



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

REDACTED REPORT
Amended Report

April 25, 2023

Carolyn Moser
Jackson School of the Arts
135 W. Cortland
Jackson, MI 49201

RE: License #: DC380410072
Investigation #: 2023D0104008
Jackson School of the Arts

Dear Ms Moser:

I conducted a special investigation because the child care licensing bureau received information regarding your facility that related to licensing rules or law. This special investigation was amended to remove Ms. Jode Piotrowski from licensee designee and name Ms. Carolyn Moser as licensee designee on the special investigation report, as such, this special investigative report will be amended to reflect Ms. Carolyn Moser being named as the licensee designee. 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 person who made the complaint, program director, licensee, licensee designee, child care staff member, and parents, children.
- I completed on-site inspections on the following dates: 2/6/2023.

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

R400.8125(1) Staff; volunteer; requirements.
R400.8182(3)c Ratio and group size requirements.

I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by 05/01/2023. 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"/>

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,



Timothy A Swope, Licensing Consultant
 Child Care Licensing Bureau
 611 W. Ottawa Street
 P.O. Box 30664
 Lansing, MI 48909
 (517) 262-9838

enclosure

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

THIS REPORT CONTAINS QUOTED PROFANITY AND/OR SEXUALLY EXPLICIT LANGUAGE.

I. IDENTIFYING INFORMATION

License #:	DC380410072
Investigation #:	2023D0104008
Complaint Receipt Date:	02/03/2023
Investigation Initiation Date:	02/06/2023
Report Due Date:	04/04/2023
Licensee Name:	Jackson School of the Arts
Licensee Address:	135 W. Cortland Jackson, MI 49201
Licensee Telephone #:	(517) 784-2389
Administrator:	Carolyn Moser, Designee
Licensee Designee:	Carolyn Moser, Designee
Name of Facility:	Jackson School of the Arts
Facility Address:	135 W. Cortland Ave Jackson, MI 49201
Facility Telephone #:	(517) 784-2389
Original Issuance Date:	06/09/2022
License Status:	REGULAR
Effective Date:	12/09/2022
Expiration Date:	12/08/2024
Capacity:	27
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
On 2/1/23 at approximately 11:15 a.m., Child A [REDACTED], female) [REDACTED] Child B [REDACTED], female) [REDACTED]. Child A and Child B were alone in the [REDACTED] for approximately two minutes until staff realized they were missing.	Yes
Additional Findings	Yes

III. METHODOLOGY

02/03/2023	Special Investigation Intake 2023D0104008
02/06/2023	Special Investigation Initiated – Unannounced onsite from 11:30 a.m. until 1:30 p.m. Interview with Mr. Ernie Marr, program director, Child Care Staff Member (CCSM) 1, and Ms. Cherie Good, executive director. Observation of the classroom and review of video footage of incident.
02/06/2023	Contact - Received incident report and reviewed regarding incident from 2/1/23.
02/14/2023	Contact - Telephone interview with Child B's Mother.
02/14/2023	Contact - Attempted telephone interview with Child A's Mother - left message.
03/09/2023	Contact - Attempted telephone interview with Child A's Mother - no answer.
03/10/2023	Contact - Attempted telephone interview with CCSM 2 - left message.
03/10/2023	Contact - Attempted telephone interview with CCSM 3 - left message.
03/10/2023	Contact - Attempted telephone interview with CCSM 4 - left message.
03/10/2023	Contact - Attempted telephone interview with CCSM 5 - left message.

03/10/2023	Contact - Telephone interview with CCSM 3.
03/10/2023	Contact - Telephone interview with Child D's Mother.
03/21/2023	Contact - Attempted telephone interview with CCSM 2 - left message.
03/21/2023	Contact - Attempted telephone interview with CCSM 4 - no answer.
03/21/2023	Contact - Telephone interview with CCSM 5.
03/21/2023	Contact - Telephone interview with CCSM 2.
03/21/2023	Contact - Attempted telephone interview with Child C's Mother - no answer.
03/21/2023	Inspection Completed-BCAL Sub. Compliance
04/04/2023	Exit conference with Ms. Piotrowski, licensee designee.

