



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

May 5, 2023

Melissa Cass
Michigan Center Public Schools
400 S State Street
Michigan Center, MI 49254

RE: License #: DC380018924
Investigation #: 2023D0197011
Michigan Center Comm Ed Preschool and ChildCare

Dear Ms. Cass:

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 the program director, licensee designee, an administrator, child care staff members, and parents with relevant information.
- I completed on-site inspections on the following dates: 2/28/23.

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

R400.8158(2) Incident, accident, injury, illness, death, fire reporting.

R400.8158(4) Incident, accident, injury, illness, death, fire reporting.

I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by May 25, 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.

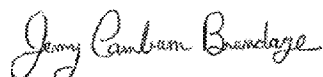
- Who is directly responsible for implementing the corrective action for each violation.
- Specific time frames for each violation as to when the correction will be completed or implemented.
- How continuing compliance will be maintained once compliance is achieved.
- The signature of the responsible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

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,



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 #:	DC380018924
Investigation #:	2023D0197011
Complaint Receipt Date:	02/22/2023
Investigation Initiation Date:	02/23/2023
Report Due Date:	04/23/2023
Licensee Name:	Michigan Center Public Schools
Licensee Address:	400 S State Street Michigan Center, MI 49254
Licensee Telephone #:	(517) 764-3380
Administrator:	Melissa Cass, Designee
Licensee Designee:	Melissa Cass, Designee
Name of Facility:	Michigan Center Comm Ed Preschool and ChildCare
Facility Address:	Former Jr High Bldg 133 Broad St Michigan Center, MI 49254
Facility Telephone #:	(517) 764-3380
Original Issuance Date:	09/23/1985
License Status:	REGULAR
Effective Date:	08/26/2022
Expiration Date:	08/25/2024
Capacity:	111
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
On 2/16/23, Child Care Staff Member 1 (CCSM 1) squeezed and pulled Child A (age 4 years, female) by the leg. Child A was not injured, but she said that it hurt her leg. This occurred during nap time.	No
Additional Findings	Yes

III. METHODOLOGY

02/22/2023	Special Investigation Intake 2023D0197011
02/22/2023	Contact - Document Received Interview with Ms. Cass, Licensee Designee.
02/23/2023	Special Investigation Initiated - Telephone Interview with Child A's Mother
02/28/2023	Inspection Completed On-site from approximately 11:35a.m.- 1:45p.m. Face to face interviews with Ms. Cutsinger, program director; Child Staff Member 2; and Child Care Staff Member 3.
04/19/2023	Contact - Telephone call made Interview with Child B's Father. Attempted contact with Child C's Mother; Child D's Father; and Child E and Child F's Mother.
04/20/2023	Contact - Telephone call received Interview with Child C's Mother
04/24/2023	Contact - Face to Face Interview with Child Care Staff Member 1.
05/02/2023	Exit Conference Contact with Ms. Cass and Administrator 1.
05/03/2023	Inspection Completed-BCAL Sub. Compliance

ALLEGATION: On 2/16/23, Child Care Staff Member 1 (CCSM 1) squeezed and pulled Child A (age 4 years, female) by the leg. Child A was not injured, but she said that it hurt her leg. This occurred during nap time.

INVESTIGATION: I interviewed Ms. Cass, license designee. She stated that Child A's Mother emailed the program director, Ms. Cutsinger on 2/16/23. Child A's Mother expressed worry that Child Care Staff Member 1 (CCSM 1) squeezed Child A's leg, it hurt, and it made her cry. Child A was not injured. Based on this concern, Ms. Cutsinger investigated the matter by reviewing the room's video footage. The video footage did not face the area of the room where Child A was located. Ms. Cutsinger also spoke with CCSM 1 and Child Care Staff Member 2 (CCSM 2). CCSM 1 is a substitute child care staff member. CCSM 1 denied that she touched Child A's leg. CCSM 1 did say that she moved Child A from under her arms to turn her over on her cot, but that she did not hurt Child A. CCSM 2 did not see or hear the incident. Ms. Cutsinger then contacted Ms. Cass regarding the situation. Ms. Cass believes that she was contacted the end of the day on Friday 2/17/23. Based on the initial investigation by Ms. Cutsinger, Ms. Cass wanted to wait to meet with Child A's Mother to gain additional information before making formal report to the department. Despite this, Ms. Cass told Ms. Cutsinger that moving forward, she needed to be contacted immediately regarding these types of concerns to be able to assist and to be able to notify the department. Ms. Cass met with Child A's Mother on 2/22/23. Child A's Mother did not want CCSM 1 fired. Child A's Mother wanted a third party to review the incident. As such, Ms. Cass stated that she notified the department the same day that she met with Child A's Mother.

