



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

March 30, 2023

Amy Brown
Manistee Area Public Schools
550 Maple Street
Manistee, MI 49660

RE: License #: DC510411915
Investigation #: 2023D1080004
MAPS Preschool

Dear Mrs. Brown:

I conducted a special investigation because the child care licensing division received information regarding your facility that related to licensing rules or law. The information was related to the following:

R 400.8125 (1) Staff; volunteer; requirements

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

- I interviewed the program director, licensee designee, child care staff members, parents, and others with relevant information.
- I completed on-site inspections on the following dates: 01/31/2023.

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

- R 400.8125 (1) Staff; volunteer; requirements**
- MCL 722.115n(1) Application for or renewal of license to operate child care center, ...**
- R 400.8158 (4) Incident, accident, injury, illness, death, fire reporting.**
- R 400.8760 (1)(d) Staff and volunteer-to-child ratio and supervision in transit.**

I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by 04/14/2023. 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,

Amanda Wendell

Amanda Wendell, Licensing Consultant
 Child Care Licensing Bureau
 611 W. Ottawa Street
 P.O. Box 30664
 Lansing, MI 48909
 (231) 492-5410

enclosure

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

THIS REPORT CONTAINS QUOTED PROFANITY AND/OR SEXUALLY EXPLICIT LANGUAGE.

I. IDENTIFYING INFORMATION

License #:	DC510411915
Investigation #:	2023D1080004
Complaint Receipt Date:	01/25/2023
Investigation Initiation Date:	01/31/2023
Report Due Date:	03/26/2023
Licensee Name:	Manistee Area Public Schools
Licensee Address:	550 Maple Street Manistee, MI 49660
Licensee Telephone #:	(231) 723-3521
Administrator:	Amy Brown, Designee
Licensee Designee:	Amy Brown, Designee
Name of Facility:	MAPS Preschool
Facility Address:	515 Bryant Ave Manistee, MI 49660
Facility Telephone #:	(231) 398-3758
Original Issuance Date:	06/02/2022
License Status:	REGULAR
Effective Date:	06/02/2022
Expiration Date:	12/01/2022
Capacity:	100
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
Child care staff members did not provide appropriate care and supervision when children were showing each other their private parts.	Yes
Additional Findings	Yes

III. METHODOLOGY

01/25/2023	Special Investigation Intake 2023D1080004
01/25/2023	Special Investigation Initiated - Telephone Interviews with child care licensing consultants Ms. Linda Strube and Ms. Tarah Kline
01/31/2023	Inspection Completed - On Site 12:30 P.M. – 1:15 P.M. Interviews with child staff member 1 (CCSM1) and program director Ms. Amy Brown
02/13/2023	Contact - Telephone calls made Interviews with Child D's Mother, Child E's Guardian, and Child F's Mother
02/13/2023	Contact - Telephone call made Conversations with Ms. Turmel and CCSM1
02/13/2023	Contact - Telephone call made Case staffing with child care licensing manager Candice Case- French
02/13/2023	Contact - Telephone call made Left messages with Ms. Brown and Ms. Julia Raditz, school principal
02/13/2023	Contact - Telephone call made Interview with Child F's Mother
02/22/2023	Contact - Document Received Incident report received
03/01/2023	Exit Conference and interview with Ms. Brown

03/06/2023	Contact - Telephone calls made Interviews with CCSM1 and Child Care Staff Member 2 (CCSM2)
03/09/2023	Contact - Telephone call made Interview with Child G's Mother

ALLEGATION: Child care staff members did not provide appropriate care and supervision when children were showing each other their private parts.

INVESTIGATION: On 01/25/2023, I received a complaint and incident report, stating that an incident occurred between Child D (female, 5 years) and Child E (male, 5 years). The report stated that Child D and Child E were on their cots at rest time, watching a book on the screen. Both children had blankets and the room was dim but not dark. The children had their blankets over their heads, Child care staff member (CCSM) 1 told them to put the blankets down and walked over to them. They put the blankets down, stopped talking, and watched the screen. Later, it was discovered that Child D reported that Child E showed her his privates and asked her to show him her privates.

Child care licensing consultant, Ms. Linda Strube, stated that she received the incident report from the center and that child care licensing consultant, Ms. Tarah Kline, also had an open investigation with the center for similar allegations. Ms. Kline reported that she currently has an investigation with the same center but a different classroom. The concerns related to her investigation are that two children went to the bathroom at the same time and showed each other their privates. She will be citing the center for supervision concerns.

