



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

March 29, 2022

Kayla Schneeberger
St. Martin Lutheran Church
10995 Canada Road
Birch Run, MI 48415

RE: License #: DC730254851
Investigation #: 2022D0656004
Peace of Mind Child Development Center

Dear Ms. Schneeberger:

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; volunteer; requirements.
----------------	---------------------------------

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, caregivers, witnesses, and parents.
- I completed on-site inspections on the following dates: 2/15/2022.

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

R 400.8125 (1)	Staff; volunteer; requirements.
MCL 722.120 (1)(c)	Investigation, inspection, and examination of conditions, books, records, and reports; access by department, bureau of fire services, or local authorities; records; report; forms; confidentiality; disclosure of information; availability of confidential records; child information cards to be provided to department; failure of licensee to cooperate with investigation, inspection, or examination.
R 400.8122 (2)(6)	Lead caregiver; qualifications; responsibilities.
R 400.8146 (1)(h)	Information provided to parents.



STATE OF MICHIGAN
 DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
 LANSING

GRETCHEN WHITMER
 GOVERNOR

ORLENE HAWKS
 DIRECTOR

I recommend issuance of a 1st provisional license. If you accept the provisional license, you must sign and return the enclosed waiver form. If you do not accept the provisional license, you must notify this office in writing and an administrative hearing will be scheduled. Even if you don't accept the provisional license, you must still send us an acceptable corrective action plan.

Due to the violations, you must send us a corrective action plan by 4/11/22. 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"/>



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

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,



Stacy M. Tomczak, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa St.
PO Box 30664
Lansing, MI 48909
989-798-4738

enclosure

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

I. IDENTIFYING INFORMATION

License #:	DC730254851
Investigation #:	2022D0656004
Complaint Receipt Date:	02/11/2022
Investigation Initiation Date:	02/15/2022
Report Due Date:	04/12/2022
Licensee Name:	St. Martin Lutheran Church
Licensee Address:	10995 Canada Road Birch Run, MI 48415
Licensee Telephone #:	(989) 624-0298
Administrator:	Kayla Schneeberger, Designee
Licensee Designee:	Kayla Schneeberger, Designee
Name of Facility:	Peace of Mind Child Development Center
Facility Address:	10995 Canada Road Birch Run, MI 48415
Facility Telephone #:	(989) 624-0298
Original Issuance Date:	02/12/2003
License Status:	REGULAR
Effective Date:	09/04/2021
Expiration Date:	09/03/2023
Capacity:	36
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
On 2/10/22, Child A (male, 22 months) woke up from his nap and would not stay on his cot. He was taken into the hallway with his cot. When he would not lay on his cot Haleigh Cox put him on the cot, covered his whole body with a blanket and held him down. He was screaming.	Yes
Additional Findings	Yes

III. METHODOLOGY

02/11/2022	Special Investigation Intake 2022D0656004
02/15/2022	Special Investigation Initiated - On Site @11:45 p.m. Interviewed Kayla Schneeberger, program director
02/15/2022	Contact - Face to Face Interviewed Sara Miller, child care staff member
02/15/2022	Contact - Face to Face interviewed Regan Mayo, child care staff member
02/15/2022	Contact - Face to Face Interviewed Brandi Egan, child care staff member
02/15/2022	Contact - Telephone call made interviewed Haleigh Cox, child care staff member
02/15/2022	Contact - Telephone call made interviewed Child A's (male, 22 months) Mother
02/15/2022	Contact - Telephone call received interviewed Jill Cutterfield, president of the Church board
03/28/2022	Exit conference- Kayla Schneeberger, program director/licensee designee

ALLEGATION: On 2/10/22, Child A (male, 22 months) woke up from his nap and would not stay on his cot. He was taken into the hallway with his cot. When he would not lay on his cot Haleigh Cox put him on the cot, covered his whole body with a blanket and held him down. He was screaming.