ALLEGATION: On 2/1/23 at approximately 11:15 a.m., Child A ([REDACTED], female) [REDACTED] Child B [REDACTED], female) on [REDACTED] [REDACTED] Child A and Child B were alone in [REDACTED] for approximately two minutes until staff realized they were missing.

INVESTIGATION: On 2/6/23, I reviewed the incident report sent to the department. On 2/1/23 at approximately 11:15 a.m., Child A ([REDACTED], female) and Child B ([REDACTED], female) went into [REDACTED]. Child A [REDACTED] Child B into [REDACTED] and ultimately pulled her in. Approximately two minutes after the children went into [REDACTED], the child care staff member (CCSM) did a head count in the classroom and noticed the two children missing. Mr. Ernie Marr III, program director opened [REDACTED] and saw Child B standing by [REDACTED] next to Child A, who also [REDACTED]. Mr. Marr III removed Child B from [REDACTED] and spoke with Child A and Child B about the [REDACTED] rules. Child A's Mother and Child B's Mother were notified of the incident and a meeting was set with Child A's Mother on 2/1/23 at the center regarding the incident. Due to the severity of this incident and numerous behavioral outbursts from Child A, Child A was disenrolled from care to ensure the safety to the other children in care. On 2/1/23 at approximately 9:00 p.m., Child B's Mother emailed the center to inform them that Child B told her while she and Child A were in [REDACTED] by Child A." On 2/2/23 [REDACTED]

Child B's Mother spoke with Child B again about what happened in [REDACTED] and Child B said that she was [REDACTED] Child A." A meeting was set up with Child B's Mother on 2/2/23. Child B's Mother was informed of the steps that were followed regarding the incident that took place on 2/1/23 and safety measures they were put into place to assure another incident does not occur.

On 2/6/23, I conducted an unannounced onsite inspection to the center and separately interviewed Mr. Ernie Marr III, program director, and child care staff member 6 (CCSM 6). I informed them of the allegations. Both Mr. Marr III and Ms. Piotrewski confirmed the incident took place on 2/1/23. On 2/1/23, Mr. Marr III and CCSM 1 were working the preschool classroom with 11 children, that included Child A and Child B. Around 11:15 a.m., the children were finishing from small group activities where the children were working on art projects and sensory tables. Mr. Marr III said the cleanup song was played to remind the children it was time to stop small group time and clean up. Mr. Marr III scanned the classroom and did a head count; there were only nine children present in his head count; Child A and Child B were missing from the classroom. Mr. Marr III immediately went to check [REDACTED] as this was the only area that he could not see from where he was positioned in the classroom. Mr. Marr III opened [REDACTED] door and saw Child A [REDACTED]. Child B was standing in front of Child A [REDACTED]. Mr. Marr III had Child B [REDACTED]. He spoke with Child B about [REDACTED] and how only one friend in allowed in [REDACTED]. Child B didn't reveal anything happening in [REDACTED] to Mr. Marr III; she only commented on [REDACTED] rule. He also had the same conversation with Child A. Child A did not like to be talked to about [REDACTED] rules. Neither Child A nor Child B disclosed [REDACTED] in the classroom was recently installed and the children were still getting used to [REDACTED] rules for this area as previously the children used a shared [REDACTED] located outside of the classroom. To assist the children with reminding them that only one person was allowed [REDACTED] at a time, a red and green octogen shaped sign was placed on the door handle to remind the children if the sign was red, it was being used by another child and they would need to wait. If the sign was green, they could use the bathroom.

