



STATE OF MICHIGAN  
 DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
 LANSING

GRETCHEN WHITMER  
 GOVERNOR

ORLENE HAWKS  
 DIRECTOR

March 17, 2023

Demetree Henry  
 Smart Start Development & Learning Center LLC  
 214 W Walton Blvd  
 Pontiac, MI 48340

RE: License #: DC630405271  
 Investigation #: 2023D0019006  
 Smart Start Dev & Learning Center LLC

Dear Mr. Henry:

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:

<b>R 400.8125</b>	<b>Staff; volunteer; requirements.</b>
<b>R 400.8155</b>	<b>Child accidents and incidents; child and staff illness.</b>
<b>R 400.8185</b>	<b>Primary care.</b>

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

- I interviewed: the person who made the complaint, program director, child care staff members, and parents.
- I completed on-site inspections on the following dates: 01/17/2023.

As a result of this investigation, I recommend no change to the current license status. I did not find any violations. The special investigation report is attached.

<b>During this special investigation:</b>	<b>Yes</b>	<b>No</b>
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,



Michelle Fruehan, Licensing Consultant  
Bureau of Community and Health Systems  
611 W. Ottawa Street  
P.O. Box 30664  
Lansing, MI 48909  
(248) 672-9158

Enclosure

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

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	DC630405271
<b>Investigation #:</b>	2023D0019006
<b>Complaint Receipt Date:</b>	01/10/2023
<b>Investigation Initiation Date:</b>	01/11/2023
<b>Report Due Date:</b>	03/11/2023
<b>Licensee Name:</b>	Smart Start Development & Learning Center LLC
<b>Licensee Address:</b>	214 W Walton Blvd Pontiac, MI 48340
<b>Licensee Telephone #:</b>	(248) 977-1056
<b>Administrator:</b>	N/A
<b>Licensee Designee:</b>	Demetree Henry
<b>Name of Facility:</b>	Smart Start Dev & Learning Center LLC
<b>Facility Address:</b>	214 W Walton Blvd Pontiac, MI 48340
<b>Facility Telephone #:</b>	(419) 236-4449
<b>Original Issuance Date:</b>	07/30/2021
<b>License Status:</b>	REGULAR
<b>Effective Date:</b>	01/30/2022
<b>Expiration Date:</b>	01/29/2024
<b>Capacity:</b>	45
<b>Program Type:</b>	CHILD CARE CENTER

## II. ALLEGATION(S)

	<b>Violation Established?</b>
Child A had an allergic reaction, and the center did not contact Child A's Mother.	No
Child A did not have an assigned staff member.	No

## III. METHODOLOGY

01/10/2023	Special Investigation Intake 2023D0019006
01/11/2023	Special Investigation Initiated - Telephone I spoke to Child A's mother
01/17/2023	Inspection Completed On-site from 2:30 pm to 4:00 pm  I interviewed Program Director Demetree Henry, Child care staff members, Tori Miller and Jade Humphrey.
01/17/2023	Contact - Document Received primary care list of providers, accident/injury policy, Child A's Child information record, signed handbook receipt
01/17/2023	Exit Conference with Mr. Henry
01/17/2023	Inspection Completed-BCAL Full Compliance

**ALLEGATION: Child A had an allergic reaction, and the center did not contact Child A's Mother.**

### **INVESTIGATION:**

On 01/11/2023, I spoke to Child A's Mother. Child A's Mother stated that Child A had an allergic reaction to peanut butter on 12/07/2022 when he ate peanut butter and apples during snack time at Smart Start Development Center. The allergic reaction consisted of redness and small bumps around the outer edges of Child A's mouth. Child A's Mother indicated that Child Care Staff Member, Tori Miller did not contact her regarding the allergic reaction by a phone call, rather she sent a text message asking if Child A was allergic to peanut butter. Child A's Mother stated that Ms. Miller sent her photographs of Child A and sent her a menu with the food items Child A

consumed on the date of the incident. Child A's relative picked up Child A and brought him home. Child A's Mother gave Child A an antihistamine and the redness and bumps diminished. Child A's Mother stated that she was unaware that Child A had a peanut allergy, and she did not notify the center that Child A had a known allergy because she did not know he did. Child A's Mother expressed frustration that Ms. Miller did not attempt to call her by phone when Child A faced a possible medical emergency.

On 01/17/2023, I conducted an unannounced onsite inspection at Smart Start Development Center. Separately, I interviewed Child Care Staff Member, Tori Miller (assistant program director), Child Care Staff Member Jade Humphrey (assistant toddler staff member), and Program Director, Demetree Henry. Mr. Henry stated that Child A was enrolled in the Toddler room and attended care for about a month, November 2022 through December 2022. The lead toddler staff member, Tamesha Phillips who worked in that classroom during the time period in which Child A was enrolled, is no longer employed at the child care facility.

I interviewed Ms. Miller. She stated that she called Child A's Mother twice on 12/07/2022 to inform her that Child A had redness and bumps around his mouth. She said Child A's Mother did not answer the phone or return her phone call, so she sent text messages. Ms. Miller said she took Child A's temperature, provided water, and stayed with the child. Ms. Miller stated that the child did not appear lethargic or have labored breathing, rather it was just a topical reaction around Child A's mouth that was observed. Ms. Miller stated that she did not receive a return call or text message from Child A's Mother. Child A's relative picked him up a few hours after the initial call and they left the center.