INVESTIGATION: On 2/15/22, I went to the facility and interviewed the program director, Kayla Schneeberger. Ms. Schneeberger stated that she is the acting lead in the toddler room right now and Haleigh Cox works in the room also. I asked Ms. Schneeberger if she was aware of a situation where Ms. Cox held a blanket over Child A and held him down on his cot during nap time. Ms. Schneeberger stated that she was not made aware of any situation like this and has not observed Ms. Cox doing this at all.

Ms. Schneeberger provided me with a copy of the children and staff attendance for 2/10/22. The center uses an electronic system and the attendance record documented which rooms the child care staff worked. I reviewed the staff attendance and the following child care staff members were working during nap time. Brandi Egan was working in the preschool room; Haleigh Cox was working in the infant room; Regan Mayo was working in the infant room and Ms. Schneeberger, program director, was clocked in but not scheduled in a room.

Child A does struggle to stay on his cot during nap time because he co-sleeps with his parents. They do ask the children to lay on their cots. If they do not fall asleep or get up before the other children, they provide the children with books or quiet activities they can play with on their cots.

Ms. Cox is in the toddler room many times by herself and she has been working 36-40 hours a week. Ms. Schneeberger has not observed any behaviors that would make her concerned regarding Ms. Cox's interactions with the children. She said that usually staff are trained in a classroom for two to four weeks. Currently, Ms. Schneeberger and Regan Mayo do the training.

I interviewed Sarah Miller, child care staff member, who has been working in the infant room for about a month. She works by herself in the infant room most of the time. She peaks over to the toddler room occasionally when a child is upset. She has never heard any language from anyone that was not appropriate or any behavior that she thought was concerning.

I interviewed Regan Mayo. She has worked at the center for two years. She works in the infant and toddler rooms. Ms. Mayo does work with Ms. Cox who has worked at the center for about a year. She has not observed anything that has been concerning regarding Ms. Cox and her interactions with the children.

I asked about nap time and Child A. Ms. Mayo stated that Child A wakes up on and off and they sit next to him so they can calm him down so he does not wake other children. Child A does fall asleep every day; he will wake up before the other children and they try to get him to go back to sleep. I asked if she ever witnessed Ms. Cox put a blanket over Child A or any other child. Ms. Mayo stated that she has never seen Ms. Cox do that.

Ms. Mayo denied ever hearing anyone swear, call children names, or talk inappropriately to children.

I interviewed Brandi Egan, child care staff member. She has worked at the center for about year and is the lead in the preschool room. Ms. Egan stated that she was out in the hallway when she observed Ms. Cox put the blanket over Child A while he was laying on his cot. She held it over him to hold him on his cot because he kept getting off his cot. This was the second time that she observed Ms. Cox do this to Child A during this nap time. Ms. Egan stated that Ms. Schneeberger was standing near Ms. Cox when she did this and there is no way that she did not observe Ms. Cox do this to Child A. She heard Ms. Schneeberger call Child A stupid. Ms. Egan stated that Ms. Mayo was in the hallway when this happened also.

I reinterviewed Ms. Schneeberger and asked her again if she ever witnessed Ms. Cox hold a blanket over Child A. I reminded her that she was required to be truthful to me and that I had information that she had witnessed this incident. Ms. Schneeberger admitted that she had seen Ms. Cox place a blanket over Child A and hold him down. When I asked her if she witnessed her do this previously, she stated yes that she did and believed it was sometime in January. Ms. Schneeberger discussed the situation with Ms. Cox and told her she should stop the practice. Her discussion with Ms. Cox was not documented. She did not believe Ms. Cox did this regularly.

Ms. Schneeberger denied calling Child A or any other children any names or hearing Ms. Cox calling children names.

I reinterviewed Ms. Mayo and asked her again if she observed Ms. Cox put a blanket over Child A and hold him down on his cot. She continued to deny seeing Ms. Cox doing this to Child A. She said that Child A usually goes out in the hallway about once a week. She does not take children out into the hall. Children are taken out in the hallway so that they don't wake up the other children.

