



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
ACTING DIRECTOR

November 14, 2023

Kay Martin
4631 McCain Rd
Jackson, MI 49201

RE: License #: DC380017295
Investigation #: 2023D0106025
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 400.8330 Food services and nutrition generally

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 an onsite inspection on 7/17/2023.

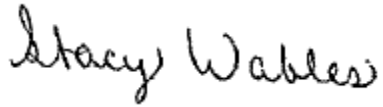
As a result of this investigation, I recommend no change to the current license status. I did not find any violations. The special investigation report is attached.

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.	☐	☒

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 (517) 284-9730.

Sincerely,

A handwritten signature in black ink that reads "Stacy Wables". The signature is written in a cursive, flowing style.

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

License #:	DC380017295
Investigation #:	2023D0106025
Complaint Receipt Date:	07/13/2023
Investigation Initiation Date:	07/17/2023
Report Due Date:	09/11/2023
Licensee Name:	Kay Martin
Licensee Address:	4631 McCain Rd Jackson, MI 49201
Licensee Telephone #:	Unknown
Administrator:	N/A
Licensee Designee:	Kay Martin
Name of Facility:	Lil Boy Blue Learning Center
Facility Address:	1575 S. Dearing Road Parma, MI 49269
Facility Telephone #:	(517) 750-2930
Original Issuance Date:	02/25/1982
License Status:	REGULAR
Effective Date:	11/05/2021
Expiration Date:	11/04/2023
Capacity:	30
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
Child A is made to sit alone at a lunch table. On 7/10/2023, Child A had his knees pulled up inside his shirt. Child Care Staff Member 1 (CCSM 1) asked him to remove his knees. When Child A didn't follow directions, CCSM 1 made Child A take off his shirt for the remainder of lunch time. CCSM 1 intentionally antagonizes Child A and tells him to "shut up" and "be quiet."	No
CCSM 1 refused to allow Child A to eat breakfast despite Child A arriving during breakfast time. One day, Child A asked for a Pop-Tart and CCSM 1 told him "no."	No

III. METHODOLOGY

07/13/2023	Special Investigation Intake 2023D0106025
07/17/2023	Special Investigation Initiated - On Site Observation and interviews with licensee designee Kay Martin, CCSM 1 and Child Care Staff Member 2 (CCSM 2) from 2:30 p.m. until 3:30 p.m.
10/11/2023	Contact – Telephone call made Calls to Child B's Mother and Child C's Mother.
10/31/2023	Exit Conference Exit conference completed via e-mail with licensee designee Kay Martin.

ALLEGATION: Child A is made to sit alone at a lunch table. On 7/10/2023 Child A had his knees pulled up inside his shirt. Child Care Staff Member 1 (CCSM 1) asked him to remove his knees. When Child A didn't follow directions, CCSM 1 made Child A take off his shirt for the remainder of lunch time. CCSM 1 intentionally antagonizes Child A and tells him to "shut up" and "be quiet."

INVESTIGATION: On 7/17/2023, I completed an unannounced on-site inspection at the child care center. I interviewed CCSM 1. CCSM 1 said there have been times in the past where Child A was moved to a different table after he finished his lunch before all the other children. Once Child A finished his lunch, he often became disruptive to the other children who were attempting to finish their lunches. CCSM 1

said Child A displays better behaviors if he is occupied with some sort of activity always. Otherwise, he becomes disruptive and seeks out negative attention from the other children. Child A has only been asked to move to a table separate from the other children if he finished his lunch and was causing a disruption. During these situations, Child A was provided with an activity to keep him occupied at a separate table until the other children finished their meal. CCSM 1 said Child A brings his lunch from home. Since all the children cannot fit at one table, the children who bring their meals and snacks from home eat at a separate table. CCSM 1 said she found that the children who eat the meals and snacks provided by the center had a hard time understanding why the children who brought their food from home had different food than them, which has caused problems in the past. CCSM 1 found that if the children who bring their food from home all sit together, there are less conflicts among the children about food differences. There have been times where the other children who bring their food from home are absent so Child A might sit alone at a table on very rare occasions, and he is not alone at a table for discipline reasons.

