



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
ACTING DIRECTOR

August 22, 2023

Victoria Stratton
Learn & Grow Childcare LLC
14 S. East St
Hartford, MI 49057

RE: License #: DC800400498
Investigation #: 2023D0206013
Learn And Grow Childcare LLC

Dear Victoria Stratton:

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 400.1925(1) Staff; volunteer; requirements.
R 400.1940(1) Discipline.
R 400.1940(2)(c) Discipline.
R 400.1940(2)(d) Discipline.
R 400.1940(2)(e) Discipline.
R 400.1940(2)(h) Discipline.

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

- I interviewed the licensee/program director, licensee designee, child care staff members, and child care parents.
- I completed onsite inspections on 07/05/2023 and 07/13/2023.

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

R 400.1925(1) Staff; volunteer; requirements.
R 400.1940(1) Discipline.
R 400.1940(2)(c) Discipline.
R 400.1940(2)(d) Discipline.
R 400.1940(2)(e) Discipline.
R 400.1940(2)(h) Discipline.
R 400.1976(5)(a) Sleeping equipment.
R 400.1976(18)(b) Sleeping equipment.

I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by 9/11/2023. You can use our [corrective action plan](#) form or create your own.

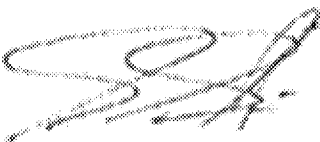
If you need help writing the corrective action plan, please contact me. If you do not send a corrective action plan, you may face disciplinary action. The corrective action plan must include the following:

- 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](#).

Sincerely,



Sean Shankin, Licensing Consultant
Bureau of Community and Health Systems
Unit 13, 7th Floor
350 Ottawa, N.W.
Grand Rapids, MI 49503

enclosure

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

I. IDENTIFYING INFORMATION

License #:	DC800400498
Investigation #:	2023D0206013
Complaint Receipt Date:	06/30/2023
Investigation Initiation Date:	06/30/2023
Report Due Date:	08/29/2023
Licensee Name:	Learn & Grow Childcare LLC
Licensee Address:	14 S. East St Hartford, MI 49057
Licensee Telephone #:	(269) 621-4440
Administrator:	Victoria Stratton, Designee
Licensee Designee:	Victoria Stratton, Designee
Name of Facility:	Learn And Grow Childcare LLC
Facility Address:	14 S. East St Hartford, MI 49057
Facility Telephone #:	(269) 621-4440
Original Issuance Date:	10/09/2019
License Status:	REGULAR
Effective Date:	04/09/2022
Expiration Date:	04/08/2024
Capacity:	70
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
The CCSMs have not provided the child care children with appropriate care and supervision. Staff have used various inappropriate discipline practices including informing a child they would not amount to anything.	Yes
Additional Findings	Yes

III. METHODOLOGY

06/30/2023	Special Investigation Intake 2023D0206013
06/30/2023	Special Investigation Initiated - Letter Email sent to Child A and Child B's Mother.
07/03/2023	Contact - Telephone call made Spoke to Child A and Child B's Mother.
07/05/2023	Inspection Completed On-site Onsite inspection from 11:40 AM - 12:45 PM. Interviewed child care staff member (CCSM) 1 and CCSM 2.
07/13/2023	Inspection Completed On-site Onsite inspection from 10:30 AM - 12:00 PM. Interviewed the Licensee and Program Director Megan Sanborn and the Licensee Designee Victoria Stratton.
07/13/2023	Contact - Document Received Text message received from Megan Sanborn
08/14/2023	Contact - Telephone call made Spoke to Child C's Father; Child D, Child E, and Child F's Mother, Child G's Mother, Child H's Mother; and Child I's Mother.

08/21/2023	Exit Conference conducted with the Licensee and Program Director, Megan Sanborn.
08/21/2023	Inspection Completed-BCAL Sub. Compliance

ALLEGATION: The CCSMs have not provided the child care children with appropriate care and supervision. Staff have used various inappropriate discipline practices including informing a child they would not amount to anything.