Mr. Marr III said Child A has been enrolled in care approximately six and half months. During that time frame, she has had some challenging behaviors and struggles with following the classroom rules. Mr. Marr III said the center has had multiple meetings with Child A's Mother regarding her continued behavior problems while in care. Mr. Marr III said Child A would always come into class tired and did not have good sleep habits. Mr. Marr III denied Child A ever [REDACTED] at the center. One time Child A was talked to about [REDACTED] during nap/rest time. Mr. Marr III explained that they spoke with Child A about [REDACTED] and that school time was not the right time for this. Due to her continued behavioral issues while in care, Mr. Marr III said the CCSMs always kept a close watch on Child A. Regarding Child B, Mr. Marr III informed me that Child B has been enrolled in care for approximately five and half

months' timeframe. He denied Child B having any behavior issues and said that she does well in class and interacting with the other child care children. Mr. Marr III denied Child B [REDACTED] while in care.

Mr. Marr III and Ms. Piotrowski said Child A's Mother and Child B's Mother were met separately regarding the incident. Child A was disenrolled from care due to her continued behavioral issues while in care. Child B's Mother had concerns on how Child B was allowed to go onto [REDACTED] with Child A. Mr. Marr III informed Child B's Mother of the safety measures they put into place since the incident, including purchasing a door alarm for [REDACTED] in the classroom which will sound when the door is opened. When working with children, the CCSMs also position themselves at the tables where they can have a global view of the rest of the children in the classroom. The CCSMs also do random head counts throughout the day to assure all the children are accounted for. In addition, the CCSMs also have weekly meetings to discuss the importance of providing the children with appropriate care and supervision and knowing what activities the children are engaged in at all times. Child B's Mother disenrolled Child B from care. Mr. Marr III informed me that there was video footage from the classroom on the day of the incident.

On 2/6/23, I interviewed CCSM 1 at the center. CCSM 1 is the operations and human resource manager who assists in the preschool classroom when needed. I informed CCSM 1 of the allegation. CCSM 1 confirmed the allegation indicating that she and Mr. Marr III worked in the preschool classroom on 2/1/23 with 11 preschool-aged children that included Child A and Child B. CCSM 1 said she had to work in the classroom on 2/1/23 due to the scheduled CCSM calling in unexpectedly. CCSM 1 informed me at the time of the incident, she was not present in the classroom as she had to leave the room for approximately 10 minutes to address a parent phone call. When CCSM 1 returned to the classroom, Mr. Marr III informed her of the incident involving Child A and Child B [REDACTED]. According to Mr. Marr III, at the time of the incident, Mr. Marr III and the child care children were finishing up with small group activities. When Mr. Marr III completed a random head count, he noticed Child A and Child B were not present. Mr. Marr III went to [REDACTED], opened the door and saw Child A [REDACTED]. Child B [REDACTED]. Child A [REDACTED]. Mr. Marr III had Child B [REDACTED] and took her out of [REDACTED]. Mr. Marr III separately spoke with Child A and Child B reminding them of [REDACTED] rules. Neither child disclosed anything about [REDACTED]. Later that evening, Child B's Mother emailed Mr. Marr III informing him that Child B told her that Child A had [REDACTED]. The following morning, Child B's Mother said Child B only said Child A [REDACTED]. CCSM 1 said she had a good relationship with Child A; on multiple occasions she would have to go into the classroom and talk with Child A when Child A was upset and having a meltdown. Child A responds well to CCSM 1. When Child A has a meltdown, CCSM 1 talked with her and gave her a task to do as Child A responds well when you give her tasks to complete, such as

putting paper clips on papers. CCSM 1 provided me with the contact names of the CCSMs who work in the preschool room.

On 2/6/23, I reviewed the video footage of the preschool classroom on 2/1/23 around 11:15 a.m. when the incident occurred. The video footage shows Child A and Child B standing near [REDACTED] door talking together. The other children were in small group activities at the tables. The children begin to clean up from small group activities. Child A and Child B stood near [REDACTED] door for approximately 30 seconds talking and playing with the octagon sign on the door handle. Child A opens [REDACTED] door and walks into [REDACTED]. Child A pulls Child B by her arm into [REDACTED]. Within 20-30 seconds, Child B opens [REDACTED] door stands in the doorway momentarily, and goes back into [REDACTED], with the door shutting behind her. Approximately one and half minutes later, Mr. Marr III is seen looking around the room and walking toward [REDACTED] door. Mr. Marr III opens [REDACTED] door and sees Child A and Child B. Afterwards, Mr. Marr III can be seen sitting down at a nearby table talking with Child B. Afterwards, Child A comes out of [REDACTED] and talks with Mr. Marr III.

