



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

December 21, 2021

Kimberly Funk
SonShine Corner Learning Center LLC
21 W. Muskegon
Kent City, MI 49330

RE: License #: DC410296655
Investigation #: 2022D0614001
SonShine Corner Learning Center LLC

Dear Ms. Funk:

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:

R400.8125(1) Staff; volunteer; requirements.

The details of the allegations are in the attached report. To investigate the allegations, I completed an onsite inspection on 10/14/2021. I interviewed the person who made the complaint, program director, caregivers, witnesses, parents or others with relevant information.

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

R400.8182(3) Ratio and group size requirements.

I recommend no change to the current license status, with a follow up inspection.

Due to the violations, you must send us a corrective action plan by 1/11/2022. 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.

	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,



Samantha Struppa, Licensing Consultant
 Child Care Licensing Bureau
 611 W. Ottawa Street
 P.O. Box 30664
 Lansing, MI 48909
 (616) 690-2934

enclosure

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

I. IDENTIFYING INFORMATION

License #:	DC410296655
Investigation #:	2022D0614001
Complaint Receipt Date:	10/11/2021
Investigation Initiation Date:	10/11/2021
Report Due Date:	12/10/2021
Licensee Name:	SonShine Corner Learning Center LLC
Licensee Address:	21 W. Muskegon Kent City, MI 49330
Licensee Telephone #:	(616) 678-5049
Administrator:	Kimberly Funk, Designee
Licensee Designee:	Kimberly Funk, Designee
Name of Facility:	SonShine Corner Learning Center LLC
Facility Address:	21 W. Muskegon Kent City, MI 49330
Facility Telephone #:	(616) 678-5049
Original Issuance Date:	07/02/2008
License Status:	REGULAR
Effective Date:	05/18/2021
Expiration Date:	05/17/2023
Capacity:	66
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
Child A (Female, age 4) received an injury while in care and different staff members reported different stories causing a concern for inappropriate supervision.	No
Additional Findings	Yes

III. METHODOLOGY

10/11/2021	Special Investigation Intake 2022D0614001
10/11/2021	Special Investigation Initiated - Telephone I spoke with Child A's Mother.
10/14/2021	Inspection Completed On-site from 2:15PM until 3:31PM. I spoke with Program Director Kimberly Funk and child care staff member, Heather Murphy.
10/20/2021	Contact - Document Sent Emails exchanged with Ms. Funk. Received classroom attendance records.
10/26/2021	Contact - Telephone call made I spoke with child care staff member, Rebecca Schaffer.
11/01/2021	Contact - Telephone call made I spoke with child care staff member, Andrew Funk.
12/07/2021	Contact – Document Sent I sent an email requesting child information cards for the downstairs preschool classroom.
12/08/2021	Contact – Document Received I received the requested child information cards.
12/17/2021	Exit Conference Exit conference completed with Ms. Funk, program director.
12/20/2021	Contact Document Received: I received the requested waivers from Ms. Funk via email.

ALLEGATION: Child A (Female, age 4) received an injury while in care and different staff members reported different stories causing a concern for inappropriate supervision.

INVESTIGATION:

On 10/04/2021 Ms. Funk submitted an incident report to me via email, however I could not open this document. Ms. Funk mailed a physical copy of the report and this was received on 10/08/2021. Child A's Mother was notified of the incident on 09/30/2021 via phone.

On 10/11/2021 I spoke with Child A's Mother. She stated she received an incident report from the staff members at the center and took this to Helen DeVos with her. During the car ride to the hospital, Child A was in and out of consciousness. She explained Child A was examined at this hospital and found to have a minor concussion and needed to have two staples. The doctor reviewed the incident report provided to Child A's Mother, which had explained Child A was pushed and fell on the back of her head. The doctor explained when people are pushed, there is resistance, but Child A's head would not have split in the manner it did if she was aware of what was happening around her. The injury is located on the back of her head and the injury shows no signs of resistance, which she would have had if she were pushed in the front. The doctor did not state this injury was due to abuse.