Ms. Cass stated that she has worked alongside CCSM 1 in the past in an administrative role as well as observed her in the classroom. There have not been any previous concerns or complaints regarding CCSM 1's treatment of the children. Ms. Cass has not witnessed any negative interactions between CCSM 1 and the children, saying that she has only witnessed positive interactions. She stated that the children in care like CCSM 1.

I interviewed Child A's Mother. She stated that she did not pick up Child A from care on 2/16/23. When Child A got home, she could tell that she had a rough day and that she looked tired. Child A told her that she had a bad day. Child A told her that she was acting up at nap time and that CCSM 1 grabbed and pulled her leg and that it hurt. Child A did not have any marks or bruises. Child A said that CCSM 1 was mad at the time. Child A's Mother stated that she was trying to understand the context of what happened. Upon further questioning, Child A also told CCSM 1 that it hurt, but that she did not tell anyone else. Child A's Mother emailed the center. The next day, Child A brought it up again. Child A's Mother asked her to demonstrate what happened. Child A put her hands down on the floor and put one leg in the air while facing the floor. Child A stated that she was awake and that it was not a dream. Child A's Mother stated that she met with Ms. Cass and Ms. Cutsinger. She was told during the meeting that CCSM 1 turned her around on her cot, but what they

described did not match what Child A told her. As such, she wanted a third party to look into the situation. Child A continues to attend the center.

Child A's Mother does not believe that CCSM 1 had malicious intent. In addition, Child A has not disclosed any previous concerns, and Child A normally likes attending the center. Child A is normally happy being in care. Child A struggles with transitions, so the recent staffing changes have been difficult for her. Child A also struggles with rest time, and it is difficult for her to settle her mind and is not consistent with falling asleep.

I completed an onsite inspection to the center. I interviewed Ms. Cutsinger, program director. Ms. Cutsinger stated that Child A attends the preschool room. CCSM 1 works as a floater. Ms. Cutsinger stated that she was first contacted by Child A's Mother on 2/16/23. Child A told her mother that CCSM 1 grabbed and pulled her leg because she was not behaving during nap time. She was told that Child A was not injured. Based on this information, she reviewed the room's video footage. The room currently only has one working camera, which directly points the door and there is no audio. As such, Child A was not in view of the camera. The video showed other children laying on their cots. CCSM 1 and CCSM 2 appear calm and are patting the children's backs. Ms. Cutsinger spoke with CCSM 1 and CCSM 2, the two CCSMs working in the room at that time. CCSM 1 denied grabbing or pulling her leg. CCSM 1 told her that she picked up Child A under her armpits and assisted her to lay down on her stomach on the cot. CCSM 1 thought the day went well. CCSM 2 told her that Child A can be "stubborn" and not want to lay down. CCSM 2 did not see or hear anything inappropriate occur. Ms. Cutsinger also notified Ms. Cass of the situation. Ms. Cutsinger and Ms. Cass met with Child A's Mother on 2/22/23. Child A's Mother requested that an outside party review the situation. As such, the department was notified on that day.