INVESTIGATION: On 6/30/2023 I communicated with Child A and Child B's Mother via email and requested that she contact me as the phone number listed in the complaint was inaccurate.

On 7/3/2023 I spoke to Child A and Child B's Mother. After reading the allegations to Child A and Child B's Mother, she confirmed that they were accurate. Child A and Child B's Mother reported that this was the fourth year the children have been attending the child care facility. Child A and Child B's Mother did note that while they have attended for four years, they would only attend during the summer. Child A and Child B's Mother reported that she had terminated child care and that Child A and Child B would not be returning to Learn & Grow child care.

Child A and Child B's Mother informed me that Child A has a mental health diagnosis that requires medication for him to maintain focus and remain calm. She continued stating that while Child A is medicated, she advised that the medications tend to "wear off" by the end of the day, which tends to result in an increase of impulsive and hyperactive behaviors. Child A and Child B's Mother reported that after an incident occurred at the child care center Child A "lost it" and began kicking the wall. Child A and Child B's Mother reported it was at this point where child care staff member (CCSM) 1 informed Child A that if he did not stop kicking the wall that she was going to call the police. Child A and Child B's Mother stated that CCSM 1 then informed Child A that he would "never amount to anything" as an adult. Child A and Child B's Mother reported that she was confident that the statement was made. She informed me that while Child A and Child B "bump heads," she stated Child B corroborated the statement that was made by CCSM 1. Child A and Child B's Mother denied that there were any additional CCSMs present at the time CCSM 1 made the statement to Child A.

Child A and Child B's Mother stated that during the time Child A and Child B have been in attendance, she has heard various CCSMs having "harsh tones" with the child care children, but advised this was the first situation that directly impacted her

children. Child A and Child B's Mother stated that after being made aware of the incident, she contacted the Licensee and Program Director, Megan Sanborn. Despite informing Sanborn of the disclosures made by Child A and Child B, she believed the incident would be "swept under the rug" due to a "conflict of interest" due to a familial relationship between Sanborn and CCSM 1.

On 7/5/2023 I made an onsite inspection at the child care facility. During the investigation I interviewed CCSM 1 and CCSM 2.

CCSM 1 acknowledged there have been behavioral issues present during the time Child A has been in attendance. CCSM 1 reported that the incident noted within the complaint was the first time she's personally had any type of conflict or issues with Child A. CCSM 1 denied that Child A has ever been physically aggressive with other CCSMs or child care children. CCSM 1 stated that she began working at the child care facility in November of 2022, so she could not speak to any behaviors exhibited from Child A during the previous summer he attended. CCSM 1 reported that the Licensee and Program Director Megan Sanborn has had the most difficulty with Child A.

CCSM 1 disclosed that on the day of the incident the school-age classroom went on a walking field trip to the library that is located across the street. CCSM 1 noted that as the day progressed, Child A was having a difficult time "following directions," at which time they asked him to "take a break." CCSM 1 advised that while she could not recall exactly what Child A was doing, she reported that he was being "out of control with his body," which she characterized by Child A's flailing of his arms and attempts to "break dance." CCSM 1 stated that after Child A was asked to take a break he began "screaming and crying" and had a difficult time collecting himself. CCSM 1 reported that this has occurred in the past while on walking field trips. She reported if coverage allowed, they would typically assign a staff member to remain with Child A during periods where they are offsite if he began having behavioral issues but advised that on days when they did not have coverage, the classroom would often leave their activity early and return to the center as a whole group.

CCSM 1 reported that prior to Child A escalating, Megan Sanborn had placed Child A "on a break," which was later explained to be a timeout in a different location in the center, away from the other child care children. CCSM 1 believed that Child A had been placed on a break after using a clothing pin to pinch his sister during an activity. CCSM 1 stated that after being on a break she attempted to process with him the events that had occurred to see if he was calm enough to return from the break and join the remaining child care children who were at circle time. CCSM 1 stated that after she began to speak with Child A his behavior escalated after he realized he missed show-and-tell while he was on the break.

