



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

April 21, 2023

James VanderMaas
Michigan Family Resources
2626 Walker Avenue
Walker, MI 49544

RE: License #: DC410400470
Investigation #: 2022D1083016
Alger Head Start

Dear Mr. VanderMaas:

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 Staff; volunteer; requirements.

R400.8140 Discipline.

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

- I interviewed: the program director, child care staff members, and parents.
- I completed on-site inspections on the following dates: 5/23/2022.

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

R400.8125 Staff; volunteer; requirements.

R400.8140 Discipline.

I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by 5/10/2023. 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,



Stacia L. Thrower, Licensing Consultant
 Child Care Licensing Bureau
 611 W. Ottawa St.
 P.O. Box 30664
 Lansing, MI 48909
 (616) 916-5504

enclosure

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

I. IDENTIFYING INFORMATION

License #:	DC410400470
Investigation #:	2022D1083016
Complaint Receipt Date:	05/20/2022
Investigation Initiation Date:	05/23/2022
Report Due Date:	07/19/2022
Licensee Name:	Michigan Family Resources
Licensee Address:	2626 Walker Avenue Walker, MI 49544
Licensee Telephone #:	(616) 453-4145
Administrator:	James VanderMaas, Designee
Licensee Designee:	James VanderMaas, Designee
Name of Facility:	Alger Head Start
Facility Address:	256 Alger SE Grand Rapids, MI 49507
Facility Telephone #:	(616) 453-4145
Original Issuance Date:	09/18/2019
License Status:	REGULAR
Effective Date:	03/18/2022
Expiration Date:	03/17/2024
Capacity:	149
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
Child Care Staff Member 1 did not provide appropriate and supervision for Child A (Male, 5 years of age) on 5/19/2023. Child Care Staff Member 1 hit Child A in his face causing redness to his cheeks.	Yes
Additional Findings	Yes

III. METHODOLOGY

05/20/2022	Special Investigation Intake 2022D1083016
05/23/2022	Special Investigation Initiated - On Site Approximately 1:30PM - 2:36PM; Interviewed Nicole Czehowski, Program Director. Reviewed video footage from incident date w/ Program Director and requested that video footage downloaded and sent via email.
03/17/2023	Contact - Telephone call made to Child Care Staff Member 2
03/17/2023	Contact - Telephone call made to Child A's Mother
03/31/2023	Contact - Telephone call made. Attempted telephone call to Child Care Staff Member 1. Incorrect telephone number.
04/06/2023	Contact - Telephone call made to Child Care Staff Member 1
04/10/2023	Exit Conference w/James Vandermaas via telephone.

ALLEGATION: Child Care Staff Member 1 did not provide appropriate and supervision for Child A (Male, 5 years of age) on 5/19/2023. Child Care Staff Member 1 hit Child A in his face causing redness to his cheeks.

INVESTIGATION:

I conducted an unannounced onsite inspection on 5/23/2023. Child Care Staff Member 1 was not present at the time of inspection. I interviewed Nicole Czehowski, program director, regarding the allegation. She stated that on 5/19/2022, Child A's Mother came to the center after school and alleged that Child Care Staff Member 1 hit Child A in his face prior to lunch. Child A's Mother was told