Ms. Cutsinger stated that the children participate in daily rest time. The children do not have to lay down on their cots, but they are asked to remain on the cots. The children can remain sitting. If a child does not want to nap, they are given quiet toys to play with while the other children sleep. Ms. Cutsinger stated that there have not been any previous concerns reported regarding CCSM 1. She has worked alongside CCSM 1, saying that she has acted appropriately while caring for children. She described CCSM 1 as calm with a soft voice. She has only observed positive interactions between CCSM 1 and the children. She stated that as a precaution, all CCSMs will be re-trained regarding nap time procedures. I provided consultation to Ms. Cutsinger on ways to further facilitate the children to calm down in hopes that they will fall asleep during nap time. For example, I suggested having the children stretch or participating in calming yoga, breathing exercises, having calm sensory items, or trying different types of relaxing music at a low volume level.

I interviewed Child Care Staff Member 2 (CCSM 2). She was working in the room with CCSM 1 on the 2/16/23. This was her first time working alongside CCSM 1, and she did not observe anything concerning. She stated that she was sitting on the floor

comforting another child during nap time. She was also working on the center's IPAD updating required information. CCSM 2 could see Child A's cot from where she was sitting if she leaned over slightly as she was sitting by a low shelf. She was close enough to hear the interactions. Child A was struggling with her behaviors and was being very loud, crying and yelling. CCSM 2 stated that this is typical behavior for Child A during nap time. Child A was verbally redirected by the two CCSMs several times to please be quiet so that the other children could sleep. Child A did not respond to the verbal redirection. They also tried to ignore her behaviors while still acknowledging their presence, hoping that would help but it did not. She observed CCSM 1 get up from comforting another child and approached Child A. CCSM 2 remained focused on her IPAD. Child A continued to be very loud and was yelling as CCSM 1 approached her. CCSM 1 told Child A to "cut it out" in an authoritative voice. CCSM 1 told Child A that she needed to lay down telling her that she was being too loud. CCSM 1 was stern, but she was not yelling. CCSM 2 stated that "out of the corner of her eye" she observed CCSM 1 approach Child A. CCSM 2 saw her lean down but did not observe anything further as the low shelf was blocking her view. She did not hear Child A become more upset, nor did she hear her indicate that she was hurt. She did not hear Child A landing on her cot. Child A quickly started to calm down and she stopped crying. After about two to three minutes later, CCSM 2 got up and went to Child A. CCSM 1 got up and went to another child. Child A was face up laying on her cot. CCSM 2 sat by Child A to help her stay calm and to hopefully fall asleep. She talked with Child A and allowed her to look at some pictures. Child A did not disclose that her leg was grabbed or pulled or that she was hurt. CCSM 1 stated that Child A normally discloses any concern, so she believes that she would have told her. Child A turned on her side, placed her head on CCSM 2's knee and fell asleep.

CCSM 2 stated that the children participate in daily rest time starting between 1:00p.m.-1:30pm. The children are asked to remain on their cots, but they are not required to lay down or nap. The children are given quiet activities if they do not want to nap. CCSM 2 described Child A as the "sweetest little girl", saying that she is smart and that she "loves" her. Child A has a habit of crying and yelling during nap time. They are working with Child A to be respectful of the other children trying to nap even if she does not want to rest. During times that she is tired, Child A likes to have her back rubbed, or be slightly rocked back and forth while she falls asleep. The CCSMs have also started allowing Child A to call her mother on the telephone if she is having difficulty at nap time. CCSM 2 stated that calling her mother sometimes helps Child A to calm down, but sometimes it makes it worse.

I interviewed Child Care Staff Member 3 (CCSM 3). She was not working in the room on 2/16/23. She stated that she has frequently worked alongside CCSM 1. She has not observed any negative physical interactions between CCSM 1 and the children, saying that she seems to enjoy working with the children. CCSM 1 speaks calmly with the children, but she can also be stern after several attempts with verbal redirections. She has never heard her yell at the children or speak in a way that she would deem as inappropriate. CCSM 3 described her as a "good caregiver." CCSM

3 stated that the children are not required to lay down during rest time. They are allowed to sit on their cots and play with quiet activities if they choose not to sleep.

