relax like the other children during nap time. She tells Child A he does not have to sleep, but he cannot disturb the other children who are sleeping or trying to sleep. If Child A becomes disruptive to the other children during nap time, CCSM 1 has him go to the adjoining room and sit in a bean bag chair to read a book, or she has Child A sit at a table in the adjoining room with a book or quiet activity until nap time is over. CCSM 1 said she can only recall one time where Child A continued to be disruptive to the other children while he was in the adjoining room, so she asked Child A to sit in the office located in the adjoining classroom. CCSM 1 said Child A enjoys getting attention from the other children. On the occasion where Child A continued to be disruptive in the adjoining room, CCSM 1 believed placing Child A out of sight of the other children would help him to engage in a quiet activity as opposed to seeking attention from the other children. CCSM 1 said she only has

Child A move to the adjoining room as a last resort on days Child A will not sleep or rest quietly in the room with the other children.

On 7/17/2023, I completed an unannounced on-site inspection at the child care center. Ms. Martin said Child A is now taking naps successfully in the same room with the other children since her interview during the previous inspection on 6/7/2023.

On 7/17/2023, I interviewed CCSM 1. CCSM 1 said Child A has improved in his ability to take a nap in the same room with the other children over the past month or so. Child A spends more days napping with the other children than engaging in a quiet activity by himself in another room.

On 7/17/2023, I interviewed CCSM 2. CCSM 2 said when Child A first enrolled at the center, he had difficulty napping with the other children. The CCSMs encouraged Child A to relax on his cot for several minutes before offering him a quiet activity at a table so he did not disrupt the other children who were napping. CCSM 2 said more recently, Child A seems to have adjusted to the routine at the center and is napping fine in the same room as the other children.

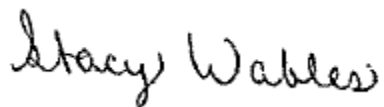
On 10/11/2023, I spoke to Child B's Mother by telephone. Child B's Mother said Child B currently only attends the center for before and after school services, so she does not take naps at the center.

On 10/11/2023 I spoke to Child C's Mother by telephone. Child C's Mother did not report any concerns regarding nap time.

| <b>APPLICABLE RULE</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>R 400.8188</b>      | <b>Sleeping, resting, and supervision.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|                        | <b>(13) For children under school age who do not sleep at rest time, quiet activities must be provided such as reading books or putting puzzles together.</b>                                                                                                                                                                                                                                                                                                                                |
| <b>ANALYSIS:</b>       | The CCSMs first encourage Child A to rest or engage in a quiet activity in the same room as the other children. Child A is moved to an adjoining room only if he continues to be disruptive to the other children trying to sleep. There has been only one occasion where Child A was placed in the office out of sight of the other children with a quiet activity because he continued to be disruptive to the other children who were trying to sleep while he was in the adjoining room. |
| <b>CONCLUSION:</b>     | <b>VIOLATION NOT ESTABLISHED</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

#### IV. RECOMMENDATION

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



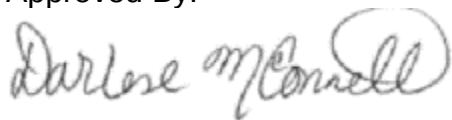
11/10/2023

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Stacy Wables  
Licensing Consultant

Date

Approved By:



11/10/2023

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Darlese McConnell  
Area Manager

Date