CCSM 1 denied making the statement to Child A that he would not amount to anything as an adult but acknowledged informing him that "when you're older you can't do that because you'll go to jail." CCSM 1 believed that this may have been

misinterpreted as informing him that he would not amount to anything. CCSM 1 stated she made the statement to Child A as he was in the process of hitting and kicking the wall. CCSM 1 acknowledged that making the statement did not help in deescalating his behavior and reported it continued for a duration of 10-15 minutes. CCSM 1 did not believe there were any other CCSMs close enough to witness the situation as CCSM 2 remained with the child care children who were watching a movie and disclosed that Megan Sanborn had already left the facility when Child A was kicking and hitting the wall.

CCSM 2 stated she was present working alongside CCSM 1 in the school-age room on the day the incident occurred. CCSM 2 denied being present next to CCSM 1 while she was addressing Child A as she remained with the other child care children as they began watching an "educational show." CCSM 2 believed Child A began to escalate after his refusal to pick up the toys he was playing with. After informing her that Child B reported hearing the statement that Child A would not amount to anything as an adult, CCSM 2 denied that Child B was in a position (of physical proximity) where she would have heard the dialogue that occurred between CCSM 1 and Child A.

Despite believing Child B was not in positioned where she would have heard the alleged statement made by CCSM 1, CCSM 2 reported that she was close enough to have heard the interaction between the two. CCSM 2 denied that CCSM 1 said anything to Child A that was similar or could have been misconstrued by Child A, she denied this. CCSM 2 reported that CCSM 1 was "trying to encourage him to behave so his parents would receive a positive report at pickup.

CCSM 2 stated Child A typically calms down quickly after being sent on break; however, during this situation CCSM 2 stated it took Child A longer to deescalate during the encounter. CCSM 2 denied having any concerns regarding CCSM 1's ability to provide the child care children with appropriate care and supervision or discipline. CCSM 2 approximated that Child A and Child B were picked up by Child A's parents 10 minutes after Child A had calmed down and was able to return to the large group.

On 7/5/2023 I spoke to Sanborn. A follow-up onsite inspection was later scheduled for 7/13/2023 to complete the interviews.

On 7/13/2023 I conducted a schedule onsite inspection at the child care facility. During the inspection I interviewed the Licensee and Program Director Megan Sanborn. It should be noted that during the interview with Sanborn the Licensee Designee Victoria Stratton remained present. Victoria Stratton occasionally contributed information, however, stated she does not have direct contact with the child care children in terms of providing care.

Megan Sanborn reported that on the day of the incident the school-age classroom walked to the library across the street for a walking field trip to the library. Megan

Sanborn stated despite CCSM 1 being within ratio, she advised that she still accompanied the child care children on the walking outing. While at the library Megan Sanborn stated the children began working on an art project when Child A "pinched" his sister, Child B, with a clothing pen. Megan Sanborn stated after Child A pinched Child B with the clothespin, Child B began crying. Megan Sanborn stated that after this occurred, she attempted to process issues with Child A after stating this only escalated Child A's behavior as characterized by an increased voice and "aggressive tones," but stated he did finally begin to calm down.

Shortly after this occurred, Megan Sanborn advised that the classroom walked back across the street to return to the child care center. Megan Sanborn reported that Child A again began to escalate during snack time where he was "pushing and antagonizing" the other child care children. Megan Sanborn believes Child A purposely behaves in this manner to get a response out of both the child care children and the CCS Megan Sanborn stated due to Child A's behavior, the other child care children started arguing back with Child A. After CCSM 1 asked Child A to leave the line, his behavior continued to deteriorate. Megan Sanborn reported it was at this time when Child A began to kick the wall until he damaged the portion of the drywall. Megan Sanborn stated that while Child A was doing this, CCSM 1 continued to talk to him. Megan Sanborn advised that while CCSM 1 was redirecting Child A he eventually calmed down and returned to the snack table but was again asked to leave when he started to lift and drop the table with his knees and kick the other child care children.

