



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

August 25, 2023

Samantha Ford
Green Garden Child Development Center, LLC
380 11 Mile Road
Madison Heights, MI 48071

RE: License #: DC630406285
Investigation #: 2023D0019016
Green Garden Child Development Center

Dear Ms. Ford:

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	Staff; volunteer; requirements.
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The details of the information are in the attached report. To investigate:

- I interviewed the person who made the complaint, program director, licensee, licensee designee, child care staff member, and parents.
- I completed on-site inspections on the following dates: 06/01/2023.

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

R 400.8155	Child accidents and incidents; child and staff illness.
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I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by 09/17/2023. 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,



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

License #:	DC630406285
Investigation #:	2023D0019016
Complaint Receipt Date:	05/25/2023
Investigation Initiation Date:	05/30/2023
Report Due Date:	07/24/2023
Licensee Name:	Green Garden Child Development Center, LLC
Licensee Address:	380 11 Mile Road Madison Heights, MI 48071
Licensee Telephone #:	(248) 548-4447
Administrator:	Erica Kral, Designee
Licensee Designee:	Erica Kral, Designee
Name of Facility:	Green Garden Child Development Center
Facility Address:	10495 W 11 Mile Rd Huntington Woods, MI 48070
Facility Telephone #:	(248) 548-0290
Original Issuance Date:	11/25/2020
License Status:	REGULAR
Effective Date:	05/25/2021
Expiration Date:	05/24/2023
Capacity:	60
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
Child A (3-year-old, male) was bitten five times. Staff did not observe the bites occur or provide information to Child A's parents about the bites in a timely manner.	Yes

III. METHODOLOGY

05/25/2023	Special Investigation Intake 2023D0019016
05/30/2023	Special Investigation Initiated - Telephone spoke via email; no telephone number was provided.
05/30/2023	Contact - Document Received Five photographs
06/01/2023	Inspection Completed On-site from 2 pm to 4 pm I interviewed Licensee Designee, Samantha Ford, and Child Care Staff Member 1 (CCSM 1).
06/01/2023	Exit Conference With Ms. Ford
06/02/2023	Contact - Document Received incident reports, biting policy, incident report policy, and discipline policy
06/29/2023	Contact - Telephone call made spoke to previous Program Director, Treauna Ridgeway
07/10/2023	Inspection Completed-BCAL Sub. Compliance
07/26/2023	Contact- telephone call made to CCSM 3 Left voicemail.
07/31/2023	Contact- telephone call made to CCSM 3
07/31/2023	Contact- telephone call made to Ms. Ford
08/24/2023	Contact- exit conference with Ms. Ford

ALLEGATION: Child A (3 year-old, male) was bitten five times. Staff did not observe the bites occur or provide information to Child A's parents about the bites in a timely manner.

INVESTIGATION:

On 05/30/2023 I spoke to Child A's Mother. She said Child A was bitten at least five times between 07/2022 and 12/2022, which was the timeframe Child A was enrolled at Green Garden Child Development Center. On 09/23/2022 Child A's Mother observed bite marks on Child A's left arm, while giving him a bath. She contacted Child A's assigned staff member (CCSM 3) and send a photo of the injury on ProCare (digital communication app). She received no response from CCSM 3. Child A's Mother informed program director, Treana Ridgeway that Child A had a bite mark on his arm. Ms. Ridgeway explained that she would watch video footage of the classroom to see if she could observe what happened. Ms. Ridgeway informed her that Child A was bitten by another child. Child A's Mother stated that there were at least four other occasions where she found a bite mark on Child A. She would bring it to the attention of staff members in the classroom (she could not recall which staff member she talked to), who were not able to explain where the bite mark came from, so she would ask Ms. Ridgeway to see if she could find out what happened. Ms. Ridgeway would watch the video footage and tell her verbally what occurred. Child A's Mother could not recall the exact dates, location of bites, or the explanation the center provided in regards to how the child obtained the bite marks, other than confirmation it occurred. She did not have photographs of the other four bites that were sustained.

On 12/19/2022 Child A's Mother stated Child A returned home with scratch marks. There is not a photo of the incident. In addition, she could not recall where the scratch was or the explanation the center provided or how it occurred. She spoke to Ms. Ridgeway, who was apologetic and assured her that Child A would not be injured again in his classroom. On 12/23/2022, Child A sustained a scratch to the skin below his left eye and a scratch to his left arm. At this time Child A's Mother withdrew Child A from the center.

Child A's Mother indicated that she did not receive written notification of any of the incidents until 01/2023, when she received incident reports from Ms. Ford. She is concerned about the lack of supervision at the facility.

Child A's Mother recalled CCSM 3 and CCSM 4 were Child A's assigned staff members in preschool, and CCSM 5 was Child A's assigned staff member in pre-kindergarten. She added that there were multiple other staff members in and out of Child A's classroom that she really couldn't keep track of them.

