



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

March 21, 2023

Danielle Jensen  
Rainbow Connection Dc Center Inc  
1100 23rd Ave  
Menominee, MI 49858

RE: License #: DC550019466  
Investigation #: 2023D0784002  
Rainbow Connection Day Care Center

Dear Ms. Jensen:

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 400.8140 Discipline.

The details of the allegations are in the attached report. To investigate the allegations, I completed onsite inspections on January 23, 2023, and January 31, 2023. I interviewed the person who made the complaint, program director, licensee designee, caregivers, parents and children.

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

**R 400.8140 Discipline.**

I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by 3/31/2023. 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.

	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 (906) 226-4171.

Sincerely,



Wendy Highland, M.Ed  
 Child Care Licensing Consultant, CCLB/LARA  
 611 W. Ottawa St. PO Box 30664  
 Lansing, MI 48904  
 517.284.9730

enclosure

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

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	DC550019466
<b>Investigation #:</b>	2023D0784002
<b>Complaint Receipt Date:</b>	01/20/2023
<b>Investigation Initiation Date:</b>	01/20/2023
<b>Report Due Date:</b>	03/21/2023
<b>Licensee Name:</b>	Rainbow Connection DC Center Inc
<b>Licensee Address:</b>	1100 23rd Ave Menominee, MI 49858
<b>Licensee Telephone #:</b>	(906) 864-2273
<b>Administrator:</b>	Danielle Jensen, Designee
<b>Licensee Designee:</b>	Danielle Jensen, Designee
<b>Name of Facility:</b>	Rainbow Connection Day Care Center
<b>Facility Address:</b>	1100 23rd Ave Menominee, MI 49858
<b>Facility Telephone #:</b>	(906) 864-2273
<b>Original Issuance Date:</b>	06/09/1987
<b>License Status:</b>	REGULAR
<b>Effective Date:</b>	01/26/2022
<b>Expiration Date:</b>	01/25/2024
<b>Capacity:</b>	42
<b>Program Type:</b>	CHILD CARE CENTER

## II. ALLEGATION(S)

	Violation Established?
Child Care Staff Member 1 spanked Child A (3-year-old, male).	Yes

## III. METHODOLOGY

01/20/2023	Special Investigation Intake 2023D0784002
01/20/2023	Special Investigation Initiated - Telephone Danielle Jensen, licensee designee (LD) and program director (PD) self-reported incident 2:18pm
01/23/2023	Inspection Completed On-site 11:14am-12:45pm
01/24/2023	Contact - Telephone call received from Danielle Jensen, LD and PD
01/31/2023	Contact - Face to Face Interviewed Child A on site 11:19am-12:00pm

**ALLEGATION: Child Care Staff Member 1 spanked Child A (3-year-old, male).**

**INVESTIGATION:** On January 20, 2023, Danielle Jensen, licensee designee and program director, self-reported that Child A's Mother had texted her stating that Child A had told her that Child Care Staff Member 1 had spanked him the afternoon of January 13, 2023 "on the butt" while in care because Child A had hit another child.

On January 23, 2023, an on-site inspection was conducted. Ms. Jensen stated that Child A, a 3-year-old male, had been "hitting, poking and prodding" other children while in care. He is impulsive and has "meltdowns" when reprimanded or "talked to." Ms. Jensen and Child Care Staff Member 1 have been having conversations with Child A's mother on how to maintain a consistent approach in handling Child A's impulsive and challenging behaviors.

I interviewed Child Care Staff Member 2 while on site. She was working with Child Care Staff Member 1 the afternoon of the incident in the nursery at approximately 4:00pm. This is where the children gather until closing at 6:00pm. Child Care Staff Member 1 was sitting in the rocking chair while Child Care Staff Member 2 was taking care of an infant with her back turned to Child Care Staff Member 1. Child A hit a child then began to run around the nursery. Child Care Staff Member 2 "scooped" Child A up in her arms and handed him to Child Care Staff Member 1 who

was sitting in the rocking chair.

Child A began to struggle while in Child Care Staff Member 1's arms. Child Care Staff Member 1 stated "the more you (Child A) hit, the longer I will hold you." Child Care Staff Member 2 did not know how long Child A was held as parents were in and out of the nursery picking their children up and she was busy with the other children.

I conducted a phone interview with Child A's mother while on-site. She stated that Child A was impulsive. She was working with Ms. Jensen and Child Care Staff Member 1 on how to maintain a consistent approach in handling Child A's behaviors. On January 13, 2023, at pick up time, Child Care Staff Member 1 shared with Child A's mother that Child A had hit another child while in care. Child A's mother spoke with Child A. Child A apologized to Child Care Staff Member 1. Child A's mother "debriefed" Child A upon arrival at home. "Yeah, I hit my friends. [Child Care Staff Member 1 hit me." Child A pointed to his "butt." There were no bruises on or around Child A's bottom. Child A wears pull-ups. Child A's mother stated that what Child A said "didn't feel like a lie. Child A blurted it out unprompted." Child A returned to care the next day as there is "no other place to take children." Child A displayed no fear when returning to care. Child A's mother has no concerns with the center.

I interviewed Child Care Staff Member 1 while on site. She stated that she typically cares for Child A. He is very active and likes to move. His tantrums are "typical two year old reactions" which happen on a daily basis. He will cry and run around the room. When in the main room, she calms him down by bringing him to a table and giving him a puzzle. Sometimes she picks him up, sometimes she grabs his hand, but "very rarely does she touch him." Child Care Staff Member 1 and Ms. Jensen are in regular contact with Child A's mother in regard to how to best support Child A.

The day of the incident, Child Care Staff Members 1 and 2 were in the nursery with five children as this is where they gather at the end of the day. Child A hit another child. Child Care Staff Member 1 said "you can't hit." Child A then hit Child Care Staff Member 1 in the stomach. Child Care Staff Member 1, who was sitting in a rocking chair, leaned over and told Child A "that's not ok, sit with me for a minute." Child A began crying and running around the room. Child Care Staff Member 2 picked Child A up and put Child A on Child Care Staff Member 1's lap. Child A kicked and screamed while on her lap. Child Care Staff Member 1 held Child A to her body by wrapping one arm around Child A's upper body and wrapping another arm around Child A's legs restraining his movement until he quit kicking. Child Care Staff Member 1 did not know how long she held Child A but held him close until he settled down. She asked Child A to apologize. After Child A apologized, Child Care Staff Member 1 put him down.

A forensic interview with Child A and Child A's mother was conducted by this consultant and took place on January 31, 2023 at the child care center. The interview yielded no results.

APPLICABLE RULE	
R 400.8140	Discipline.
	(2) All of the following means of punishment are prohibited: (c) Restricting a child's movement by binding or tying him or her.
<b>ANALYSIS:</b>	Child Care Staff Member 1 used restriction as a regular means of discipline by holding Child A in her lap and restraining his movement by wrapping one arm around his upper body and one arm around Child A's legs.
<b>CONCLUSION:</b>	<b>VIOLATION ESTABLISHED</b>

**IV. RECOMMENDATION**

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

*Wendy D. Highland*

03/21/2023

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 Wendy Highland Date  
 Licensing Consultant

Approved By:

*Rose A. Rafferty*

03/21/2023

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 Rose A. Rafferty Date  
 Area Manager