



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

February 2, 2023

Mandie Drake
KinderCare Education LLC
1090 S Lapeer Road
Lapeer MI 48446

RE: License #: DC440406778
Investigation #: 2023D0026009
KinderCare Learning Center

Dear Mrs. Drake:

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

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

- I interviewed program director, caregivers, parents with relevant information.
- I completed an onsite inspection on 01/12/2023.

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

- R400.8125(1) Staff; Volunteer; requirements
- R400.8182(3)(d) Ratio and group size requirements

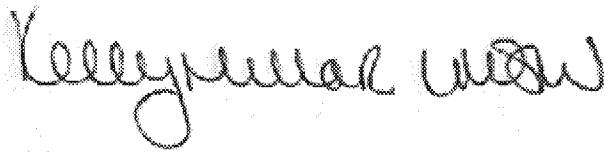
I recommend no change to the current license status. A written corrective action plan was received and approved.

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,

A handwritten signature in black ink, appearing to read "Kelly Millar LMSW". The signature is written in a cursive style with a large initial "K".

Kelly Millar, LMSW, Licensing Consultant
Child Care Licensing Bureau
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909
989-385-6683

enclosure

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

I. IDENTIFYING INFORMATION

License #:	DC440406778
Investigation #:	2023D0026009
Complaint Receipt Date:	01/11/2023
Investigation Initiation Date:	01/12/2023
Report Due Date:	03/12/2023
Licensee Name:	KinderCare Education LLC
Licensee Address:	Ste 200 5005 Meadows Road Lake Oswego, OR 97035
Licensee Telephone #:	(800) 633-1488
Administrator:	Kyra Hall-Elzy
Licensee Designee:	Kyra Hall-Elzy
Name of Facility:	KinderCare Learning Center
Facility Address:	1090 S. Lapeer Rd. Lapeer, MI 48446
Facility Telephone #:	(810) 969-4178
Original Issuance Date:	08/03/2021
License Status:	REGULAR
Effective Date:	02/03/2022
Expiration Date:	02/02/2024
Capacity:	160
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
Child A was brought to class and placed the room over-ratio.	Yes
Child B was left on the playground alone.	Yes

III. METHODOLOGY

01/11/2023	Special Investigation Intake 2023D0026009
01/12/2023	Special Investigation Initiated - On Site 11:37 AM to 12:31 PM Unannounced, onsite inspection completed. Interviews conducted with program director, Mandie Drake and child care staff member, Emily Sova.
01/19/2023	Contact - Document Received Received an email from program director Mandie Drake advising Ms. Luzi had resigned.
01/19/2023	Contact - Document Sent Emailed program director acknowledging email.
01/20/2023	Contact - Telephone call made Attempted telephone call with Child A's mother. A voicemail was left requesting a call back.
01/20/2023	Contact - Telephone call made Attempted telephone call with Child B's mother. A voicemail was left requesting a call back.
01/20/2023	Contact - Telephone call made Attempted telephone call with Child C's mother. A voicemail was left requesting a call back.
01/20/2023	Contact - Telephone call made Telephone call with Child D's father, interview conducted.
01/20/2023	Contact - Telephone call received Received a voicemail from Child B's mother.
01/20/2023	Contact - Telephone call made Telephone call with Child B's mother, interview conducted.

01/20/2023	Contact - Telephone call received Received a voicemail from Child C's mother.
01/20/2023	Contact - Telephone call made Telephone call with Child C's mother, interview conducted.
01/20/2023	Contact - Telephone call made Telephone call with child care staff member, Adriana Luzi.
01/20/2023	Contact - Telephone call made I attempted to reach Child A's mother. A voicemail was left requesting a call back. To date, a call has not been received.
01/20/2023	Exit Conference Exit conference held with program director.
01/20/2023	Inspection Completed-BCAL Sub. Compliance
01/20/2023	Corrective Action Plan Requested and Due on 02/10/2023
01/20/2023	Corrective Action Plan Received
01/20/2023	Contact - Telephone call received Telephone call with Child A's mother, interview conducted.

ALLEGATION: Child B was left on the playground alone.

INVESTIGATION: On 01/12/2023, I completed an unannounced onsite inspection at KinderCare Learning Center. I interviewed Mandie Drake, program director. Ms. Drake was providing a tour for a family looking at the day care when she saw the playground door open. Child care staff member, Adriana Luzi was bringing in the Pre-K classroom, two boys bolted in ahead and she went down to round them up. Child care staff member, Emily Sova was coming out of another classroom, and she asked her to go help Ms. Luzi with getting the kids in the room and settled down. She told Ms. Luzi to make sure she did a name to face check and ensure all the children were accounted for. It was at this time they realized Child B was not in the classroom and had been left outside. They believe it was for less than two minutes, but she was left outside on the playground alone. She contacted Child B's mother to notify her as well as her regional director Kyla Hall-Elzy and contacted licensing. Ms. Luzi has been placed on leave regarding this incident and she is working with their risk management and her director regarding what has happened and will happen to Ms. Luzi. She has not been disciplined previously but has been given coaching plans. Ms. Luzi is not receptive to feedback at times and has been encouraged to take more ownership of her classroom and what happens in there. She will contact licensing regarding Ms. Luzi and what happens with the leave.