Ms. Miller asked Child A's Mother if Child A's allergic reaction was confirmed by a physician the next day, 12/08/2022. Child A's Mother informed her that Child A was not taken to a physician for follow up and that Child A was treated at home. Center staff nor Child A's Mother could confirm if Child A had an allergic reaction to peanut butter or any other substance Child A may have come into contact with at the child care facility. Ms. Miller stated the information regarding what Child A ate and the redness and bumps that appeared around his mouth was written on Child A's daily sheet that went home with Child A. She did not have a copy of this daily sheet on file.

I interviewed Ms. Humphrey. She has worked in the toddler classroom for the last two months. She stated she provided care to Child A on 12/07/2022. She said Child A was fine the entire day. He did not eat peanut butter at snack time. He did not want to eat. He rubbed his face on her sweatshirt. After he did this, she observed redness. Ms. Humphrey did not observe red bumps or hives around Child A's mouth. Ms. Humphrey said she told Ms. Miller about the redness, and she contacted Child A's Mother. She said there was no allergy information regarding Child A posted in the classroom and she was never informed if Child A had an allergy. She reiterated that Child A did not eat peanut butter on 12/07/2023. An incident report was not

completed. She said incident reports are completed for serious injuries and incidents like a cut or bleeding.

I received a copy of the accident, injury, incident policy. The policy stated the following:

*Safety is a major concern in child care so daily safety inspections are completed inside and outside of the center in order to prevent injuries. First aid will be administered by a trained caregiver in the event that your child sustains a minor injury (e.g., scrapped knee). You will receive an incident report outlining the incident and course of action taken. If the injury produces any type of swelling or needs medical attention, you will be contacted immediately. Each classroom is equipped with a first aid kit that meets state requirements. An incident report will be completed when the injury (or incident) is outside of normal.*

*In the event of a serious medical emergency, the child will be taken to the hospital immediately by ambulance, while we will try and to contact you or an emergency contact. We will complete an incident report, as well as follow-up communication to check on the well being of the child. Finally, we will contact LARA and provide the necessary documentation.*

Ms. Miller stated Child A's Mother informed the center that Child A did not have any allergies at enrollment. I received a copy of Child A's child information record. There are no allergies listed.

I received a copy of the handbook receipt, signed by Child A's Mother on 11/14/2023. This receipt acknowledges that she received a copy of the policy outlining the center's policy for incidents, accidents, and injuries.

<b>APPLICABLE RULE</b>	
<b>R 400.8125</b>	<b>Staff; volunteer; requirements.</b>
	<b>(1) All staff and volunteers shall provide appropriate care and supervision of children at all times.</b>

<b>ANALYSIS:</b>	<p>Appropriate care and supervision were provided.</p> <p>The center nor Child A's Mother could not confirm if Child A had an allergic reaction to peanut butter or any other substance Child A came into contact with at the child care facility.</p> <p>Ms. Miller observed the incident, provided care and supervision of Child A, and attempted to contact Child A's mother to inform her of the incident.</p>
<b>CONCLUSION:</b>	<b>VIOLATION NOT ESTABLISHED</b>

<b>APPLICABLE RULE</b>	
<b>R 400.8155</b>	<b>Child accidents and incidents; child and staff illness.</b>
	<p><b>(1) A center shall have a written plan for how and when a parent is notified when personnel observe any of the following:</b></p> <p style="padding-left: 40px;"><b>(a) Changes in a child's health.</b></p> <p style="padding-left: 40px;"><b>(b) A child experiences an accident, injury, or incident.</b></p> <p style="padding-left: 40px;"><b>(c) A child is too ill to remain in the group.</b></p>
<b>ANALYSIS:</b>	<p>The center had a written plan for notifying parents when personnel observe changes in a child's health.</p> <p>Ms. Miller contacted Child A's Mother when a change in health was observed. A written policy is listed in the parent handbook. Child A's Mother signed the handbook receipt on 11/14/2022</p>
<b>CONCLUSION:</b>	<b>VIOLATION NOT ESTABLISHED</b>

**ALLEGATION: Child A did not have an assigned staff member.**

**INVESTIGATION:**

On 01/17/2023 I interviewed Ms. Miller. She stated that children in the infant and toddler rooms are assigned a primary caregiver. She said these lists are posted in each classroom.

I interviewed Ms. Humphrey. She said that she is assigned a small group of children. These children are the same daily. Child A was in her group.

I received copies of the primary care lists. Each enrolled child has an assigned primary caregiver. This information is posted for parents in classrooms.

<b>APPLICABLE RULE</b>	
<b>R 400.8185</b>	<b>Primary care.</b>
	<b>(2) The center shall implement a primary care system so that each infant and toddler has a primary caregiver.</b>
<b>ANALYSIS:</b>	A primary care system for infants and toddlers is implemented. Each infant and toddler has an assigned primary caregiver.
<b>CONCLUSION:</b>	<b>VIOLATION NOT ESTABLISHED</b>

*I provided technical assistance to Mr. Henry. I recommended the addition of the method of contact to parents when an incident occurs.*

#### **IV. RECOMMENDATION**

I recommend no change in the status of this child care license.

*Michelle Fruehan*

03/16/2023

---

Michelle Fruehan Date  
Licensing Consultant

Approved By:

*Jacquelin Sharkey*

03/17/2023

---

Jacquelin Sharkey Date  
Area Manager