



STATE OF MICHIGAN
 DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
 LANSING

GRETCHEN WHITMER
 GOVERNOR

ORLENE HAWKS
 DIRECTOR

October 11, 2022

Stephanie Keenan
 KidFit Daycare LLC
 8146 Merchant Place
 Portage, MI 49002

RE: License #: DC390402830
 Investigation #: 2022D0267015
 KidFit DayCare

Dear Ms. Keenan:

I conducted a special investigation because the child care licensing division received a complaint against your facility that related to licensing rules or law. The allegations were related to the following:

R 400.8140(2)(d)	Discipline.
R 400.8140(2)(g)	Discipline.

The details of the allegations are in the attached report. To investigate the allegations, I completed an onsite inspection on August 26, 2022. I interviewed the program director, child care staff members and parents.

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.

	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,

A handwritten signature in cursive script that reads "Julia Majka".

Julia Majka, Licensing Consultant
Child Care Licensing Bureau
611 West Ottawa St.
P.O. Box 30664
Lansing, MI 48909
(269) 615-6039

enclosure

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

I. IDENTIFYING INFORMATION

License #:	DC390402830
Investigation #:	2022D0267015
Complaint Receipt Date:	08/25/2022
Investigation Initiation Date:	08/26/2022
Report Due Date:	10/24/2022
Licensee Name:	KidFit Daycare LLC
Licensee Address:	8146 Merchant Place Portage, MI 49002
Licensee Telephone #:	(269) 226-2000
Administrator:	Stephanie Keenan, Designee
Licensee Designee:	Stephanie Keenan, Designee
Name of Facility:	KidFit DayCare
Facility Address:	8146 Merchant Place Portage, MI 49002
Facility Telephone #:	(269) 775-1311
Original Issuance Date:	08/25/2020
License Status:	REGULAR
Effective Date:	02/25/2021
Expiration Date:	02/24/2023
Capacity:	84
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
Child A's lead teacher, Jessica Rought, is inflicting mental and emotional harm on him when yelling at him. She also excludes him from daily learning experiences as punishment.	No

III. METHODOLOGY

08/25/2022	Special Investigation Intake 2022D0267015
08/26/2022	Special Investigation Initiated - On Site Arrived at 10:00am; Left at 10:50am Interviewed program director Kristen Salem and child care staff members Jessica Rought and Tania Campos.
09/07/2022	Contact - Telephone call made Telephone contact made with Child A's aunt
09/27/2022	Contact - Telephone call made Telephone contact made with Child B, C, and D's father, Child E and F's mother, and Child G's mother
09/27/2022	Contact- Document sent Emailed with Child Care Licensing Consultant Jennifer Blake
09/27/2022	Contact - Telephone call made Telephone contact attempted with Child A's mother. Her mailbox is full and a message cannot be left.
10/11/2022	Contact - Telephone call made Telephone contact attempted with Child A's mother. Her mailbox was full, and a message could not be left.
10/11/2022	Exit Conference with Licensee Designee Stephanie Keenan

ALLEGATION: Child A's lead teacher, Jessica Rought, is inflicting mental and emotional harm on him when yelling at him. She also excludes him from daily learning experiences as punishment.

INVESTIGATION: On August 26, 2022, I completed an unannounced onsite inspection at the facility and interviewed Program Director Kristin Salem and Child Care Staff Members Jessica Rought and Tania Campos. Ms. Salem reported that Child A has been attending the facility since March of 2022. Child A was sent home yesterday, August 25, 2022, because the staff in his classroom could not handle his behaviors. Normally, Ms. Salem would take him in the office and try to calm him down so he could return to class, but she was working in another classroom and could not provide one on one care. Ms. Salem reported she contacted Child A's aunt to pick him up because the aunt offered to be the facilities contact person as they often cannot get into touch with Child A's mother.

Ms. Salem said Child A is often sent to her office to calm down when he is being disruptive and defiant towards Ms. Rought and Ms. Campos in the classroom. She reported the staff in the classroom have tried many different methods to keep Child A calm, but nothing seems to work. She said they mostly offer options of things for him do because he doesn't want to do what the rest of the class is doing. Ms. Salem showed me Child A's file and it has 14 incident reports that include incidents of hitting staff and children, biting, kicking, screaming, and trying to run out of the classroom. Ms. Salem reported she has not had any concerns with the care Ms. Rought provides and she has never had any complaints from other parents. Ms. Salem has never heard Ms. Rought yell at the children in a way that could cause mental or emotional harm and she has never seen her exclude children from daily activities as punishment. Ms. Salem said Child A is sent to her office regularly when he is being aggressive or disruptive in class, which means he is missing daily learning experiences, but it is for his own safety and the safety of the staff and other children.