I received five photographs. Photos 1, 2, and 3 were taken on 09/23/2022. The photographs show bite marks that were sustained on that date and show bite marks on Child A's upper left arm near his elbow and lower left arm near the outside of his wrist.

Photos 4 and 5 were taken on 12/23/2022. It shows scratches on Child A's left arm and a second photograph showed scratches below Child A's right eye. Both scratches broke the skin.

On 06/01/2023 I completed an unannounced onsite inspection at Green Garden Child Development Center in Madison Heights. Separately, I interviewed Licensee Designee, Samantha Ford, and Child Care Staff Member 1 (CCSM 1).

I interviewed Ms. Ford. I was informed that Child A was enrolled in the preschool (30 months to 3-year-olds) from 07/2022 to 11/21/2022 then transitioned to the prekindergarten room and remained there throughout the rest of his enrollment. Injuries occurred in both classrooms. Ms. Ford confirmed that Child A was bitten, and staff did not notify Child A's Mother. Staff did not complete incident reports because they did not see it happen. Once staff were made aware, they completed incident reports, however, Ms. Ridgeway did not sign the reports and give them to Child A's Mother. Ms. Ford said she reminded Ms. Ridgeway that a written incident report is required when bites occur on several occasions. Ms. Ford provided Child A's Mother with incident reports on 1/3/2023.

Ms. Ford spoke to Child A's Mother; she did not recall the exact date but thought it was November 2022. Ms. Ford told Child A's Mother that she should have received an incident report for each bite and/or injury that occurred. That is the center's policy. Ms. Ford told Child A's Mother that staff do provide adequate supervision and that biting is developmentally appropriate in a preschool age classroom. She said children sometimes bite to solve conflicts. Ms. Ford said Child A's Mother requested a refund for the child care that was provided, but Ms. Ford declined the request. Ms. Ford worked with staff and Child A's Mother to develop a plan to prevent Child A from being bitten or injured again. A verbal plan was developed and put in place in December 2022. The plan consisted of helping Child A communicate his needs and wants to other children and staff in acceptable ways. The classroom implemented photocard he could use to show what he needed, a teether on a pacifier clip, shadowing, and a third staff member was added to help with overall supervision. However, on 12/23/2022, Child A was injured when he was scratched by another child, resulting in a red scratch, an inch long, that broke the skin near his right eye. An incident report was completed, and Child A's Mother was contacted by phone. Child A departed from the center that day and has not returned. There is no longer video footage of any of the incidents.

Ms. Ford stated the center does have a severe and persistent behavior plan policy, but Child A was not on this plan, rather he was on a verbal behavior plan. Staff were verbally told to implement the plan (to prevent injury/biting). Ms. Ford said that Child A struggled with language skills and had limited listening skills. Ms. Ford said children asked Child A repeatedly to stop taking toys, but he did not listen. Unfortunately, children learned that injuring Child A would get him to stop the undesired behavior, since verbal cues were not effective.

Ms. Ford stated that eight staff worked in the preschool and prekindergarten classroom between 07/2022 and 12/2022. CCSM 3 is the only staff member that still works for the facility. There was a group of staff that quit, indicating that child care was not for them.

I received and reviewed the incident report policy. The policy states the following:

Accidents, Injuries, and Incidents

While we will do everything in our power to keep all children safe...kids will be kids, and accidents may happen. If a child is injured the following steps will be taken:

1.) Basic first aid will be performed. Cuts will be washed and bandaged. Bumps will have ice applied to them. 2.) In the event of serious injury, the parent will be notified. If the parents are not available, the person listed on the emergency card will be called. If that person cannot be reached, the doctor designated on the emergency card will be called. 911 will be called if needed. PLEASE KEEP EMERGENCY CARDS UP TO DATE!!!-This is your responsibility to notify us of new address, work phone numbers, approved emergency contact, etc. We will inform you of minor injuries at pick up time and you will be asked to sign an accident report verifying that it has been explained to you. Copies of these are available upon request.

Ms. Ford provided me with incident reports that were sent to Child A's Mother via email. The incident reports provided to me were not signed by Child A's Mother

09/28/2022 a documented incident stated that Child A was bitten in the knee by another child when he told a child that he could not get up the climber. This incident report was not provided to Child A's Mother. A box on the form stating, "spoke with parents," was checked. The form was signed by a staff member.

10/05/2022 Child A attempted to take a toy dinosaur from another child. The other child bit Child A's arm. The box indicating that parents were contacted was not checked. The form was signed by a staff member. A written report was not provided to the parent.

12/19/2022 Child A was scratched by another child. An administrator signed the form and checked the box that the parent was contacted. A written report was not provided to the parent.

12/23/2022 Child A was scratched by another child. An administrator signed the form and checked the box that the parent was contacted. The form was signed by the person who picked up the child.