Megan Sanborn confirmed that CCSM 1 made a statement to Child A, but denied it was what was noted in the allegations. Megan Sanborn stated that CCSM 1 informed Child A that he was "going home soon so... [she] hope you can calm down and join your friends." Megan Sanborn disclosed that she spoke to Child A's Mother via Facebook messenger who excused Child A's behavior as a result of Child A's prescribed medications wearing off. I also addressed Child A's Mother's disclosure that Child B was in support of Child A, stating he was not kicking the wall or escalating to the level detailed in the CCSM interviews. I also noted this was confirmation for Child A's Mother that the incident occurred as Child A and Child B rarely get along, so it was surprising Child B's validated Child A's disclosure that he would not amount to anything. Megan Sanborn stated that to her knowledge Child B was not near the quiet corner while CCSM 1 was attempting to redirect him, and also noted she would not surprise as there have been recent issues with Child B being dishonest regarding her behaviors within the classroom.

Megan Sanborn also stated that "almost as soon as he enrolled" Child A had a behavioral plan established due to his difficulty with regulating his emotions as observed the previous summer. Megan Sanborn advised Child A's Mother was "frustrated" receiving the negative reports of Child A's behavior.

While addressing the comment that CCSM 1 made regarding the police, Megan Sanborn stated they try to have "honest conversations" with the child care children. I

informed Megan Sanborn that this was not a method that should be used with children, especially those with difficulty in emotional regulation, as this would likely escalate the negative behavior. I then suggested that if the CCSMs were having difficulties with specific children and emotional regulation, she should potentially have her CCSMs take additional trainings on positive methods of conscious discipline.

Prior to concluding the interview Megan Sanborn and Victoria Stratton informed me that they do have cameras present but stated they do not record audio. I made a request to review the video. After unsuccessfully attempting to locate the moment of the incident, Victoria Stratton stated she would continue to search and let me know what is found.

Megan Sanborn reported that the incident with Child A occurred on 6/28/2023 noting Child A and Child B both returned to the child care facility on 6/29/2023 which was the last time they attended. Megan Sanborn stated Child A and Child B's Mother officially terminated child care services on 7/5/2023.

On 7/13/2023 after the interview at the child care facility, I received a text message from Victoria Sanborn stating they were unable to locate the video footage of Child A kicking the wall while he was standing in the quiet corner.

On 8/14/2023 I spoke to Child C's Father; Child D, Child E, and Child F's Mother; Child G's Mother; Child H's Mother, and Child I's Mother.

Child C's Father advised he has never experienced any issues during the time Child C had been attending the child care facility, and believed that if there had been concerns, Child C would have brought them to his attention. Child C's Father reported Child C has attended the child care facility since infancy and that at no times has, he ever been concerned with the care and supervision, or the discipline used by the child care center. He informed me that the discipline methods used were verbal redirection and timeout, which he believed were age appropriate for a school-age classroom. Child C's Father also denied that Child C had picked up on any "negative language" that he may have heard from an adult at the facility, to which he denied. After terminating the phone call, a follow-up text message was sent to Child C's Father to inquire if he had any awareness to Child C ever having privileges taken away as a result of behavior, to which he also denied.

Child D, Child E, and Child F's Mother's stated Child D, Child E, and Child F have attended the child care facility since May of 2023, noting this was their first summer at the child care facility. Child D, Child E, and Child F's Mother believed the CCSMs were "very appropriate and kind" to the child care children, and believed her children would inform her if there were issues present with the CCSMs. Child D, Child E, and Child F's Mother believed the only forms of discipline used were redirection and being placed in timeout. She stated during pickup on one occasion she observed a child in timeout and reported he was sitting at a table located in the classroom away

from the other children. Child D, Child E, and Child F's Mother again reiterated that during all of her interactions with the CCSMs they were "very caring and professional."