this by Child A. She provided Ms. Czehowski with photos of Child A's cheek which showed slight redness. Ms. Czehowski provided me with a copy of the photos, and there was no presence of markings that were consistent with a handprint or fingers. Child A's Mother requested to review the classroom video footage and to speak with Child Care Staff Member 1. Per Ms. Czehowski, Child Care Staff Member 1 denied hitting Child A. Ms. Czehowski explained that per the video footage that she reviewed on 5/19/2022, the classroom was preparing for lunch and Child A was lying on the floor. Child Care Staff Member 1 was writing a daily communication note to Child A's Mother and Child Care Staff Member 2 was near the counter preparing food. The other children in the room were being seated for lunch but Child A continued to lie on the floor and crawled toward Child Care Staff Member 1 on his knees. Ms. Czehowski explained that per the video, Child A appeared to fling himself on the floor. Child Care Staff Member 1 was carrying an iPad in her right hand; however, her body obstructed the camera view of her left hand. Child Care Staff Member 1 bent down toward Child A, but it was difficult to see what occurred due to the obstructed view of the camera. I watched this portion of the video with Ms. Czehowski and agreed with her assessment of the video detail. A portion of the interaction between Child A and Child Care Staff Member 1 could not be seen clearly and neither Ms. Czehowski nor myself saw Child Care Staff Member 1 hit Child A. After this interaction on the video, Child A continued to lie on the floor for approximately 1-2 minutes. Child Care Staff Member 1 asked him to wash his hands and join the rest of the children at the tables for lunch. Child A washed his and sat down for lunch without any additional prompting. He was not crying and did not appear upset. Child A ate his lunch and engaged with others seated at the table without any difficulty. Ms. Czehowski reported having no concerns regarding Child Care Staff Member 1's performance. She stated that Child Care Staff Member 1 is well organized and maintains a structured room. There have been no other concerns reported to Ms. Czehowski regarding the care and supervision that Child Care Staff Member 1 provides at the center. I requested to review additional video footage from 5/19/2022 with Ms. Czehowski while onsite. After lunch, the video showed Child Care Staff Member 1 was gathering cots for resting and Child Care Staff Member 2 was cleaning up the lunch area. Child B (Female, 4 years of age) was seated at a table with three other children. Child B was peeking underneath the table and Child Care Staff Member 1 walked behind Child B and grabbed her aggressively by her upper arm, forcing her to sit upright in her seat. I asked Ms. Czehowski to replay this frame of the video and we rewatched Child Care Staff Member 1 aggressively grab Child B in the video. Ms. Czehowski and I agreed that Child Care Staff Member 1's handling of Child B was inappropriate and did not comply with the discipline policy of Michigan Family Resources which emphasizes verbal redirection and prohibits this type of engagement with children. As the video footage covered the entire day of 5/19/2022, I requested that the video be downloaded and sent to me for further viewing. Michelle Paul, Licensee Designee, emailed me the full video for viewing on 5/25/2022.

I reviewed a signed, written statement that was provided by Child Care Staff Member 1. The signed statement was dated 5/19/2022 and signed by Child Care

Staff Member 1 on 5/20/2022. Much of her statement regarding the allegation documented Child A's behaviors such as touching others and being rambunctious. She also stated that Child A is not always "forthright" when reporting things to his mother. Child Care Staff Member 1 stated that when children are rambunctious, she places her hands on their arms and shoulders, so they stay safe and won't harm one another. She reported that on 5/19/2022, children were scattered about the room, and she was attempting to get them to wash their hands for lunch. She stated that she "placed her hand on Child A's shoulder region and down into a seated position" next to her while directing the other children to line up. She explained that Child A washes his hands last as he tends to touch others. She stated that Child Care Staff Member 2 received a text message from Child A's Mother after school on 5/19/2022. The text message from Child A's Mother alleged that Child Care Staff Member 1 shoved and hit Child A's face. Child Care Staff Member 1 reported that from her recollection and from evidence in the video footage, she placed her hand on Child A's shoulder region and down into a seated position. Child Care Staff Member 1 did not directly deny hitting or shoving Child A in her written and signed statement.

I interviewed Child Care Staff Member 2 regarding the allegation via telephone on 3/17/2023. She stated she did not observe Child Care Staff Member 1 shove or hit Child A. She stated that on 5/19/2022, she was getting lunch prepared for the children at the alleged time of the incident. She observed the video footage from this date, and she reported not seeing anything on the video either. She stated that Child A didn't cry on 5/19/2022 and he did not disclose anything to her. I asked Child Care Staff Member 2 if she observed Child Care Staff Member 1 grab Child B aggressively while watching the video. She stated that she did not witness this incident, nor did she observe it while watching the video footage. However, she acknowledged that she did not view the video in its entirety. She reported no concerns regarding Child Care Staff Member 1 and stated that she no longer works for the center.

I viewed the text message that Child A's Mother sent to Child Care Staff Member 2 which was provided to me by Ms. Czehowski. Child A's Mother stated via text message that Child A reported that Child Care Staff Member 1 had hit and shoved his face because he was trying to look at a "green thing" that another child in care had. The response to Child A's Mother was not provided.