Child A's Mother stated she was told different stories about Child A's injury such as Child A was playing and fell, or Child A was pushed. She stated she has concerns regarding Child B as he has repeatedly hurt Child A. Child B has bitten Child A on the shoulder and broke her skin. Child A's Mother stated she has received roughly four incident reports for marks Child A sustained over the last four months. She stated she knows of Child B because Child A tells her, but the staff members have never used names to identify incidents. She stated she does not recall the names of the staff members, but this incident occurred in the downstairs preschool room soon after drop, around 7:05AM. The incident is dated for 9/30/2021. She stated she has no concerns for the center as the staff member called her right after the incident happened, they had sent her a photo of the injury and washed her hair to clean the blood from her head.

On 10/14/2021 I made an unannounced visit to the center and spoke with program director, Kim Funk. She explained she was at the center when the incident with Child A happened, but she was not downstairs. The two staff members present during the incident were Rebecca Shafer and Heather Murphey. Andrew Funk was returning to the center after walking a group of children to the school; she is not sure if he was present when the incident happened. She stated she ran into Andrew Funk who advised her Child A had a gash on the back of her head and he believed she needed stitches. She went downstairs to the preschool and observed Child A playing. She stated she asked Ms. Murphy what happened and was told there was a few children playing with the waffle blocks on the carpeted area, but she does not know what happened because she turned around for a moment. When she turned

back towards the children, she saw Child A was crying a little. She walked towards her, which is when she noticed blood on the back of her head and observed the gash. Ms. Murphy explained that Child A did not have a large reaction to the injury. Ms. Murphy reported Child A said Child B's name, but she can't recall exactly what was mentioned. Ms. Funk stated she spoke with staff members for a few days trying to piece together what could have happened; if Child A fell or if she was pushed. She stated staff members have told her that Child A and Child B have "a give and take" relationship and they both have "spit fire" personalities. However, Child A likes to play with Child B and vice versa. They both have pushed each other on occasion. She stated she does not believe their interactions are abnormal or more aggressive. Child B has been a frequent biter in the past, but he was absent during the summer and returned for the school year. She stated when he returned staff members had the normal plans of keeping a close watch on him; however those behaviors of biting and pushing, have decreased.

Kim Funk stated when she spoke with Child A's Mother, she apologized and explained staff are not sure of how Child A's injury happened. She stated Child A could have tripped and fell, or another child could have pushed her, but it did not sound like there were any fights happening prior to the injury. She stated she has requested documentation from Child A's Mother of the doctor visits but has not received them. Child A received a couple of staples at the time of the incident, and these have been taken out. She stated she does not recall Child A's Mother reporting any concerns regarding Child B, but she mentioned the doctor felt there was some force involved, but Child A's Mother did not mention anything regarding resistance. She stated she does not believe Child A's Mother has any concerns as these have not been reported.

I spoke with child care staff member, Heather Murphy. She stated she is the staff member in the downstairs preschool classroom and has been working at the center for just over a year. She stated she believes the incident occurred around the end of September 2021 as she wrote the incident report but couldn't remember the exact date. She stated she had started breakfast for the children and Ms. Shafer was playing with the children. They were walking to switch positions when Ms. Murphy noticed Child A crying; this was not a loud cry so she did not realize the severity of the incident until she was close to Child A and saw blood coming from her head. Child A was sitting and said Child B pushed her. Ms. Murphy stated Andrew Funk came to the classroom at this point. Ms. Murphy explained she took off Child A's coat and looked at her head, put a cold cloth on it and Child A immediately calmed. She washed Child A's hair and put her coat in the washer due to the blood on the coat. She stated there was only blood on the floor, but she did not observe any blood marks on any toys or objects Child A could have hit her head on. She explained both her and Andrew Funk examined the injury. Andrew Funk was the staff member who called and reported the incident to Child A's Mother. It was decided that Child A's Mother would come back to the center to take her to the doctors.

