



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

August 3, 2023

Sonita NewBury-Schau
Kazoo School
1401 Cherry Street
Kalamazoo, MI 49008

RE: License #: DC390093883
Investigation #: 2023D0298011
Kazoo School

Dear Sonita NewBury-Schau:

I conducted a special investigation because the child care licensing division received information regarding your facility that related to licensing rules or law. The information was related to the following:

R 400.8125(1) Staff; volunteer; requirements.
R 400.8350(1) Toilets; hand washing sinks.
R 400.8355(1) Sewage disposal.

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

- I interviewed the program director, a child care staff member, and parents.
- I completed an on-site inspection on the following date: 06/14/2023.

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

R 400.8125(1) Staff; volunteer; requirements.
R 400.8350(1) Toilets; hand washing sinks.
R 400.8355(1) Sewage disposal.

I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by 08/24/2023. 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](#).

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,



Tiara McKay, Licensing Consultant
 Child Care Licensing Bureau
 611 W. Ottawa Street
 PO Box 30837
 Lansing, MI 48909
 (269) 615-5758

enclosure

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF COMMUNITY AND HEALTH SYSTEMS
SPECIAL INVESTIGATION REPORT**

I. IDENTIFYING INFORMATION

License #:	DC390093883
Investigation #:	2023D0298011
Complaint Receipt Date:	06/05/2023
Investigation Initiation Date:	06/14/2023
Report Due Date:	08/04/2023
Licensee Name:	Kazoo School
Licensee Address:	1401 Cherry Street Kalamazoo, MI 49008
Licensee Telephone #:	(269) 345-3239
Administrator:	Sonita NewBury-Schau, Designee
Licensee Designee:	Sonita NewBury-Schau, Designee
Name of Facility:	Kazoo School
Facility Address:	1401 Cherry Street Kalamazoo, MI 49008
Facility Telephone #:	(269) 345-3239
Original Issuance Date:	08/18/2000
License Status:	REGULAR
Effective Date:	02/16/2023
Expiration Date:	02/15/2025
Capacity:	50
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
Preschool children in Child Care Staff Member's (CCSM) room are spending long amounts of time at the nature preserve behind the facility. The children are not being brought back to the building use the bathroom. They are urinating and defecating in the preserve on a regular basis.	Yes

III. METHODOLOGY

06/05/2023	Special Investigation Intake – 2023D0298011
06/14/2023	Special Investigation Initiated – On-site from approximately 11:25 am until 12:35 pm. Interviewed Program Director Kelly Zajac and Child Care Staff Member.
07/20/2023	Contact – Telephone call made to Child A's Mother.
07/20/2023	Contact – Telephone call made to Child B's Mother.
07/20/2023	Contact – Telephone call made to Child C's Mother.
07/20/2023	Contact – Telephone call made to Child D's Mother.
07/24/2023	Contact – Telephone call made to Child E's Mother. Left a voice mail message requesting a return call.
07/25/2023	Inspection Completed-BCAL Sub. Compliance
08/03/2023	Exit conference with Sonita NewBury-Schau.

ALLEGATION: Preschool children in Child Care Staff Member's (CCSM) room are spending long amounts of time at the nature preserve behind the facility. The children are not being brought back to the building use the bathroom. They are urinating and defecating in the preserve on a regular basis.

INVESTIGATION: I conducted an on-site inspection on 06/14/2023. I found staff members and all children outside. I interviewed Program Director Kelly Zajac and Child Care Staff Member (CCSM).

Kelly Zajac stated that the children at the school spend time in the nature preserve behind the school. She said there is a one-mile loop and at points in the loop it is too far to return to the building to use the bathroom, so the children have to urinate and defecate in the woods. She explained that this only occurs in emergent situations. The child care staff members carry bags, wipes, and hand sanitizers for these situations. Kelly Zajac said that she teaches 2nd and 3rd grade, and her children have emergencies sometimes. She did not know how long CCSM stays in the woods with her preschool class.