Child G's Mother reported Child G has attended the child care facility since 1 year of age and that he has continued at the facility until becoming school-age, at which time he then began only attending during the summer months. Child G's Mother denied having concerns regarding the CCSMs. However, Child G's Mother stated that if Child G had any issues with the CCSMs she was not sure if he would inform her "unless it was something extreme." Child G's Mother stated that this was due to Child G have a mental health diagnosis which results in his impulsive behavior and lack of attention. When informed of the alleged disclosure in the complaint, Child G's Mother stated that she did not believe Child G would have relayed the information. Child G's Mother stated that the only forms of discipline that she was aware of that have been used are having the children "sit down and discuss what they did wrong." Child G's Mother denied having any awareness of the child care center taking snack privileges as a form of punishment, but Child G's Mother also advised she did not believe this would have risen to the level of severity to require Child G to inform her of its occurrence.

Child H's Mother reported that this was currently the second year Child H has attended the child care facility reporting he has only been present during the summer. Child H's Mother stated that she has had concerns regarding the child care facility and was not "happy" that he would be returning for the summer care in the 2023 calendar year. However, Child H's Mother reported that Child H was enrolled out of necessity due to finances and location.

When asked what issues were present within the facility Child H's Mother stated that "the concerns depended on the staff." Child H's Mother reported being "less concerned" with the CCSMs that were present last year. She continued and informed me that she believed the CCSMs "had favorites" amongst the children and would actively "pick on" the other children. Child H's Mother advised that Child H was one of the children that had been targeted by the CCS. She provided an example of the favoritism and reported there was an incident in which Child H was physically pushed by another child care child at the center, but Child H had gotten in trouble because he was "irritating" the other child. Child H's Mother denied there were any punitive actions taken against the other child, whom she identified as the Licensee Designee's child. Child H's Mother also advised that she believed she saw instances of favoritism between the CCSMs and the children during pickups as characterized by the CCSMs being "clicky" only interacting with some of the child care children. Child H's Mother denied specifically hearing anything verbalized to Child H that upset her during pickups.

Child H's Mother denied recalling the specific names of the CCSMs that she had concerns regarding but reported that it was "two younger teachers" that acted "snobby" to the children. She also specifically noted that the Licensee and Program

Director, Megan Sanborn targeted Child H by "picking on him." I then asked what method of discipline was used with the children, to which she stated redirection, timeout, and having snack privileges taken away. While discussing snacks being taken away Child H's Mother stated there was one incident during the summer of 2022 where Child H was not permitted to have a popsicle due to his behavior, yet he was required to remain seated at the table with the children that received popsicles. Child H's Mother advised that this happened again this year stating Child H was not allowed to have ice cream with the other child care children due to his refusal to nap. Child H's Mother again stated that during this punishment, he was required to sit at the table with the other children while they were eating their ice cream. Child H's Mother advised that after this occurred, she "had enough" and put her two-week notice in at the child care facility.

Child I's Mother stated Child I has been attending the child care facility for two years, but stated he was no longer attending the facility. Child I's Mother advised that Child I's last day at the child care facility was 8/14/2023 and disclosed that she has had "ongoing problems" with the CCSMs and the Program Director. Child I's Mother stated that last year there were "troubles with them" but that she "chalked it up to [Child I] believing that that the issues may have occurred due to his behavior. Child I's Mother stated that during the current year the Program Director Megan Sanborn advised that if Child I wanted to attend their program, he would need to undergo medical testing to determine if he had any diagnosed medical conditions that impacted his impulsivity, hyperactivity, and inattentiveness. Child I's Mother stated this was not professional and that she should not have been required to receive a medical diagnosis for Child I to be enrolled. Despite feeling this way, Child I's Mother reported that in the event there were issues, she agreed to have Child I evaluated, and it was noted that there were no concerns regarding a potential diagnosis. Child I's Mother stated that this was in line with her previous assumptions, as she had not observed the behaviors reported of Child I at home. After meeting with Child I's primary care physician (PCP) she stated that the PCP believed that "it may not be a good fit." Out of necessity, Child I's Mother reported that she enrolled Child I against her better judgment.