Ms. Rought said she has worked in child care since 2012, but has only been at this facility since February 2022. She reported that Child A started at the facility about three months ago and he has always had high energy and low focus. She reported he becomes upset easily and starts yelling and running around the classroom. She reported her main method for keeping Child A calm is offering him choices. For example, when he knocks over a friends block tower, he has the option to help them rebuild the tower or apologize. Ms. Rought said he gets upset when she tries to make him do circle time or activities that the whole class is doing. She has to offer him other options, like playing with blocks next to the class at circle time instead of sitting in the circle. She denied using any language towards him that would cause mental or emotional harm. She does recall Child A's mother reporting he was upset because children in class were calling him mean. Ms. Rought said she did hear one child say it, and she talked with them. It has not been an ongoing issue. Ms. Rought said she is not excluding Child A from daily learning experiences, but he often refuses to participate so she offers him other options to keep him calm. When he

becomes aggressive or disruptive in class, she calls Ms. Salem to take him to the office for a break. She said they do not have the staff available to provide the one-on-one care he seems to need. Ms. Rought said she spoke with Child A's mother about her belief that Child A needs consistency regarding when he arrives and leaves every day so he can get comfortable with his schedule. Ms. Rought said for one week Child A was dropped off and picked up at the same time every day and his behaviors improved, but then his attendance started being inconsistent again and his behavior became disruptive again. Ms. Rought reported trying to work with Child A's mother regarding his behavior issues, but his mother does not offer suggestions and nothing Ms. Rought does seems to calm him anymore.

Ms. Campos reported that she has only worked with Ms. Rought at this facility since February 2022, but she has worked with her at another facility previously and she has never heard her use language that could cause mental or emotional harm or seen her exclude children from activities. Ms. Campos said they have tried many things with Child A to keep him happy and engaged, but he gets upset easily and cannot calm his body down. She said they have tried redirecting him, letting him play on his own, offering him choices, and encouraging him to participate in class, but none of it works consistently. Ms. Campos said one day he does well if you give him choices and the next day, he gets angry when you try to give him choices. She admitted it is not ideal to send him to the office to calm down, but Child A gets to the point where he is screaming and running around the class and then the other children are unable to play or learn because it becomes a safety issue.

On September 7, 2022, I made telephone contact with Child A's aunt. She reported that the facility has terminated Child A's care. Child A has said to her he doesn't understand why Ms. Rought hates me and yells at me all the time. Child A's aunt said she tried to talk with Ms. Rought about using positive discipline and her response was "nothing works." She reported a few times when she picked Child A up from care the other children would say "Child A was a bad boy today." Child A's aunt said that Child A was excluded from care regularly when he was sent to the office and when he was sent home. She also reported she has heard Ms. Rought has a history of inappropriate discipline at the other facilities she has worked at, but Ms. Salem has worked with her before and covers up everything she does.

On September 27, 2022, I made telephone contact with Child B, C, and D's father, Child E and F's mother, and Child G's mother. Child B, C, and D's father reported that Child B is currently in Ms. Rought's classroom, and he adores her. He said he is usually the one who drops off and picks up and he has never heard yelling or seen any inappropriate discipline. Child B, C, and D's father said that Child C is in a younger classroom and has not had any issues. He reported that Child D only attends in the summer because he is in school, but he was in Ms. Rought's care at another facility for 2.5 years and he never had any issues. Child E and F's mother reported that Child E is in Ms. Rought's classroom, and he does have to sit out sometimes for not listening, but she does not see that as excluding. She reported that she has not seen or heard any yelling at pick up or drop off, but Child E does

seem to shy away from Ms. Rought and seek out Ms. Campo instead. Child F is in a younger classroom, and she has had no concerns with care. Child G's mother reported that Child G does not attend any longer, but it does not have to do with Ms. Rought. She reported Child G did well in her care and she never had any concerns with discipline. Child G's mother reported also having an older child that was in Ms. Rought's care at another facility and he did well in her care as well.

On September 27, 2022, I made email contact with Child Care Licensing Consultant Jennifer Blake. She is the consultant for the other facilities Ms. Rought has worked at previously. She does not recall any previous complaints regarding Ms. Rought. I reviewed the investigation reports for the facilities and there is no documented history of inappropriate discipline with Ms. Rought.

On September 27, 2022, and October 11, 2022 I attempted telephone contact with Child A's mother, but she did not answer and her voicemail is full.

APPLICABLE RULE	
R 400.8140	Discipline.
	(2) All of the following means of punishment are prohibited: (d) Inflicting mental or emotional punishment, such as humiliating, shaming, or threatening a child.
ANALYSIS:	Ms. Rought provides appropriate discipline in the classroom. Child A's aunt reported Ms. Rought yells at Child A and he feels she hates him; however, I interviewed Ms. Salem, Ms. Campos, Child B, C, and D's father, Child E and F's mother, and Child G's mother and there is no reported issues with mental or emotional harm.
CONCLUSION:	VIOLATION NOT ESTABLISHED

APPLICABLE RULE	
R 400.8140	Discipline.
	(2) All of the following means of punishment are prohibited: (g) Excluding a child from daily learning experiences.

ANALYSIS:	Ms. Rought did not exclude Child A from daily learning activities as a method of discipline. Ms. Rought, and Ms. Campos reported that Child A would often refuse to participate in classroom activities and would be sent to the office to calm down when he was being disruptive in the classroom; however, he was encouraged to participate in class and was only sent to the office when his behavior posed a safety risk to himself or the staff and other children.
CONCLUSION:	VIOLATION NOT ESTABLISHED

IV. RECOMMENDATION

I recommend no change in the license status.

Julia Majka

10/11/2022

Julia Majka
Licensing Consultant

Date

Approved By:

Yolanda Sims

10/11/2022

Yolanda Sims
Area Manager

Date