I completed an onsite inspection during rest time on 01/31/2023, at which point I interviewed CCSM1 and program director, Ms. Amy Brown. I observed children lying on individual cots with blankets. The cots were appropriately spaced throughout the room. CCSM1 reported that they keep the cots spaced two feet apart, but that the children often try to scoot them closer together. She reported that, on 02/15/2023, she observed Child D and Child E's cots close together. Child E was lying face down covered with a blanket, raising his butt in the air, making an inverted V shape with his body. CCSM1 told him to lie down and rest. She did not observe anything else out of the ordinary during this time. Child D's Mother picked up Child D during rest time. Child D's Mother then returned to the room and told CCSM1 that Child D had informed her that Child E was lying on his cot under his blanket, showing her his private parts and that he said, "It's your turn." CCSM1 denied that Child D showed Child E anything and stated that she did not know exactly what Child D had seen. CCSM1 reported that Child E touches his privates sometimes, and that Child E's Guardian has reported him engaging in the same behaviors at home. CCSM1 reported that, since this incident, they have moved Child E's cot away from the other

children and that they shadow him throughout the day. I observed Child E lying on a cot near the door, away from other children. CCSM1 reported that there were two staff members in the classroom at the time of the incident and that there are always two staff members in the classroom. CCSM1 reported that Child E recently had an incident on the bus (Dial-A-Ride, public busing service) after school of the same nature and with the same child. She denied she knew about that incident until she called Child E's Mother about the current incident. Ms. Brown reported that she has no firsthand knowledge of the incident because she was not in the room. Child E now has his own seat on the bus and that staff know to keep an eye on him.

Child D's Mother reported that she picked up Child D after nap and when they got to the car, Child D reported that Child E sat on her cot, "humped" her leg, pulled down his pants, showed her his penis, and asked her to show her privates. She reported that the behavior stopped when CCSM1 came toward them. Child D reported that the staff were not looking at them when this happened. Child D's Mother reported that the week prior, Child D had pulled his pants down on Dial-A-Ride and showed other children his penis. According to her mother, Child D also has a history of inappropriate behaviors. Child D's Mother reported that she has concerns with the supervision the children are receiving due to the fact that these issues are continuing to happen. Child E is still trying to get Child D to sit with him on the bus. She denied that there are any center staff on the bus with the children. Child D's Mother called Dial-A-Ride with concerns about the first incident. They told her to contact the school's bus garage. When CCSM1 called her to report the latest incident, Child D's Mother brought up the incident on the bus and CCSM1 had not been told of it prior.

Child E's Guardian reported that the school told her that Child E had shown his penis to a girl at school and asked her to show him her privates. She was told it occurred at naptime. She denied knowing if the children were on cots or if they had blankets. She denied knowing of any changes at school following this incident. She said that, when asked, he told her that another girl told him to do it. Child E is a "blame shifter" and can be sneaky. Child E's Guardian reported that there was another incident on Dial-A-Ride when he pulled his pants down. He has since been placed in a seat up front by the driver. The bus driver reported that incident to her, but the preschool was unaware.

Child F's Mother reported that things are going well at preschool. She denied any concerns regarding supervision. Child F rides Dial-A-Ride.

After hearing that an incident happened on the bus, I inquired about whether or not the program is providing transportation.

Child D's Mother reported that transportation is arranged and paid for by the school. She called Dial-A-Ride with concerns about the first incident. They told her to contact the school's bus garage, which she did. She assumed that the bus garage informed someone from the preschool program about the incident.

Child E's Guardian reported that the school arranges and pays for Dial-A-Ride.

CCSM1 denied that she knows who pays for the transportation. She reported that Child D's Mother did not tell her about the incident on Dial-A-Ride; Child E's Guardian did when she was informed of the second incident. CCSM1 confirmed that she did not know about the incident on the bus until after the incident in the classroom. Ms. Brown reported that the GSRP preschool program provides busing for their students through Dial-A-Ride. Children enrolled in the tuition preschool may ride the bus as well, but their parents have to pay for it. I told her that I would check with supervision, but that it is likely that transportation is considered a component of their program.

On the same day, child care licensing area manager, Ms. Candice Case-French, confirmed that even though transportation is not considered a component, the center is responsible for some of the licensing rules including ratio and supervision.

I left a voicemail message for Ms. Brown immediately following the call with Ms. Case-French, informing her that a child care staff member or unsupervised volunteer must be on the bus with the children. I called the building principal, Ms. Julia Raditz, and left her a voicemail message asking for a return phone call to tell her the same.

On 02/22/2023, I received a second incident report. This report stated that, 02/15/2023, a child care staff member was putting children on the bus and placed Child E and Child G (female 4 years) in the same seat, not knowing that Child E was supposed to sit alone. She then left the bus. When she returned approximately five minutes later, Child G had removed her snowpants and hand her hand down her pants with Child E watching. The staff member moved her to another seat, informed other staff of the incident, and they then removed Child G from the bus. Child G reported that Child E had told her to pull her pants down to show him her vagina and he would show her his penis.

I asked Ms. Brown if they have been placing a child care staff member on the bus with the children and she stated that they do if there are more than twelve children on the bus. I informed her again that the center is required to provide appropriate supervision on the bus. Ms. Brown stated that the building principal told her that this is not a requirement and I again informed her that it is.