Ms. Murphy stated she did not observe Child B push Child A. At the time she saw Child A crying she was walking from the kitchen to where the children were playing. Child A was standing up next to the pole in the classroom, which was secured with padding and held together using zip ties. The padding did not have any blood on it and neither did any of the toys surrounding the area Child A was in. She stated she asked Child A what happened, and Child A replied that Child B pushed her. She then asked what she hit her head on and she did not say but continued to play. She does not know what Child A could have hit her head on.

Ms. Murphy stated Child B returned to the center in August of 2021. He had bit Child A several times before the summer; however, since returning, he has not had the aggressive behaviors he had previously. She explained Child B "Is more of if you push me, I will push you back" and Child A is the same way. She stated staff members "usually" do not let Child B out of their sight because of his behaviors prior to summer, but Child B has been better. Staff members use a paper incident report for biting, but it is not used as much anymore because it is no longer a big issue. She stated she does not know if Child B pushed Child A and she has tried to ask the other children who were present what happened, but the other children said "I don't know"; usually if the other children witness another child pushing, they will tell. Ms. Murphy and I discussed increasing supervision on children's behaviors when needed, shadowing, meeting with parents, documenting plans of action and having children be helpers in the classroom. She stated she could push breakfast back until all staff members have arrived for the day, but the breakfasts are always ready-made items, such as cereal so staff are not cooking and watching children at the same time.

On 10/26/2021 I spoke with Rebecca Schafer, floater for the center and began employment mid-September. She stated there was an incident involving Child A, but she is unsure what day this occurred, but sometime towards the end of September 2021. She explained she was in the kitchen cleaning up and getting the other children breakfast, but Ms. Murphy was present with the children. The children can be seen from the kitchen area as the classroom has an open concept, When she looked over at Ms. Murphy, she saw Child A crying so she walked towards Child A. Both her and Ms. Murphy noticed blood on the back of Child A's head as Child A was trying to reach around to the back of her head. Ms. Murphy then took Child A to the bathroom and cleaned her hair. At this time. Andrew Funk was helping the other children. She told Andrew Funk that the injury looked deep and he was already in the process of calling Child A's Mother. She stated she did not witness how this happened, but Child A was standing when they noticed her. She stated she did not ask Child A what happened, but Child A was holding her head and began crying. Child A never said what happened while she was assisting her with the incident. She stated the other children did not tell her what happened either, however there was only one other child closer to Child A, but the other children were "not really around her". She elaborated that Child B was sitting by the lockers when she responded to the incident, but he was roughly a foot or two away from Child A. She stated she does not know if there was an altercation between Child A and Child B. She

explained Child A was standing next to a cushioned pole, there was no blood marks on any objects around her; it is unknown what Child A bumped her head on. She stated Andrew Funk spoke with Child A's Mother and she is unsure what he told to her, but she would have told Child A's Mother that there was an incident where Child A hit her head, but it is unknown how this happened and what she hit her head on. She explained it is difficult with Child A and Child B as they are good friends and want to play with each other, but they also get mad at each other.

On 11/01/2021 I spoke with Andrew Funk. He stated in the mornings, he takes the school aged children to school. When he came downstairs after taking the children to school, the incident with Child A had already taken place. Ms. Murphy asked Child A "Why do you have blood on your back"? Ms. Murphy provided care to clean up the blood on Child A. He stated the other children did not mention what happened and no one really knows what exactly occurred to Child A. He stated staff members are thinking Child A fell because if she gets pushed, she will let someone know. He explained while the other staff members were tending to her, he had taken a picture of the injury and sent this to Child A's Mother as well as spoke to her via telephone. While he was on the phone with Child A's Mother, she reviewed the picture of the injury and stated "Yep, she will need some stitches" and came back to pick her up. Child A's Mother did not report any concerns to him, but she mentioned Child A needed two staples. She did not discuss her thoughts on the incident. He explained Child B does have his moments; he has his good days and bad days. He stated he wouldn't say Child B is a danger in the classroom or to the other children, but he is a child and does not know how to use his words at times. Child B is not excessively aggressive and if he thought Child B was, he would have conversations about these concerns with Child B's Mother. He stated he has no safety concerns with Child B in the classroom and has no concerns regarding Child B targeting another child.