Child I's Mother stated that the majority of the CCSMs acted as "anything [Child I] he did it was never ok." Child I's Mother stated that the individual Child I had the most difficulty with was the Licensee and Program Director, Megan Sanborn, who would also act as a "teacher." Child I's Mother reported that on 8/14/2023 Child I was physically "picked up and carried" to a separate room for the purposes of a timeout. Child I's Mother advised that when Megan Sanborn called Child I's Father to pick him up, Child I could be heard crying loudly in the background. Child I's Mother stated Child I had been placed in timeout for "jumping on the couch when he was told to go sit on the red carpet." Child I's Mother cited her frustration with the child care facility as he had only been present in the child care facility that day for two hours and was sent home for a mild infraction of jumping on the couch. Child I's Mother stated that after discussing the matter with Child I he was uncertain how long

he had been placed in timeout, but he acknowledged that the door to the room where he was placed remained open for the duration of the timeout.

Child I's Mother stated that while she had been frustrated with the center previous treatment of Child I, she contacted the facility on that day and informed them that Child I would no longer be returning.

Child I's Mother reported a week prior to this incident on 8/7/2023, she was contacted to pick up Child I from the child care center early for "hitting a kid in the head with a pot." Child I's Mother reported that after arriving to pick up Child A, she asked him why he hit another child with a pot. Child I's Mother reported Child I informed her that it was accidental, and that he was attempting to "shoot the pot like it was a basketball; he said like a three-pointer," and that the CCSMs were aware of this. Child I's Mother has been frustrated with the child care center as she believed they played "favorites" amongst the child care children. Child I's Mother characterized this due to a previous incident where Child I was "accidentally headbutted" by the Licensee Designee's child. Child I's Mother was upset that two accidental injuries were treated differently by the center. Child I's Mother stated that it felt as if the CCSMs "had it out for" Child I, and that she believed he was targeted. Additionally, Child I's Mother reported that the CCSMs were often "condescending" when talking to her about Child I.

Child I's Mother did not have a "good feeling" about Child I attending this year and reported that on the second day he attended the facility this summer, she received a phone call from Megan Sanborn and that she sounded "like she had a ton of adrenaline, like she was very emotional and angry" informing her of something Child I had done. Child I's Mother could not recall the incident that precipitated the phone call, but she remembered feeling that it was not something that would have required contacting a child's parents, at the time.

Prior to ending the interview, I asked Child I's Mother if there was any additional information, she believed I should be aware of concerning the discipline and care and supervision Child I received. Child I's Mother reported there was only one other incident that she could recall that didn't sit well with her. Child I's Mother reported that during this and last summer, there were times that Child I had his snack privileges removed and was made to remain with the other child care children while they had snack.

On 8/21/2023 I conducted an exit conference with the licensee and program director, Megan Sanborn. During the exit conference I asked Megan Sanborn some follow-up questions related to the disclosures received from child care parents during the phone interviews that were conducted. The items I discussed with Megan Sanborn regarding the allegations pertaining to discipline included: food/snacks being withheld from the child care children; the children being physically restrained and/or moved; and the children being placed in seclusion.

Prior to inquiring in the discipline practices, I asked Megan Sanborn why there was no video documentation available showing Child A kicking the wall, if there was a camera positioned in the room where the incident occurred. Megan Sanborn advised that it was due to her positioning obstructing the camera. I then sought clarification as Megan Sanborn originally disclosed CCSM 1 removed Child A from the line and attempted to redirect him while he was escalating, as this was when the comment was allegedly made that they may contact the police if he continued to destroy the center's property. Megan Sanborn then revised her previous statement and reported that she must have also come over to redirect Child A, but then reported she did not have a clear recollection due to when the incident occurred.

While discussing the children having their snack privileges removed as a form of punishment, Megan Sanborn acknowledged that this has occurred, but said a child has never had the snack that is listed on the menu withheld, but they have withheld additional snacks, which she categorized as additional "sweet treats." Megan Sanborn believed that this was appropriate and not a violation of the child care licensing rules due to the additional treat provided not technically being a snack. Megan Sanborn advised that the additional treat provided to children was based upon behavior and she acknowledged that there have been children in the past that did not earn the privilege of receiving the "sweet treat." After I asked if the children that were not permitted to receive this treat, whether they were subjected to sitting with the children who had received the snacks. Megan Sanborn confirmed that the children that have not received the additional snack have remained at the table while the other children eat the provided food.