In a follow-up telephone call, CCSM1 reported that, in the first incident, Child D and Child E were both on their cots, the cots were close together but not touching, and both children had their own blanket. She denied that they have a child care staff member providing supervision on the bus yet. I reminded her that this is a child care licensing requirement and she stated that they are trying to figure out how to put a staff member on the bus.

CCSM2 was the person responsible for putting children on the bus the day of the incident resulting in the second incident report. CCSM2 confirmed the details of the second incident report, stating that she was not aware Child E was not supposed to

sit with other children. She denied that a child care staff member was on the bus with the children but stated that the bus driver was. She estimated that there were approximately nine child care children. She denied that there are any adults on the bus during the route other than the driver.

I interviewed Child G’s Mother about the incident that occurred on the bus. She reported that the boy (Child E) had “done this before.” I asked what happened in this incident and she stated that Child E showed Child G his penis and she tried to show him her vagina. Child E was not supposed to sit with other children because of his previous behaviors. There was a new staff member who did not know this and sat them together. Child G’s Mother stated, “I think this is 4-year-old children with curiosity,” and reported no concerns.

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:	Ms. Brown did not ensure that staff provide appropriate care and supervision of children at all times. CCSM1 reacted appropriately to what she witnessed in the classroom. However, despite being told repeatedly that the program is responsible for supervision of children while on the bus, they continue to fail to provide a child care staff member or unsupervised volunteer. This resulted in two children engaging in inappropriate behaviors on the bus. Following that incident, the center still was not providing supervision while children were on the bus.
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION: Ms. Brown, CCSM1, and CCSM2 all confirmed that the driver of the bus has unsupervised contact with the children. Ms. Brown and CCSM1 confirmed that the bus driver is not an employee of the center and has not completed a comprehensive background check.

APPLICABLE RULE	
MCL 722.115n	Application for or renewal of license to operate child care center, ...
	(1) Except as otherwise provided in subsection (13), when a person, partnership, firm, corporation, association, governmental organization, or nongovernmental organization applies for or applies to renew a license to operate a child care center, group child care home, or family child care home under

	section 5m and before a group child care home or family child care home allows an individual to be a member of the household, or a child care center, group child care home, or family child care home allows an individual to become a child care staff member, the department shall do all of the following: ...
ANALYSIS:	Prior to allowing the bus driver to have unsupervised contact with children, neither Ms. Brown nor co-licensee designee, Ms. Sandra Ludwig allowed the department to determine their eligibility to be a child care staff member.
CONCLUSION:	VIOLATION ESTABLISHED

INVESTIGATION: The incident that prompted the second incident report occurred in the afternoon of 02/15/2023 and was reported by telephone the same day. However, the written incident report was not received by the department until 02/22/2023.

APPLICABLE RULE	
R 400.8158	Incident, accident, injury, illness, death, fire reporting.
	(4) A licensee, licensee designee, or program director shall submit a written report to the department of the occurrences outlined in subrules (1), (2), and (3) of this rule, in a format provided by the department, within 72 hours of the verbal report to the department.
ANALYSIS:	Ms. Brown did not ensure that a written incident report was submitted to the department within 72 hours of the verbal report.
CONCLUSION:	VIOLATION ESTABLISHED

INVESTIGATION: In my original interview with her, Ms. Brown stated that the children are transported by Dial-A-Ride, a local public busing service. She reported that parents contract with the company for services.

Child D's Mother, Child E's Guardian, Child F's Mother, and Child G's Mother all reported that Dial-A-Ride is arranged for and paid for by the school.

In a subsequent interview with Ms. Brown, she reported discovering that the GSRP preschool program provides busing for their students through Dial A Ride. Children enrolled in the tuition preschool program may ride the bus as well, but their parents must pay for it.

In a voicemail on 02/13/2023, I informed Ms. Brown that transportation is considered a component of their program and all relevant transportation rules apply. In a telephone call with Ms. Brown on 03/01/2023, I again told Ms. Brown that the center is required to maintain the appropriate child to staff ratios on the bus.

APPLICABLE RULE	
R 400.8760	Staff and volunteer-to-child ratio and supervision in transit.
	(1) The ratio of staff and volunteers-to-children in transit, including children related to a staff member, volunteer, licensee, or driver, must be based on the following provisions: (d) For 4-year-olds, there must be 1 staff member or volunteer for 12 children. The driver may be counted in the staff or volunteer-to-child ratio.
ANALYSIS:	Ms. Brown does not ensure that the ratio of staff to children in transit remains at no more than 1 staff member per 12 children. In this case, the driver may not be counted in the ratio because the driver is not a child care staff member or unsupervised volunteer.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Upon receipt of an acceptable corrective action plan, I recommend that this investigation be closed with no change to the status of the license.

Amanda Wendell

03/30/2023

Amanda Wendell
Licensing Consultant

Date

Approved By:

Candice Case-French

03/30/2023

Candice Case-French
Area Manager

Date