I interviewed CCSM 1. She has worked in the preschool classroom for four months. She was not employed during Child A's period of enrollment at the center; therefore, she did not observe any of Child A's injuries or bites. CCSM 1 said that there is a known biter in the preschool classroom. The child is shadowed by staff members. A staff member is

always by her ready to jump into action when needed. CCSM 1 stated this is a verbal plan; she does not have a written plan. She said if a child is bitten, the parent should be contacted right away, and an incident report should be completed.

On 06/01/2023, I observed the preschool classroom from 3:37 pm to 3:49 pm. There were 11 children and 2 staff members (CCSM 1 and CCSM 2). CCSM 1 was in the bathroom assisting children with toileting and CCSM 2 was cleaning the tables and putting cots and blankets away. Three children played in the house area. One child laid in the corner and two children laid on top of him and hit him with their hands in the head three times. He did not cry but attempted to push them off him. Staff did not observe this occur; therefore, did not intervene. A fourth child picked up a wooden child-size chair and carried it around the room with the legs facing upward. She tripped and fell and hit her throat on the chair leg which forced her head upward. She cried. Staff did not observe the incident. CCSM 1 noticed her crying and offered her a hug. She asked the child what happened; the child grabbed her throat but did not explain what occurred. Two other children climbed up on a wooden child-size shelf near a wall and jumped off the shelf onto the floor. They repeated this several times. CCSM 1 and CCSM 2 did not observe this occur. Children used the shelf to climb onto a large wooden cube. They sat on top of the shelf and played. I was concerned with supervision and safety.

On 08/24/2023, I spoke to Ms. Ford. I informed her of my observation on the date of the inspection and reminded her that supervision needs to be provided during all parts of the day. She indicated she would work with the center director to notify her of the supervision concerns and devise a plan to ensure supervision is always provided.

On 06/29/2023, I interviewed Ms. Ridgeway. She stated she worked at Green Garden Montessori during the months of 07/2022 through 12/2022. She recalled that Child A was non-verbal. He would have outbursts of crying or laughing and would use different noises as a form of communication. Staff and other children struggled to understand what his communication attempts meant. When he was upset, staff were unsure why or how to help him. Child A's Mother found bite marks him on a few occasions and asked center staff what occurred. Ms. Ridgeway said she watched camera footage to determine if a bite occurred. After viewing footage, it was determined that Child A was bitten at least two or three times. Ms. Ridgeway asked staff to complete incident reports detailing what occurred. However, the reports were not provided to Child A's Mother.

Ms. Ridgeway confirmed that she spoke with Child A's Mother on a few occasions regarding the bites. She told Child A's Mother that the center implemented a biting policy and provided an additional staff to assist with Child A. His communication improved, but he did not attend the center every day, so it was difficult for him to progress. She moved Child A to the prekindergarten classroom to help with biting. She thought being in another room may help, however, with all the staff changes it was really hectic. Ms. Ridgeway said staff did the best they could to support Child A.

On 07/31/2023 I spoke to CCSM 3. She stated that she worked in the preschool room during the time frame in which the incidents occurred. CCSM 3 stated that the group of

children in the classroom during this time were on the younger side and there was a period of time that many of the children were biting.

CCSM 3 stated she focused much of her time on helping children build communication and problem-solving skills. However, she could not prevent all biting from occurring. When a bite occurred, she washed it with soap and water, provided ice if needed, and documented the behavior on an accident/injury form. She gave the form to the parents of the children that were bitten to sign. The parents of the children that bit others, were provided information about the bite on a behavior/incident form. CCSM 3 told both parents (children that were bitten and children that did the biting) about the incidents at pick up time.

CCSM 3 recalled Child A's Mother talking to Ms. Ridgeway about biting and Ms. Ridgeway watching video footage. She stated Ms. Ridgeway talked to Child A's Mother. She did not speak with Child A's Mother or sign incident reports for Child A after Ms. Ridgeway reviewed video footage.

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:	There is not ample information to determine if supervision was appropriate at the time of the alleged incidents of biting. No video was available, and I was unable to determine what was occurring in the classroom at the time of the biting incidents.
CONCLUSION:	VIOLATION NOT ESTABLISHED

APPLICABLE RULE	
R 400.8155	Child accidents and incidents; child and staff illness.
	Rule 155. (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 center has a written plan, however, the plan was not implemented. Ms. Ford stated that Child A's Mother should have received incident reports when Child A was bitten and confirmed that she did not. Child A's Mother was not notified of the incident that occurred on 10/05/2022. Child A's Mother did sign the incident forms as confirmation once she was informed of the incident
CONCLUSION:	VIOLATION ESTABLISHED

Technical assistance was provided on R 400.8125 (1).

IV. RECOMMENDATION

Upon receipt of an acceptable CAP, I recommend no change in the status of this child care license.

Michelle Fruehan

08/24/2023

Michelle Fruehan
Licensing Consultant

Date

Approved By:

Jacquelin Sharkey

08/25/2023

Jacquelin Sharkey
Area Manager

Date