I completed an interview with child care staff member, Emily Sova. She is technically in the Infant 2 room; however, she is multi-talented, and just floats wherever they need her to go at the time. She was coming out of the Toddler room on Tuesday when Ms. Drake asked her to help Ms. Luzi to get the children into her classroom and settled down. She followed one child who ran into the Toddler 3 room, he has a sister in there, he hugged his sister, she told him they needed to go back to Pre-K, and she scooped him up and took him back to Pre-K. When she got to Pre-K, Ms. Luzi was doing her name to face count. Ms. Luzi said, "where is Child B," and a different child said, "she is still on the playground." She ran down to the doors to the playground opened them and Child B was standing there crying. She picked her up and consoled her and assured her she was okay and brought her back to the Pre-K room. Child B was still upset and crying, and Ms. Luzi was visibly upset and asked Child B if she was okay. She does not know how many children were in the classroom originally or on the playground as she was not in that classroom but was asked by Ms. Drake to help.

01/19/2023, I received an email from Ms. Drake indicating Ms. Luzi had put in her resignation. I emailed back acknowledging receipt of email.

On 01/20/2023, I attempted to contact Child B's mother, a voicemail was left requesting a call back.

On 1/20/2023, I attempted to contact Child C's mother, a voicemail was left requesting a call back.

On 1/20/2023, I conducted an interview with Child D's father. He is not aware of any issues at the daycare. They had a great teacher named Ms. Katie and she is not

there anymore, and it seems like they have been struggling since she left. There was always routine, he felt like his son was going to be prepped for kindergarten. Ms. Katie used to meet him at the door and tell him about how the day went. On one day he was dropping off his son, he asked for help with something, and the girl in the room who was college aged said she only worked there part-time. He has no real issues or complaints but does not find it acceptable a child was left on the playground. He was contacted by CPS few weeks ago, they wanted to interview his son, but he did not allow it.

On 1/20/2023, I received a voicemail from Child B's mother.

On 1/20/2023, I conducted an interview with Child B's mother. She was not informed of the incident by anyone at the center when it happened. She was called by Ms. Drake after she had picked up her child and left the building. Ms. Drake wanted to apologize and let her know someone from licensing would be calling but she did not know what she was talking about. Ms. Drake thought she had been informed but she had not. She is not upset, and did not think it was a big deal, as nobody had called her when it happened. She has not had any complaints regarding the center before or now.

On 01/20/2023, I received a voicemail from Child C's mother.

On 01/20/2023, I conducted an interview with Child C's mother, she has no concerns with the center, or the classroom. She is happy with the daycare.

On 01/20/2023, I conducted an interview with child care staff member, Adriana Luzi. She has been at the child care center for a year and a half. She was currently working in the Pre-K classroom but has also been in the preschool and toddler rooms. In regard to Child B, they were coming in from outside she had everyone in the line, and she knew who was in the line. When she opened the door two children took off running down the hall. One almost made it outside, at the front of the center, but Ms. Drake was doing a tour and was able to stop the child. The other child who had taken off running with him had come back, and she had another child who was trying to run off that she convinced to stand in line. At this time Ms. Drake directed her to take the children to the classroom, and do name to face there, however she had not done name to face yet in the hallway. Once she was in the classroom she did name to face and instantly realized Child B was not in the line, she looked all over the classroom, in the bathroom and realized she was not in there. A different child care staff member, Emily Sova came in the classroom to talk to her about something at the same time, and she ran down to the playground and brought Child B in. She believes it was possibly around 5 minutes or so that Child B was outside and unaccounted for. She immediately notified Ms. Drake about what happened. She did not call Child B's mother. Ms. Drake spoke to her about what happened. She had gone down later to speak with Ms. Drake about what was going to happen, and she was told she did not know as she was waiting on a call back from their regional director. She feels as though there was no communication about what was

happening or what could happen. She later received a text message from Ms. Drake notifying her she was placed on leave. It was not done face to face or in-person, which she feels is not good communication. She called the center on Monday to find out what was going on with her being on leave, and the investigation, and Ms. Drake told her she did not know as she had not heard from licensing. She submitted her notice yesterday to Ms. Drake and does not plan to return to the center. She denies she has been disciplined before or given any written plans. She does report being given supervision training. She heard from a co-worker that Child B's mother was not upset, laughed about it, and said it was no big deal.

On 01/20/2023, I completed an exit conference with Ms. Drake.