CCSM 1 said on 7/10/2023, Child A was sitting at a table with another child during lunch when he was repeatedly putting his knees up inside his shirt instead of eating his lunch. CCSM 1 asked Child A several times to take his knees out of his shirt because he was stretching out his shirt and she redirected him to eat his lunch. Child A then began to put his face down inside his shirt and pull the shirt tightly across his face. Child A was getting a lot of negative attention from the other children while doing this. Child A “likes to have all the focus on himself.” CCSM 1 was concerned Child A pulling his shirt tightly across his face was restricting his breathing and he was not responding to verbal redirection. CCSM 1 believes Child A was ignoring her verbal redirections because he was getting increased attention from the other children which only encouraged him to continue pulling his shirt across his face. CCSM 1 asked Child A to let her see his shirt to make sure he didn’t damage his shirt. CCSM 1 thought the best way to get Child A to refocus was to have him look at his shirt. CCSM 1 asked Child A to go around the corner and give CCSM 1 his shirt so she could “check it out.” Child A gave CCSM 1 his shirt where CCSM 1 inspected his shirt for about five seconds, then put the shirt back on Child A. CCSM 1 said her intention was only to get Child A to stop pulling the shirt tightly across his face and to get him out of the negative attention seeking cycle. Child A immediately returned to the lunch table. CCSM 1 said she informed Child A’s Mother of the situation when she came to pick up Child A. CCSM 1 said Child A has had a lot of challenging behaviors since he has attended the center. Child A requires a lot of verbal redirections because he struggles with following instructions, and he likes to seek out negative attention. CCSM 1 denied that she intentionally antagonizes Child A. He requires more verbal redirection than the other children at times due to his challenging behaviors. CCSM 1 denied she has ever told Child A to “shut up” and “be quiet.” CCSM 1 said the school-age children often get aggravated with Child A’s behaviors and she has overheard the school age children tell Child A to “shut up” when he is being loud and having a tantrum for not getting his own way. The CCSMs always redirect the school-age children to speak more kind when they

hear the school-age children speak to Child A, or any other children, in a negative way.

I interviewed CCSM 2. CCSM 2 said the number of children Child A sits at a table with during lunch time varies depending on the center's attendance that day. Child A tends to get "obnoxious" and seeks negative attention if he is placed at a table where there are many children. The more negative attention Child A receives from other children, the harder it is to redirect him to focus on eating his lunch. Child A seems to have more successful behavior during mealtimes if he sits at a table with fewer children. CCSM 2 said there is usually at least one other child sitting at a table with Child A during meals and snacks.

CCSM 2 said on 7/10/2023 he was in the bathroom when Child A was pulling his shirt across his knees and shirt. He came out of the bathroom just as Child A was putting his shirt back on. CCSM 2 said he has never seen CCSM 1 intentionally antagonize Child A. Child A requires a lot of redirections in general. The only thing CCSM 2 has heard CCSM 1 tell Child A is to "be quiet."

Licensee designee and program director Kay Martin arrived at the center as I was completing my interviews. I informed Ms. Martin of the allegations. Ms. Martin said she has never told a child to "shut up" or "be quiet." She has never heard any other CCCMs to speak to children in this way. She said she was not present during the incident with Child A's shirt. CCSM 1 informed Ms. Martin of the incident. Ms. Martin did not have any concerns with the incident.

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 CCSM interactions with the children. She has not had any concern with child discipline at the center.

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. 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.