I observed in the room. The room has an open floor design with low shelves. CCSM 2 showed me where she was located compared to Child A on 2/16/23 during nap time. I previously reviewed the center's camera for this room. The camera's field of view shows near the room door, which is not where Child A was located. CCSM 2 was sitting approximately 12 feet away from Child A. There was a lower shelf blocking her direct line of sight of Child A, but she could easily see if an adult approached Child A's area from a seating position due to the low shelf height. She was close enough to hear any verbal interactions.

I observed nap time in the room. There were 13 children with three CCSMs. The lights in the room were dimmed and there was music playing. The children were positioned on their cots spread out in the room. The CCSMs were actively interacting with the children by sitting next to them and rubbing their backs. I observed Child A sitting on her cot, not wanting to lay down. Child A was asked if she wanted a book to look at, and she was provided with one. Child A started to chew on the book. Child A continued to get off her cot. She was calmly redirected to return to her cot. I tried to talk to Child A about her book, but she would not engage in conversation. Child A continued to roll on and off her cot talking loudly. Child A was calmly reminded to not disturb the other children trying to sleep. Child A wanted to call her mother. Child A spoke with her mother on the telephone for a moment. Child A said that her mother told her to lay down. Child A continued to not lay down and began playing with a puzzle. During this time, some of the other children were laying down or sitting up. Some of the children were napping. Child A continued to stay awake for another 30 minutes often leaving her cot. In total, 5 of the 13 children remained awake until I ended my observation.

I interviewed CCSM 1. She works in an administrative role, but also serves as a floater in the rooms. She denied the allegations, saying that she did not touch Child A's leg. During nap time, Child A was yelling and screaming. CCSM 1 and CCSM 2 tried several times to verbally redirect her, but it did not work. Child A said that she did not want to nap, and she told her that she did not have to. After several failed attempts with talking calmly, she raised her voice to an authoritative level, not yelling, and told her that the other children were trying to sleep and that she needed to stop her behaviors. CCSM 1 finished patting another child's back and approached Child A. Child A was sitting on her cot with her feet on the floor. CCSM1 wanted to sit next to Child A to help her calm down as up to that point she and CCSM 2 has been sitting with other children. She picked up Child A under her arms, supported her body, and helped her to roll over on her belly. This was done quickly, but it was not in an aggressive manner. Child A did not hit the cot in a hard manner, nor did Child A indicate that she was hurt. After assisting Child A move onto her stomach, she started to pat her as a way to comfort her so that she would calm down. Child A continued to not rest. CCSM 1 stated that the situation started to frustrate her as Child A continued to act out, so she moved onto another child and CCSM 2 stepped

began sitting with Child A. CCSM 2 was able to assist Child A to calm down and fall asleep in 5-10 minutes.

CCSM 1 acknowledged that as the children do not know her because she is not a permanent CCSM in the room. As such, it may be harder for the children to calm down. CCSM 1 stated that she would never try to hurt a child, and she has never used physical discipline with the children. CCSM 1 is not sure why Child A thought she made contact with her leg, saying that perhaps she was confused when her leg made contact with the cot when she assisted her in laying down. CCSM 1 stated that the children are not forced to nap. They are allowed to sit on their cot and play with quiet activities. She stressed that she was not trying to force Child A to lay down but wanted to help her to rest as neither she nor CCSM 2 sat next to her cot yet giving individual attention. CCSM 1 stated that she saw Child A a few weeks later and that she ran up to her and gave her a big hug.

I interviewed Child B's Father. Child B has not disclosed any concerns regarding the center. Child B "loves" attending the center. He does not have any concerns regarding nap time.

I interviewed Child C's Mother. She is happy with the center and has no current concerns regarding the care or supervision of Child C. Child C has not disclosed any concerns, and she "loves" attending the center. Child C's Mother has observed positive CCSM to child interactions, saying that Child C has a strong bond with CCSM 3. CCSM 3 is her child's "favorite caregiver." Child C naps while in care.