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 B was left outside on the playground around from 2 minutes to approximately 5 minutes alone.
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION: Child A was brought to class and placed the room over-ratio.

INVESTIGATION: On 01/12/2023, I completed an unannounced onsite inspection at KinderCare Lapeer. I interviewed Mandie Drake, program director. On Tuesday there were two issues which occurred, around 11:35 AM. Child A was brought to the center, and went into the Pre-K classroom, however she was not signed in. Staff did not add her attendance to the sheet they have in the classroom. She remained in the classroom unaccounted for between the hours of 11:35 AM and approximately 2:45 PM. A teacher went into the classroom to provide a bathroom break to child care staff member, Adriana Luzi and at the same time a different child was leaving. The preschool teacher saw that child leave and wanted to send a child back to the Pre-K classroom who had been shifted down due to ratio. When the teacher counted, she counted 12 in the classroom still even after the other child left, and it was realized Child A was never added to attendance and the room had been over ratio for a little over three hours. Ms. Luzi has been placed on leave regarding this incident and she is working with their risk management and her director regarding what has happened and will happen to Ms. Luzi. She has not been disciplined previously but has been given coaching plans. Ms. Luzi is not receptive to feedback at times and has been encouraged to take more ownership of her classroom and what happens in there.

I completed an interview with child care staff member, Emily Sova. She is

technically in the Infant 2 room; however, she is multi-talented, and just floats wherever they need her to go at the time. She is not aware of any ratio issues in the classroom during the day as she was not in the classroom.

On 1/20/2023, I attempted to contact Child A's mother, a voicemail was left requesting a call back.

On 1/20/2023, I attempted to contact Child C's mother, a voicemail was left requesting a call back.

On 1/20/2023, I conducted an interview with Child D's father. He is not aware of any issues at the daycare. They had a great teacher named Ms. Katie and she is not there anymore, and it seems like they have been struggling since she left. He has no real issues or complaints.

On 01/20/2023, I received a voicemail from Child C's mother.

On 01/20/2023, I conducted an interview with Child C's mother, she has no concerns with the center, or the classroom. She is happy with the daycare.

On 01/20/2023, I conducted an interview with child care staff member, Adriana Luzi. She has been at the child care center for a year and a half. She was currently working in the Pre-K classroom but has also been in the preschool and toddler rooms. She denies Child A was not signed in. She knew Child A had arrived. however, she was supposed to arrive at 11:30 AM, and did not arrive until 12:30 PM at which time all the children were already sleeping. She had initially asked Ms. Drake what she wanted her to do when Child A arrived, and that was to send another child down to the preschool classroom. Since the children were sleeping already, they did not wake up the identified child who was supposed to go the preschool classroom, instead they allowed her to sleep. Later, when they were doing snack, and doing the name to face check they realized they were over by one and she had 13 children the classroom. At that time, they moved the other child to the preschool classroom.

On 01/20/2023, I attempted to contact Child A's mother. A voicemail and text were sent to her requesting a call back.

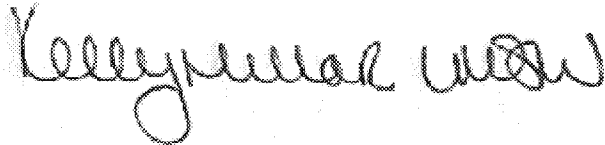
On 01/20/2023, I completed an exit conference with Ms. Drake.

On 01/20/2023, I conducted a phone interview with Child A's mother. It has been different since the previous teacher quit. Child A loved that teacher, and she can be hard to win over. There have been no issues with the center or the teachers. She feels like since the current program director Ms. Drake has taken over things have been much better. She is making good changes and things seem better. The previous director was sending texts all the time saying they didn't have staff and the room was closed with no notice.

APPLICABLE RULE					
R 400.8182	Ratio and group size requirements.				
	<p>(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:</p> <table border="0"> <thead> <tr> <th style="text-align: center;">Age Maximum Group Size Ratio</th> <th style="text-align: center;">Child Care Staff member to Child</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">d)Preschoolers, 4 years of Not applicable age until school-age</td> <td style="text-align: center;">1 to 12</td> </tr> </tbody> </table>	Age Maximum Group Size Ratio	Child Care Staff member to Child	d)Preschoolers, 4 years of Not applicable age until school-age	1 to 12
Age Maximum Group Size Ratio	Child Care Staff member to Child				
d)Preschoolers, 4 years of Not applicable age until school-age	1 to 12				
ANALYSIS:	The Pre-K room had 13 children with one staff member from 11:35 AM until approximately 2:35 PM.				
CONCLUSION:	VIOLATION ESTABLISHED				

IV. RECOMMENDATION

An acceptable corrective action plan was received and approved. I recommend no change to the status of the license.



2/02/2023

Kelly Millar
Licensing Consultant

Date

Approved By:

Crecendra Boone

2/02/2023

Crecendra Boone
Area Manager

Date