



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

December 14, 2020

Susan Mulvey
White Lake Area Community Education
541 E Slocum St
Whitehall, MI 49461

RE: License #: DC610268834
Investigation #: 2021D1073003
WLACE North Muskegon Elementary

Dear Mrs. Mulvey:

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 400.8125(1) Staff and Volunteers.**
- R 400.8155(1)(b) Child accidents and incidents; child and staff illness.**

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

- I interviewed: the person who made the complaint, program director, licensee, licensee designee, caregivers, and parents.
- I completed on-site inspections on the following dates: 11/05/2020.

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

- R 400.8155(1)(b) Child accidents and incidents; child and staff illness.**

I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by 01/06/2020. 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](#).

Sincerely,



Tarah Kline, Licensing Consultant
 Bureau of Community and Health Systems
 2700 Baker St.
 P.O. Box 4290
 Muskegon Heights, MI 49444
 (616) 916-2490

enclosure

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

I. IDENTIFYING INFORMATION

License #:	DC610268834
Investigation #:	2021D1073003
Complaint Receipt Date:	10/30/2020
Investigation Initiation Date:	10/30/2020
Report Due Date:	12/29/2020
Licensee Name:	White Lake Area Community Education
Licensee Address:	541 E Slocum St Whitehall, MI 49461
Licensee Telephone #:	(231) 766-3443
Administrator:	Susan Mulvey, Designee
Licensee Designee:	Susan Mulvey, Designee
Name of Facility:	WLACE North Muskegon Elementary
Facility Address:	1600 Mills North Muskegon, MI 49445
Facility Telephone #:	(231) 893-1091
Original Issuance Date:	09/14/2004
License Status:	REGULAR
Effective Date:	06/15/2019
Expiration Date:	06/14/2021
Capacity:	74
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
Child A (male, age 9) fell off the slide and injured his elbow; staff were unaware of how it happened.	No
Child A could not move his arm, parents were not notified until pick up.	Yes

III. METHODOLOGY

10/30/2020	Special Investigation Intake 2021D1073003
10/30/2020	Special Investigation Initiated - Telephone Spoke with Child A's Mother
11/05/2020	Inspection Completed On-site
12/14/2020	Contact - Telephone call made Spoke with Child B's Mother and Child C's Mother, left a message for Child D's Mother
12/14/2020	Inspection Completed-BCAL Sub. Compliance

ALLEGATION: Child A (male, age 9) fell off the slide and injured his elbow; staff were unaware of how it happened.

INVESTIGATION: I spoke with Child A's Mother on 10/30/2020. She stated that when Child A's Father picked Child A up on 10/28/2020, Child A was holding his arm and looked like he had been crying. Child care staff members could not give Child A's Father an explanation as to what happened. Child care staff members told Child A's Father that Child A was sitting by the fence and another child at the center told the staff that Child A was upset. When child care staff members asked the children what happened, they did not give good information and appeared to be trying to hide what happened in order to avoid getting into trouble.

I completed an onsite inspection at the child care facility on 11/5/2020. Child care staff member Barb Petrick and program director Jeanne Durga were working at the child care facility. I was able to interview both of them.

Ms. Petrick was on the playground during my inspection and showed me where they were standing when the child approached them telling them Child A had been

injured on the slide. In the position in which the staff were standing they had a good view of all areas of the playground, including the slide in which Child A fell off. Child care staff members were appropriately supervising the children from their position on the playground.

Ms. Petrick stated that after comforting Child A on the playground, she attempted to understand what happened, but Child A and one other child could not agree on if he was pushed or going down the slide the wrong way. Child A then went inside with the rest of the class, he was not moving his arm and sat at a desk. She asked him if he could move it and he stated that he could not.

Ms. Durga stated she was also on the playground and was walking around interacting with the children when Child A was injured. The incident had occurred at 4:45 PM and they knew that Child A's Father would be at the child care facility to pick him up at 5:00-5:15 PM. Ms. Durga explained that she felt since Child A's Father would be there within 30-45 minutes they did not need to call him to notify him via telephone. She felt since it was not that long of a time until Child A's Father arrived, so staff did not call him. Normally they would have called Child A's Father to come get him since he was not moving his arm. Ms. Durga indicated that Child A was instructed to sit at the table and not move to rest his arm and wait for his ad to get there.

On 12/14/2020 I contacted Child B's Mother, Child C's Mother and left a message for Child D's Mother.

Child B's Mother stated that Child B (female, age 5) is her second child to attend the North Muskegon Lighthouse academy and that she has never had any issues with the care and supervision provided there. She stated that Child B is very accident prone so she has had some injuries from the child care playground but nothing that could have been prevented.

Child C's Mother reported that she loves all the child care staff members and they do so great at communicating with her about Child C (male, age 7) and how his time in care with them is. She has no concerns with the care and supervision provided at the child care facility.

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:	I was able to observe the layout of the playground in which Child A was injured on. Child care staff members do not have any blind spots. All parents that I spoke with did not have any concerns in regards to the care and supervision provided to the children in care.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION: Child A was could not move his arm after being injured at the child care facility; his parents were not notified until pick up.

INVESTIGATION: I completed an onsite inspection at the child care facility on 11/5/2020. During that time, I interviewed the program director Jeanne Durga. Ms. Durga indicated that child care staff members made the decision not to contact Child A's Mother and Father about Child A's injured arm because his parents would be at the center for their end of the day pick-up in approximately 30-45 minutes.

I requested a copy of the parent handbook to read through the accident, injury and illness notification policy during my onsite. The licensee designee Susan Mulvey was at the child care facility and she reported that the handbook was online.

I reviewed this policy and it states that parents will be notified by phone immediately if it is a serious accident or incident. When describing what would qualify as a serious accident or incident, the policy stated that injuries requiring medical attention would qualify. Child A's inability to move his arm after falling upon it required medical attention. Child A's Mother did bring Child A into the urgent care and he then had to follow up with an orthopedic doctor as the urgent care could not tell if it was fractured or just badly bruised. Child A had to wear a sling for a week.

APPLICABLE RULE	
R 400.8155	Child accidents and incidents; child and staff illness
	(1) A center shall have a written plan for how and when a parent is notified when personnel observe any of the following: (b) A child experiences an accident, injury, or incident.

ANALYSIS:	The child care staff members did not follow the center's plan when they failed to notify Child A's parents when Child A experienced an injury at the child care center. After Child A fell and injured his arm, child care staff members waited for Child A's Father to pick Child A up at the end of the day instead of calling him.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

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



12/14/2020

Tarah Kline
Licensing Consultant

Date

Approved By:



12/15/2020

Candice Case-French
Area Manager

Date