I spoke to Child A's Mother regarding the allegation via telephone on 3/17/2023. She reported watching the video footage from 5/19/2022. She stated that Child A and Child Care Staff Member 1 were in one area of the room while the other children were seated at the table. She saw Child Care Staff Member 1's hand move and Child A was crying. I explained to Child A's Mother what I had witnessed in the video prior to lunch. There was a portion of the interaction between Child A and Child Care Staff Member 1 in which Child Care Staff Member 1 was bent over toward Child A, but the interaction could not be clearly seen as the camera view was blocked. Child A's Mother stated that she could tell that something happened by Child Care Staff Member 1's body language. She explained that Child A had

previously reported that Child Care Staff Member 1 had hit him, but Child Care Staff Member 1 would explain the allegations away by saying that she accidentally bumped Child A. I told Child A's Mother that I would review the video in its entirety, and she was appreciative of that. Child A no longer attends care at the center.

I interviewed Child Care Staff Member 1 regarding the allegation via telephone on 4/6/2023. Child Care Staff Member 1 acknowledged knowing the allegations that were made. I asked Child Care Staff Member 1 if she recalled hitting or shoving Child A on 5/19/2022. She explained that Child A was aggressive toward the other children in the room. She stated that he often touched others and she communicated with Child A's Mother via a notebook. I asked Child Care Staff Member 1 if she recalled anything regarding the allegation of hitting Child A. She stated that she had spoken to Ms. Czehowski about Child A's behavior and Ms. Czehowski suggested that she document the behaviors and communicate with Child A's Mother via notebook. I explained to Child Care Staff Member 1 that the allegation was not related to Child A's behavior and again asked her if she could provide information regarding the allegation. She stated that it was hard to recall much, and she no longer works at the center. I asked Child Care Staff Member 1 if she recalled the written statement that she signed on 5/20/2022. She stated that she did recall the statement. I read to Child Care Staff Member 1 the sentence in which she wrote that she placed her hand on Child A's shoulder region and down into a seated position. I asked her to explain and clarify that statement. Child Care Staff Member 1 stated that Child A was standing next to her and that she placed her hand on Child A's shoulder. I asked her to explain how Child A got into a seated position from her touching his shoulder and she could not explain this. She stated that Child A was standing next to her, and she put her hand on his shoulder to seat him on a blue chair. I asked her how Child A would know that she wanted him to sit down by her simply placing her hand on his shoulder. She stated that she just put her hand on his shoulder, and down into a seated position. Child Care Staff Member 1 never stated that she verbally directed Child A to sit down so I asked her if she pushed downward on Child A's shoulder to indicate to him that she wanted him to sit down and she replied, "Yes." I asked Child Care Staff Member 1 if this would be consistent with the discipline and redirection policies of Michigan Family Resources (Head Start for Kent County) and she stated, "Yes, in certain situations." She explained that Child A was not crying during the day, and she did not recall a red mark on his face when he left for the day. I explained to Child Care Staff Member 1 that I had reviewed portions of the video footage from 5/19/2022. I asked her if she recalled the incident in which she aggressively grabbed Child B by her upper arm. Child Care Staff Member 1 stated that she didn't recall this. She stated that she had been interviewed by law enforcement and they didn't find anything. I explained that my investigation addresses potential noncompliance issues related to the Michigan administrative rules for child care and was thus a separate investigation from law enforcement. Child Care Staff Member 1 stated that she no longer lives in the state of Michigan and did not recall anything else regarding the allegation.

