



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

March 29, 2022

Diana Barkey
Edan Investments, LLC
555 Cascade West Parkway
Grand Rapids, MI 49546

RE: License #: DC410295907
Investigation #: 2022D1078009
Appletree Christian Learning Ctr.

Dear Ms. Barkey:

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 400.8125(1) Staff; volunteer; requirements

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

- I interviewed: the person who made the complaint, program director, licensee designee, child care staff member, parents.
- I completed on-site inspections on the following dates: 04/15/2022.

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

R 400.8125(1) Staff; volunteer; requirements

R 400.8185(2) Primary care.

R 400.8185(3) Primary care.

R 400.8185(5) Primary care.

I recommend issuance of 3rd provisional license. If you accept the provisional license, you must sign and return the enclosed waiver form. If you do not accept the provisional license, the matter will be forwarded to the disciplinary unit.

Due to the violations, you must send us a corrective action plan by 03/30/2022. 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,



Dawnita M. Diaz, Licensing Consultant
Child Care Licensing Bureau
611 W. Ottawa St.
P.O. Box 30664
Lansing, MI 48909
(616) 402-9376

enclosure

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

I. IDENTIFYING INFORMATION

License #:	DC410295907
Investigation #:	2022D1078009
Complaint Receipt Date:	02/08/2022
Investigation Initiation Date:	02/10/2022
Report Due Date:	04/09/2022
Licensee Name:	Edan Investments, LLC
Licensee Address:	555 Cascade West Parkway Grand Rapids, MI 49546
Licensee Telephone #:	(616) 447-7837
Administrator:	Diana Barkey, Designee
Licensee Designee:	Diana Barkey, Designee
Name of Facility:	Appletree Christian Learning Ctr.
Facility Address:	1953 Monroe Ave. Grand Rapids, MI 49505
Facility Telephone #:	(616) 447-7837
Original Issuance Date:	07/18/2008
License Status:	2ND PROVISIONAL
Effective Date:	12/02/2021
Expiration Date:	06/01/2022
Capacity:	172
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
Child A, female age 12 months, was locked in a closet and staff were not aware she was in there.	Yes
Additional Findings	Yes

III. METHODOLOGY

02/08/2022	Special Investigation Intake 2022D1078009
02/08/2022	Contact - Telephone call made Spoke with the reporting person regarding the allegations
02/08/2022	Contact - Telephone call made Spoke with Josie Nevins- child care staff member
02/08/2022	Contact - Telephone call made Spoke with Katrice Sweet, area manager re: complaint
02/10/2022	Special Investigation Initiated - On Site Unannounced on-site 11:48am-1:01pm met with Diana Barkey, program director and child care staff members.
03/04/2022	Contact - Document Sent Email sent requesting exit conference
03/04/2022	Contact - Document Received Email received accepting exit conference
03/10/2022	Exit Conference
03/10/2022	Inspection Completed-BCAL Sub. Non-Compliance Recommend 3rd provisional
03/10/2022	Corrective Action Plan Requested and Due on 03/30/2022

ALLEGATION: Child A, female age 12 months, was locked in a closet and staff were not aware she was in there.

INVESTIGATION:

On 02/08/2022 I was assigned this complaint and informed that on 01/11/2022, Diana Barkey, program director, had submitted an incident form following her report to the department about this incident. I made telephone contact with the reporting person of the complaint. She explained she was aware that an infant in care was "missing" for several minutes. The child was located locked in a bathroom/storage room between two classrooms. The complainant expressed concern that the child care center would lose a child and the risk this type of incident posed to children in care.

On 02/08/2022 I spoke with Josie Nevins, child care staff member (CCSM), by telephone. She is a co-lead in the classroom. She was aware of this incident and said on the day of it took place she was working and there is a bathroom/closet that connects her classroom to the next classroom. A staff member from the other room came through the closet to ask a question about a child they were transferring between the two rooms. A few minutes later Hannah Jandt, CCSM, opened the bathroom/storage door and saw Child A, female age 12 months, was in the closet. She walked to the other classroom and informed them Child A was in the closet and they were not aware she was missing. She said the director and Child A's Mother were informed of the incident.

On 02/10/2022 I conducted an unannounced on-site inspection to the child care facility. I met face to face with Diana Barkey, program director. She explained to me that another child was transitioning from one room to the other. The staff members were exchanging the child through the closet/storage room that connects the classrooms. At some point during the exchange Child A crawled unnoticed into the closet. A short time later Hannah Jandt went into the closet and found Child A inside. She went to the classroom and informed the staff that Child A had been found in the closet. Child A's Mother was informed of the incident. Since the incident the staff have been told the closet/storage room may not be used to exchange anything and the door has been locked.

I then met face to face with Gayle (Alana) Eikhoff, CCSM, outside the presence of others. She explained on the day of the incident she had received a child from the other classroom and went back to the other classroom to get a bottle for them. She went through the closet/storage room to ask the staff members about it, during that time Child A must have crawled into the closet. She was not aware Child A was missing from the room. A short time later Janna Brandt came into the classroom with Child A and told her she was found in the closet.