CCSM stated that she has her class use the bathroom before they head outside into the woods. The children in her class are ages 3, 4, and 5 years. They walk in the woods for 1.5 – 2 hours. They usually leave between 9:30/10:00 am and return around 12:00 pm. “Periodically” there is an emergency, and a child has to urinate or defecate in the woods. When that happens, the child walks away from the rest of the class and finds a tree to go behind for privacy. One child care staff member goes with the child, and one stays with the rest of the group. In the event a child has to defecate, child care staff members bring bags, wipes, gloves, and hand sanitizer. The child defecates on the bag and uses the supplies to clean up. They then carry the bag back to the building. CCSM explained that the people who own the nature preserve asked that the child care center handle the matter in this way. Once back at the building, the children wash their hands.

CCSM said that no children have expressed any kind of discomfort with urinating or defecating in the woods. Only one parent has had an issue with it. She said they do not “shame” children for having to use the bathroom. They say, “if you need to use your body, please let me know” and “your body is your own”.

CCSM said only one child had one emergency last year but this year two children have had emergencies “more often”. The emergencies occurred less than once a week. She explained that children are required to be toilet trained at enrollment but this year “a lot” of children had emergency situations.

I spoke with Child A’s Mother on 07/20/2023. She was aware of children using the bathroom in the woods. She said that child care staff members and children call it the “woods pee”. She said, “if they are in the woods for long periods and away from the building, if they need to relieve themselves, it doesn’t concern me”. Child A’s Mother said that her child is “proud” when they go to the bathroom in the woods.

I spoke with Child B’s Mother on 07/20/2023. She was aware of children using the bathroom in the woods. She stated that child care staff members and children refer to it as a “woods pee”. She said the children go on long walks in all types of weather, including cold weather where layers and snow clothes are required. Child B’s Mother said that this has impacted Child B’s comfort with their own bodily functions”.

I spoke with Child C’s Mother on 07/20/2023. She was aware of the children using the bathroom in the woods. She said it happens “on a regular basis”. She called it “standard protocol” and “standard practice” and specifically stated that it is “not on an emergency basis”. She said they use the bathroom before they leave the building, and then they walk on a “big loop with no restrooms”. Child C’s Mother said, “they fully taught my child how to pee in the woods”. Child C’s Mother said she does not have any concerns with the matter. She called CCSM “great” and said CCSM is “fantastic” with the children.

I spoke with Child D’s Mother on 07/20/2023. She was aware of that children use the bathroom in the woods and said it was called a “woods pee”. She said it is a concern of hers. Her child now does a “woods pee” when outside, without any hesitation, “like it is something normal”. She said she likes the outdoor time that the center provides, but not the amount of outdoor time. She believes children should be able to use a bathroom instead of the woods, especially in the cold weather when they are wearing extra clothing.

I attempted to contact Child E’s Mother on 07/24/2023 but was unsuccessful in reaching her.

APPLICABLE RULE	
R 400.8125	Staff; volunteer; requirements.
	(1) All staff and volunteers shall provide appropriate care and supervision of children at all times.
ANALYSIS:	Appropriate care and supervision are not being provided when children ages 3, 4, and 5 years are being taken on walks for 1.5 – 2 hours on a daily basis where bathrooms are not available.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.8350	Toilets; hand washing sinks.
	(1) A center shall provide toilet and hand washing sinks as follows: (b) A center operating with children in attendance 5 or more continuous hours a day shall provide at least 1 toilet and 1 hand washing sink for every 15 children or fraction thereof.

ANALYSIS:	Toilets and handwashing sinks are not being provided on a daily basis when children ages 3, 4, and 5 years are being taken on walks for 1.5 – 2 hours on a daily basis where bathrooms are not available. Young children use the toilet frequently and cannot wait long when they have to use the toilet.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.8355	Sewage disposal.
	(1) Sewage and other water-carried wastes must be disposed of through a municipal or private sewer system.
ANALYSIS:	When children defecate in the woods, it is bagged and then carried back to the building.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

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



08/03/2023

Tiara McKay
Licensing Consultant

Date

Approved By:



08/03/2023

Yolanda Sims
Area Manager

Date