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

APPLICABLE RULE	
R 400.8140	Discipline.
	(2) All of the following means of punishment are prohibited: (a) Hitting, spanking, shaking, biting, pinching, or inflicting other forms of corporal punishment. (b) Placing any substances in a child's mouth, including but not limited to, soap, hot sauce, or vinegar. (c) Restricting a child's movement by binding or tying him or her. (d) Inflicting mental or emotional punishment, such as humiliating, shaming, or threatening a child. (e) Depriving a child of meals, snacks, rest, or necessary toilet use. (f) Excluding a child from outdoor play or other gross motor activities. (g) Excluding a child from daily learning experiences. (h) Confining a child in an enclosed area, such as a closet, locked room, box, or similar enclosure. (i) Time out must not be used for children under 3 years of age.
ANALYSIS:	CCSM 1 did not use prohibited punishments. Child A sits at a table with other children who bring their lunch from home. There are times when children are absent that Child A sits with only one other child. In the past Child A would move to another table to engage in a quiet after finishing his food if he was distracting other children. On 7/10/2023 CCSM 1 removed Child A's shirt very briefly. Child A was repeatedly pulling his shirt tight across his face. CCSM 1 was concerned he was restricting his breathing.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION: CCSM 1 refused to allow Child A to eat breakfast despite Child A arriving during breakfast time. One day, Child A asked for a Pop-Tart and CCSM 1 told him "no."

INVESTIGATION: On 7/17/2023, I completed an unannounced on-site inspection at the child care center. I interviewed CCSM 1. CCSM 1 said Child A usually arrives at the center after breakfast time. CCSM 1 said the center stops serving breakfast at 7:30 a.m. Breakfast time ends at 8:00 a.m. Between 7:30 a.m. and 8:00 a.m. the children are finishing up their breakfast and the CCSMs clean the tables to start the next activity for the day. Child A usually eats at home before he

arrives at the center. CCSM 1 said Child A's Mother signed a written request to provide all snacks and meals for Child A. I reviewed the written request signed by Child A's Mother. CCSM 1 said Child A brings his meals and snacks from home while most of the other children eat meals and snacks provided by the center. CCSM 1 said Child A's Mother signed a written request to provide all snacks and meals for Child A. I reviewed the written request 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 the dated the form on 9/28/2022. CCSM 1 said Child A's Mother requested to bring Child A food from home because he is a "fussy" eater. f child arrives at the center with food from home, he eats his breakfast with the other children. CCSM 1 does not recall Child A asking for a Pop-Tart for breakfast. reviewed Child A's attendance record for the previous week and found that he arrived after 7:30 a.m. every day.

I interviewed CCSM 2. CCSM 2 said Child A is not usually present at the center during breakfast time. Child A brings all his food and snacks from home. He usually eats before he arrives at the center. Child A usually only eats breakfast at the center if he brings something from home to eat. Child A always brings his own lunch and snacks. CCSM 2 said if any child were to arrive hungry at the center past breakfast time, he would still allow the child to eat. CCSM 2 said he has never denied a child breakfast, and has never heard another CCSM deny Child A, or any other child breakfast even if they arrive a little past breakfast time.

Licensee designee and program director Kay Martin arrived at the center as I was completing my interviews. I informed Ms. Martin of the allegations. Ms. Martin said Child A arrives at the center after breakfast is served. Child A's Mother also signed a statement that she wishes to provide all meals for Child A. Child A has usually already eaten when he arrives, or he brings his own food from home.

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. She did not report any concerns with Child C not receiving meals or snacks at the center.

APPLICABLE RULE	
R 400.8330	Food services and nutrition generally.
	(1) Snacks and meals must be provided by the center, except when 1 of the following circumstances occurs: (a) A majority of the children are in attendance less than 2.5 hours. (b) Food is provided by a parent.
ANALYSIS:	Child A's Mother signed a statement indicating that she wishes to provide all meals and snacks for Child A from home.
CONCLUSION:	VIOLATION NOT ESTABLISHED

IV. RECOMMENDATION

I recommend no change in the status of the license.

Stacy Wables

11/14/2023

Stacy Wables
Licensing Consultant

Date

Approved By:

Darlese McConnell

11/15/2023

Darlese McConnell
Area Manager

Date