I received a call from Jill Cutterfield, the president of the church board. Ms. Cutterfield stated that Ms. Schneeberger informed the church board of what happened with Ms. Cox and that there was an investigation. She is very surprised by it. Ms. Cutterfield spends a lot of time at the center and feels that Ms. Schneeberger has done a good job at the center. Ms. Cutterfield stated that Ms. Cox was put on leave for now and feels that if she stays at the center she will be on a probationary status and won't be unsupervised with children.

I called and interviewed Haleigh Cox. I asked Ms. Cox about being observed holding a blanket over Child A. Ms. Cox said that she did do that but she was just playing around with Child A and it was a joke. She then admitted that she was not just playing around when I asked her about it again. Ms. Cox said that Child A was not listening and she forced him to lay down on his cot. Ms. Cox said that she has never done that before and she was never spoken to about putting a blanket over Child A.

Child A was crying after he woke up from his nap and so she took him into the hallway so he wouldn't wake up the other children. She was told to keep him on his cot during nap time.

She denied swearing at the children or calling them names.

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 a preponderance of evidence that Ms. Cox provided inappropriate care when she put a blanket over Child A and held him down on his cot. Ms. Cox was observed doing this more than one time.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION: I reinterviewed Ms. Schneeberger and asked her again if she ever witnessed Ms. Cox hold a blanket over Child A. I reminded her that she was required to be truthful to me and that I had information that she had witnessed this incident. Ms. Schneeberger admitted that she had seen Ms. Cox place a blanket over Child A and hold him down. When I asked her if she witnessed her do this previously, she stated yes that she did and believed it was sometime in January.

APPLICABLE RULE	
MCL 722.120	Investigation, inspection, and examination of conditions, books, records, and reports; access by department, bureau of fire services, or local authorities; records; report; forms; confidentiality; disclosure of information; availability of confidential records; child information cards to be provided to department; failure of licensee to cooperate with investigation, inspection, or examination.
	(1) The department may investigate, inspect, and examine conditions of a child care organization and may investigate and examine the books and records of the licensee. The licensee shall cooperate with the department's investigation, inspection, and examination by doing all of the following: (c) Providing accurate and truthful information to the department, and encouraging witnesses, such as staff and household members, to provide accurate and truthful information to the department.

ANALYSIS:	There is a preponderance of evidence to support that Ms. Schneeberger did not provide accurate and truthful information during the first interview. She did come forward with truthful information when told that she was required to do so and that I had other information that states she was aware of the situation.
CONCLUSION:	VIOLATION ESTABLISHED

INVESTIGATION: Ms. Schneeberger stated that she is the acting lead in the toddler room. Ms. Schneeberger admitted that she is not in the room for at least six hours a day when asked about Ms. Cox's hours working in the toddler room and reviewing attendance for the day.

APPLICABLE RULE	
R 400.8122	Lead caregiver; qualifications; responsibilities.
	(2) At least 1 lead caregiver shall be assigned to each group of children in a self-contained or well-defined space and shall be present and providing care in the assigned group in the following manner: (b) At least 6 hours per day for programs operating 6 or more continuous hours.
ANALYSIS:	Ms. Schneeberger admitted to not being in the toddler room for at least six hours a day as required.
CONCLUSION:	VIOLATION ESTABLISHED

INVESTIGATION: I requested the parent handbook to review the parent notification policy on incidents and accidents once Ms. Schneeberger stated that she had been aware that Ms. Cox had placed a blanket over and held Child A down sometime in January. The handbook did not have a notification policy in the handbook as required.

APPLICABLE RULE	
R 400.8146	Information provided to parents.
	(1) A center shall provide a written information packet to each parent enrolling a child that includes at least all of the following: (h) Parent notification plan for accidents, injuries, incidents, and illnesses.
ANALYSIS:	The parent handbook did not include the parent notification policy for accidents, injuries, and incidents.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

I recommend modification of the status of the license to provisional.



March 29, 2022

Stacy M. Tomczak
Licensing Consultant

Date

Approved By:



March 29, 2022

Rose A. Rafferty
Area Manager

Date