I reviewed the video footage for 5/19/2022 provided by Michelle Paul in its entirety on 4/10/2023. I observed the children engaging in free choice time prior to lunch. Child Care Staff Member 1 was seated on the floor with a group of children and Child A was seated approximately six feet away from her playing with another group of children. Child A appeared to touch another child with a toy near the child's back. Child Care Staff Member 1 did not get up to talk to Child A, but she spoke to him from across the room in a loud and firm tone in the presence of all children. She called Child A by his name and stated, "Why would you do that?" I could not hear Child A's response, however; Child Care Staff Member 1 continued by saying, "No, don't you think I can hear and see what you're doing? Do we need to write that in the book because that's what I wrote yesterday to mom about you keeping your hands on your own body? We don't touch people's body and private area, and you did that on purpose because I just watched you do it. That is not ok. Do you understand what I'm talking about? Because why would you do it? I need an answer. Don't do it again. I've already talked to you about this twice today. Your mom's going to have to take you home if that's how it's going to be. You won't be able to be in this classroom if you do that. You won't be able to be in school if you do that." Child A continued to play with the other children after this incident and Child Care Staff Member 1 remained seated on the floor with a separate group of children. She never spoke to Child A individually or in a positive way during her interactions with him. I continued to watch the video (section 1:12) and I observed Child Care Staff Member 1 sitting with the child care children in circle time. Child Care Staff Member 1 signaled with her finger for a child (Male, approximately 4 years of age) to come to her. This child's identity is unknown as his name was not stated in the video. The child walked to Child Care Staff Member 1. Child Care Staff Member 1 was still seated on the floor, and she roughly grabbed the child by his arm and pulled him toward her and sat him on the floor next to her. The child turned his body away from her and she grabbed him, cuffing both of his arms at the upper portions, and aggressively turned him towards her. The child again tries to turn away while Child Care Staff Member 1 continues to hold his arms and she forcefully turned him toward her again. Child Care Staff Member 2 was in a different area of the room at this time and Child Care Staff Member 1 continued the group activity with the children. Later in the video (section 2:52) the children are watching a video on an iPad with Child Care Staff Member 1. All the children are seated on the floor. Some of the children are using cushions/stools for seating and others are not. Child C (Male, 4 years of age) has a green stool, and he moves it closer toward the screen viewing area. Child Care Staff Member 1 removed the stool from Child C and put it away. Child C sat on the floor with the other children and began patting hands playfully with Child A. Child Care Staff Member 1 aggressively grabbed Child C by his upper arm and pulled him onto a bench to sit down. As she is pulling his arm, Child C stated, "That's hurting!" Child Care Staff Member 1 replied, "Well, you're ruining everything right now." A little further in the video (section 2:59) Child C is running with Child A in the room. Child Care Staff Member 1 grabbed Child C by his arm again and pulled him onto a blue bench to sit next to her. Child C attempted to get off the bench and she pulled him by his arm and lifted back onto the bench.

During this interaction with Child C, Child Care Staff Member 2 is observed in the food preparation area with her back turned as she is preparing food for lunch.

During the exit conference with James Vandermaas on 4/10/2023, we discussed my observations from the video. Mr. Vandermaas had also reviewed the video's content at the time that the allegations were made, and he reported that Child Care Staff Member 1 no longer works for the center. Mr. Vandermaas also discussed several changes that have been made throughout the agency that would increase classroom supervision, support, and overall compliance with the administrative rules. I also received email communication from Michelle Paul on 5/25/2022. Ms. Paul stated she and others with the agency had reviewed the video footage. Ms. Paul acknowledged that were moments of inappropriate redirection and tone used by Child Care Staff Member 1 along with inappropriate statements made to children that do not align with the agency's expectations for staff members. Ms. Paul reported that plans were being developed to address these issues.

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:	Child Care Staff Member 1 did not provide appropriate care and supervision for children. Child Care Staff Member 1 aggressively handled children several times on 5/19/2022 by pulling their arms.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.8140	Discipline.
	(1) Positive methods of discipline that encourage self-control, self-direction, self-esteem, and cooperation must be used.

ANALYSIS:	Child Care Staff Member 1 did not use positive methods of discipline with the children in care. Child Care Staff Member 1 used an inappropriate tone when addressing Child A and Child C. She made statements that blamed and shamed children which did not encourage self-esteem. Child Care Staff Member 1 grabbed multiple children forcefully and aggressively by their arms, and she failed to encourage self- direction in children.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

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

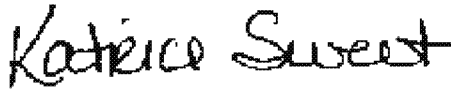


4/13/2023

Stacia L. Thrower
Licensing Consultant

Date

Approved By:



04/21/2023

Katrice Sweet
Area Manager

Date