I attempted to interview two additional parents but was not successful.

I conducted an exit conference with Ms. Cass and Administrator 1. They both indicated that maintaining staff has been struggle, as well as trying to hire staff with previous child care experience. They both stated that the CCSMs continue to be trained on appropriate care and supervision. Ms. Cass stated that they are planning to implement an ongoing training series. In addition to ongoing trainings, there will be an all staff training to specifically address care and supervision, ways to have positive interactions, and how to appropriately handle children's behaviors including power struggles. In addition, Administrator 1 stated that she has also worked alongside CCSM 1 on multiple occasions. She has only observed positive child interactions, describing her as calm with the children. The children like CCSM 1.

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:	There is no evidence to state that Child A received inappropriate care. CCSM 1 denies that she pulled Child A's leg but admitted to picking Child A up under her arms, supporting her body, and helping her to roll over on her stomach. CCSM 2 was sitting approximately 12 feet away. CCSM 2 did not observe the actual physical interaction. CCSM 2 did not hear anything to suggest that Child A was hurt or placed on her cot in an aggressive manner. Child A did not disclose any concerns to CCSM 2, who sat with her within minutes of the interaction with CCSM 1.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION: I interviewed Ms. Cass, license designee. She stated that Child A's Mother emailed the program director, Ms. Cutsinger on 2/16/23. Ms. Cutsinger contacted Ms. Cass regarding the situation. Ms. Cass believes that she was contacted the end of the day on Friday 2/17/23. Based on the initial investigation by Ms. Cutsinger, Ms. Cass wanted to wait to meet with Child A's Mother to gain additional information before making formal report to the department. Despite this, Ms. Cass told Ms. Cutsinger that moving forward, she needed to be contacted immediately regarding these types of concerns to be able to assist and to be able to notify the department. Ms. Cass met with Child A's Mother on 2/22/23. Child A's Mother wanted a third party to review the incident. As such, Ms. Cass stated that she notified the department the same day that she met with Child A's Mother.

I interviewed Ms. Cutsinger, program director. Ms. Cutsinger stated that she was first contacted by Child A's Mother on 2/16/23. Ms. Cutsinger and Ms. Cass met with Child A's Mother on 2/22/23. Child A's Mother requested that an outside party review the situation. As such, the department was notified on that day.

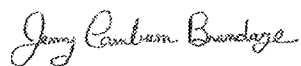
APPLICABLE RULE	
R 400.8158	Incident, accident, injury, illness, death, fire reporting.
	(2) A licensee, licensee designee, or program director shall report to the child's parent and the department, directly or

	via phone, fax, or email, within 24 hours of the occurrence of any of the following: (a) A child is lost or left unsupervised. (b) An incident involving an allegation of inappropriate contact. (c) A fire on the premises of the center that requires the use of fire suppression equipment or results in loss of life or property. (d) The center is evacuated for any reason.
ANALYSIS:	On 2/16/23, the center was notified by Child A's Mother of alleged inappropriate contact between Child A and CCSM 1. The center did not notify the department within 24 hours of being informed. The department was notified on 2/22/23.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.8158	Incident, accident, injury, illness, death, fire reporting.
	(4) A licensee, licensee designee, or program director shall submit a written report to the department of the occurrences outlined in subrules (1), (2), and (3) of this rule, in a format provided by the department, within 72 hours of the verbal report to the department.
ANALYSIS:	On 2/16/23, the center was notified by Child A's Mother of alleged inappropriate contact between Child A and CCSM 1. The center did not submit a written report within 72 hours of being informed. The department was notified on 2/22/23.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

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

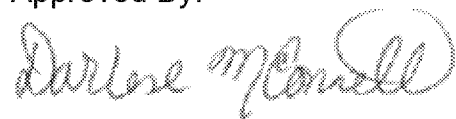


5/3/23

Jenny L. Camburn Brundage
Licensing Consultant

Date

Approved By:



05/05/2023

Darlese McConnell
Area Manager

Date