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:	Staff members provided appropriate care and supervision to Child A.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

On 10/14/2021, Heather Murphy stated Ms. Schafer typically arrives at the center around 7:30AM and she will have roughly 12 children, give or take. She explained the downstairs preschool classroom is for 3–5-year old's and she has been alone with 12 child care children while working in this classroom. She stated she believes the youngest child in the classroom is around or almost 3. The classroom usually has 12 children per adult in the classroom. On the day of Child A's incident, she believes there were roughly 27 children present with 3 child care staff members, which includes Andrew Funk. I showed Ms. Murphy the staff to child ratio and group size requirements located in the child care licensing rulebook; a discussion was held regarding ratio and group size.

On 10/20/2021 I received attendance records from Kim Funk for the preschool classroom for the week of 09/27/2021. The attendance records showed the following:

- On 09/27/2021 the downstairs preschool classroom had 22 children.
- On 09/28/2021 the downstairs preschool classroom had 23 children.
- On 09/29/2021 the downstairs preschool classroom had 21 children.
- On 09/30/2021 the downstairs preschool classroom had 20 children.
- On 10/01/2021 the downstairs preschool classroom had 14 children.

On 10/26/2021 I spoke with Rebecca Schafer. She stated today at the center, she currently has 25 child care children with 3 staff members and ages are 2 ½ to 5. She explained there is a school age before/after school program, and they have a classroom upstairs.

On 11/01/2021 I spoke with Andrew Funk. He explained the downstairs preschool classroom has an age range of 2 ½ to 3. He stated the older preschoolers are dropped off in the downstairs classroom every morning, then he will bring the children who are roughly 4 ½ almost 5, upstairs to their classroom. He stated today, there are 13 children in the younger preschool classroom with 2 staff members and he has 10 children with himself. He stated he believes the majority of the children in the downstairs classroom are close to being 3 years old.

On 12/08/2021 I received the child information cards for the children in the downstairs preschool classroom. I reviewed 26 child information cards; the majority of the children were between the ages of 3-4. However, the following were the youngest children in the classroom:

- One child was 2 years and 5 months in September 2021.
- One child turned 3 years of age in October 2021.
- One child turned 3 years of age in October 2021.


On 12/17/2021 I completed the exit conference with Ms. Funk and requested the completed waivers.

On 12/20/2021 I received an email from Ms. Funk regarding the waiver for children who were at least, 33 months of age at the time of the investigation. Therefore, there was one child under 33 months at the time of the investigation who did not yet qualify for the waiver, causing the classroom to operate out of staff member to child ratio and group size.

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 child care staff members to children, including children related to a staff member or the licensee, must be as shown in Table 4: b) Preschoolers, 30 months of age until 3 years of age: Child Care Staff Member to Child Ratio: 1 to 8. Maximum Group Size: 16.
ANALYSIS:	The youngest child in the downstairs preschool classroom was 2 years and 5 months in September 2021. Attendance records indicate the classroom is operating over the maximum group size with this age group as they average 20 children each day. Staff members report roughly 3 staff members present in the classroom. Ms. Schafer stated she had 25 children on 10/26/21.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Upon receipt of an acceptable corrective action plan, I recommend no change to the current status of this child care license. An unannounced follow up visit will be made to ensure compliance with staff to child ratio and group size requirements.



12/20/2021

Samantha Struppa
Licensing Consultant

Date

Approved By:

Katrice Sweet

12/21/2021

Katrice Sweet
Area Manager

Date