I observed the center premises. Jackson School of Arts is located in a commercial building with multiple floors located in downtown Jackson, Michigan. The center utilizes the first floor, second and third floor for child use space consisting of 10 rooms, the preschool room, multipurpose room, gymnasium, room 2a, 2B and 2C house a dance special, room 3A is used to house a theatre special, room 3B houses a dance special, room 3C kitchen/eating area, and room 3D is the art room. The center provides daily learning for preschool aged children ages 3-6 years old that is based on self-directed, non-competitive activities that foster high self-esteem and encourage the natural desire to learn, discover, and explore creativity to include such activities as art and crafts activities, dance, theatre, gymnastics, and Tae Kwon Do. The center's outdoor play area is located on the premise of the building that is completely fenced. There is a door from the center that leads into the outdoor play area. The preschool room consists of one large room that has different defined learning and play spaces throughout the classroom. There are tables set up throughout the classroom for the children and CCSM's. The room contains a bathroom inside of the classroom located near the back of the classroom. The room provides open spaces for the CCSMs to have a global view of the children engaging in their different learning activities.

On 2/14/23, I interviewed Child B's Mother via telephone. Child B's Mother said Child B was enrolled at the center for six months. On 2/1/23 Child B's Mother received a note from the center at the time of pick up informing her of the incident that occurred between Child A and Child B earlier that day. The note informed Child B's Mother on 2/1/23 around 11:15 a.m., Child A [REDACTED] Child B into [REDACTED] and [REDACTED]. Approximately two minutes after the children went into [REDACTED], the Mr. Marr III did a head count in the classroom and noticed the two children missing. Mr. Marr III opened [REDACTED] door and saw Child B [REDACTED] Child A, who also had [REDACTED].

Mr. Marr III separately removed both Child A and Child B from [REDACTED] and spoke with them about [REDACTED] rules. Child B's Mother said later that evening when she spoke with Child B about the incident, Child B told her that "Child A [REDACTED] while Child A went to [REDACTED]." Afterwards, Child A went to [REDACTED]. When Child B's Mother asked Child B if anything else happened in [REDACTED]? Child B replied with "yes", stating that "Child A [REDACTED] Child B's Mother said the following day, when she spoke with Child B about the incident again, Child B said Child A [REDACTED]. Child B's Mother met with the center on 2/2/23 at which time she made them aware of what Child B disclosed to her. Mr. Marr III informed Child B's Mother of the steps they took after becoming aware of the incident along with the safety measures, new protocols and safety measures the center has put in place to include placing a door alarm on [REDACTED] door to alert the CCSM's when [REDACTED] door opens and closes. Child B's Mother said after she met with Mr. Marr III and the executive director at the center, she learned that Child A had [REDACTED] Child B into [REDACTED] for two minutes before a CCSMs realized Child B was missing and Mr. Marr III completed his head count. "Two minutes is a long time," and she will never know what exactly took place in [REDACTED] outside of what Child B disclosed to her. Child B's Mother said she was "paying these CCSMs to watch her child and for two minutes, they had no idea where Child A was or what was taking place in [REDACTED]." Child B's Mother said Child B was disenrolled from care after the incident, as she was concerned for the centers lack of the warning signs to look for in children who come from [REDACTED] like Child A exhibited while at the center.