I then met with face to face with Child A's Mother outside the presence of others. She explained to me that on the day of the incident she was called and told her daughter was left in the bathroom/storage room. She was told she was there for

approximately 2-3 minutes. She was concerned about the incident due to the CCSM's not being aware her child was missing, in addition to that fact, the bathroom/storage room was filled with all kinds of hazards. This space had shelves in it where car seats were stored, miscellaneous items, and there is a functioning toilet in the room. Child A is mobile and able to pull herself up on items. The hazardous nature of the space and "what ifs" were of great concern to her. She was also concerned as the CCSM's were not the regular caregivers in the classroom.

I then interviewed Hannah Jandt, CCSM, outside the presence of others. She was aware of the incident. She explained that on that day she went into the closet and when she opened the door she noticed Child A standing by the door she opened. She realized Child A was from the other classroom and opened their door and said, "you need to pay attention to your kids." Gayle (Alana) Eickhof was in the room and her response from her perspective was one of indifference and it was clear she was not aware the child was missing. She then called and informed the assistant director of the incident who told the director and then those involved were spoken to. She has had concerns that Gayle Eickhof is "stressed out and forgets what she's doing and doesn't pay attention."

While on-site I viewed the bathroom/storage room and it had been cleared out since the incident. One of the shelving units that held all the car seats had been moved out to the entry way. There was one large shelving unit, clutter, and a functioning toilet. The door to the toddler classroom was locked and remains locked.

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:	Gayle (Alana) Eikhoff did not provide appropriate care and supervision of Child A when she opened the bathroom/storage door and Child A crawled unnoticed into the bathroom/storage room. Diana Barkey did not provide appropriate care and supervision to Child A as there is a system in place that requires children to be constantly moved increasing risk of going missing and disrupting continuity of care and supervision of staff.
CONCLUSION:	REPEAT VIOLATION ESTABLISHED SIR 2022D0608001 dated 11/24/2021 Corrective action plan approved 12/03/2021 SIR 2021D0608012 dated 6/22/21 Corrective Action Plan dated 07/11/21 Confirming letter dated 09/28/2020 Corrective Action Plan dated 10/06/2020 SIR 2020D1078008 02/28/2020 Corrective Action Plan dated 3/19/2020 SIR 2019D0608009 4/23/2019 Corrective Action Plan 05/10/2019

ADDITIONAL FINDINGS:

INVESTIGATION:

At the time of the on-site inspection, I asked about the primary caregiver for Child A and requested to see how this system is in place. I viewed the infant and toddler classrooms that are connected and involved in this complaint. The primary caregiving system was not in place, accurate, or provided to parents. Ms. Barkey acknowledged this fact and consultation was provided on this rule.

I interviewed Gale (Alana) Eikhoff while on-site and I asked her about who the primary caregiver was for Child A and she said there is no primary caregiving assignments in place. I then interviewed Child A's Mother and she explained that the staff members who were in Child A's classroom on the day of the incident were not Child A's regular caregivers. She was not familiar with them and had not been informed of who was Child A's primary caregiver.

I also spoke with Hannah Jandt while on-site. I asked about how primary caregiving is done and she said "it is tough" due to the amount of moving done on a daily basis with the infants and toddlers.

APPLICABLE RULE	
R 400.8185	Primary care.
	(2) The center shall implement a primary care system so that each infant and toddler has a primary caregiver.

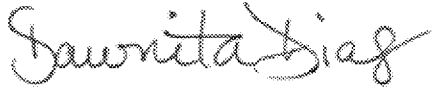
ANALYSIS:	Diana Barkey, program director, and staff do not have a primary care system in place for each infant and toddler. Diana Barkey has a process in place where infants and toddlers are routinely moved throughout the day between classrooms and primary caregiving is not followed.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.8185	Primary care.
	(3) Each infant and toddler shall have not more than 4 primary caregivers in a week. For centers operating less than 24 hours a day, an exception may occur during the first hour after the center opens and the hour before closing.
ANALYSIS:	Diana Barkey, program director, and child care staff do not ensure that each infant and toddler does not have more than 4 primary caregivers in a week. Diana Barkey has a process in place where infants and toddlers are routinely moved throughout the day between classrooms and primary caregiving is not followed.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.8185	Primary care.
	(5) Primary caregiving assignments must be documented and provided to parents.
ANALYSIS:	Diana Barkey, program director, and child care staff do not provide primary caregiving assignments to parents. Diana Barkey has a process in place where infants and toddlers are routinely moved throughout the day between classrooms and primary caregiving is not followed.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Upon the receipt of an acceptable corrective action plan, I recommend modification of the current status of the license to 3rd provisional.

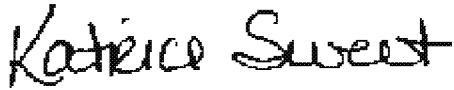


03/10/2022

Dawnita M. Diaz
Licensing Consultant

Date

Approved By:



03/15/2022

Katrice Sweet
Area Manager

Date



03/24/2022

Erika Bigelow
Division Director

Date



03/28/2022

Emily Laidlaw
Bureau Director

Date