On 3/10/23 and 3/21/23, I separately interviewed CCSM2, CCSM 3, and CCSM 5, all who are child care staff members and work in the preschool classroom. I informed them of the allegation. All the CCSMs were made aware of the incident after returning to the center as none of the CCSMs worked on 2/1/23 when the incident occurred. CCSM 2 said she was scheduled to work in the preschool classroom on 2/1/23 but had an unexpected death in the family and called off for the day. All the CCSMs deny Child A or Child B ever [REDACTED] Child [REDACTED]. All the CCSMs said Child A was spoken to about maintaining appropriate boundaries as she has played doctor with other children on the playground and would use the [REDACTED] the other children's [REDACTED]. CCSM 5 said she immediately redirected Child A and informed her that she could [REDACTED]. All the CCSMs also said that Child A [REDACTED]. Child A's Mother made the center aware of this at the time of enrollment and provided the center with a doctor's statement informing them that this behavior was not concerning as it [REDACTED] and a soothing mechanism for Child A. Child A always did [REDACTED]. The CCSMs explained to Child A that this behavior should not be done at school but rather when she was at home during [REDACTED]. All the CCSMs confirmed due to Child A's ongoing behavioral issues, they kept a close eye on her during the school day and always kept her close to them. None of the CCSMs have seen Child B [REDACTED]

██████████ and described her as a smart and happy child who was doing well in the preschool room. Since the incident, all the CCSMs confirmed the center making the following safety measures to assure nothing like this happens again to include placing the door alarm on ██████████ door, having continual meetings to address the importance of assuring the children are provided with appropriate care and supervision at all times and assuring they position themselves in the classroom where they have a global view of the children at all times. They are also continuing with random headcounts of the children throughout the day.

On 3/10/23, I interviewed Child D's Mother via telephone. Child D (██████████, male) has been enrolled in care at the center for approximately one and half years. Child D's Mother did not express any concerns with the center. Child D's Mother said Child D enjoys attending care at the center and partakes in many different activities that include preschool, yoga, dance, art and crafts activities. Child D's Mother said the center communicates with her daily regarding Child D's experiences and also said that the center provides her with a newsletter informing her of all of the activities Child D was involved in while in care at the center. Child D's Mother described all the CCSM's as super friendly and said Child D enjoys interacting with them each day.

On 2/4/23, 2/9/23, 3/10/23 and 3/31/23, I made two separate attempts to separately interview Child A's Mother and Child C's Mother with out success.

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:	Mr. Marr III did not provide Child A nor Child B with appropriate care and supervision on 2/1/23. Child A was able ██████████ Child B into ██████████ for approximately two minutes when Child B ██████████.
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION: On 2/1/23, the preschool classroom did not have enough CCSMs present when the incident occurred between Child A and Child B. Specially, Mr. Marr III was alone with 11 children ages 3 to 5 years old for approximately ten minutes while CCSM 1 left the room. An additional CCSM was needed to be in

compliance with the required CCSM to child ratio requirements of 1 :10. CCSM 1 indicated that she left the classroom for approximately 10 minutes to take a phone call relating to other job duties that were not classroom specific. I provided technical assistance to include that a CCSM may need to be away from their assigned area of the center for a brief period of time for routine activities such as use of restroom, toileting a child, attending to a sick child, escorting children from the bus, etc. In those situations, children must not be left unattended. I informed the center that leaving the room to complete other duties such as copying materials or making phone calls that are not preschool classroom specific would not fall under an acceptable reason to leave the room.

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 caregivers to children, including children related to a staff member or the licensee, shall be the following: (c) For preschoolers 3 years of age, there shall be 1 caregiver for 10 children.
ANALYSIS:	On 2/1/23 at approximately 11:15 a.m., CCSM 1 left the preschool classroom for approximately 10 minutes to address a parent phone call relating to other job duties that were not classroom specific which placed the preschool room in violation of required staff member to child ratio requirements of 1:10. Mr. Marr III was alone caring for 11 preschool aged children ranging in age of 3-5 years; an additional CCSM was needed to be in compliance with the staff member to child ratio requirements of 1:10.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

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



4/25/2023

Timothy A Swope
Licensing Consultant

Date

Approved By:



04/27/2023

Darlese McConnell
Area Manager

Date