While discussing the concerns pertaining to seclusion and restraint, Megan Sanborn also admitted to the disclosures received from Child I's Mother. Megan Sanborn acknowledged that there was an incident where Child I had been picked up and carried to the office for a quiet time. It should be noted that while Megan Sanborn did not initially refer to the "quiet time" as a timeout, after describing how and when it was used, I informed her that placing the children in different rooms to maintain compliance is no different than placing a child in timeout. Additionally, Megan Sanborn reported that the room used to place the children in is the office and confirmed that the door is closed while the children are in the office. Megan Sanborn believed this was acceptable because the office had "open windows" that provided those outside of the office with a way to continue visually monitoring the children while the door is closed. Megan Sanborn also reported that part of the reason the door is closed is to prevent the children from waking the infants/toddlers, whose classroom is positioned near the office. I informed Megan Sanborn that this was considered seclusion and that the children could not be confined in a closed room to serve their timeout.

As I continued to discuss the disclosure received from Child I's Mother that Child I was "picked up and carried" to the office, Megan Sanborn also reported that this is a common practice if the children are refusing to go to the office, or if they are acting in a matter that is a threat to themselves or others. Specifically discussing Child I and

the reason why he was carried to the room, Megan Sanborn reported that he was placing the other children in the threat of harm with his actions. Megan Sanborn stated that during this scenario, Child I was jumping on the couch. She also advised that if he had been restrained while carried into seclusion, it was because there were additional issues that were occurring throughout the day and that this was never the center's go-to response. After asking Megan Sanborn how Child I jumping on a small love seat rose to the level of believing he was a threat to himself or others, Megan Sanborn rationalized the response as noting Child I could have fallen on the children near the couch. I informed Megan Sanborn that there could be a variety of less restrictive methods of altering this behavior, which could include physically moving the child from the couch to the floor, or having the children who may have been within the fall zone move to a different location. I informed Megan Sanborn that grabbing and physically carrying and/or restraining children to move them could potentially lead to injuries to the child.

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:	The child care children did not receive appropriate care and supervision as the methods of discipline used, including language with threats of calling the police, is not considered a positive interaction that should occur between the CCSMs and the children in care.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.8140	Discipline.
	(1) Positive methods of discipline that encourage self-control, self-direction, self-esteem, and cooperation must be used.

ANALYSIS:	The methods of discipline used by the child care facility, which have included allegations of using humiliating and/or emotionally damaging language to the children by way of informing them they may not amount to anything as an adult, as well as the confirmed disclosure of threatening to contact the police are not considered to be a positive form of discipline. Additionally, I informed Megan Sanborn that after the statement regarding contacting the police was made, this escalated Child A's behavior, and did not help to encourage self-control and/or direction.
CONCLUSION:	VIOLATION ESTABLISHED

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.
ANALYSIS:	The licensee and program director, Megan Sanborn acknowledged picking a child up and carrying him to an office for the purposes of a timeout. The child care child's movement were restricted because of being held and physically relocated by Megan Sanborn.
CONCLUSION:	VIOLATION NOT ESTABLISHED

APPLICABLE RULE	
R 400.8140	Discipline.
	(2) All of the following means of punishment are prohibited: (d) Inflicting mental or emotional punishment, such as humiliating, shaming, or threatening a child.
ANALYSIS:	The CCSMs have used threats of contacting the police for children in care to gain compliance for behavior. In addition to being deemed a threat, using this tactic is not age appropriate or done in a positive manner to redirect negative behaviors.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.8140	Discipline.
	(2) All of the following means of punishment are prohibited: (e) Depriving a child of meals, snacks, rest, or necessary toilet use.
ANALYSIS:	Megan Sanborn acknowledged that ice cream and/or popsicles have been withheld from the child care children as a form of punishment. Sanborn believed this was an acceptable form of punishment due to the food being withheld being an additional snack outside of what is noted on the menu.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.8140	Discipline.
	(2) All of the following means of punishment are prohibited: (h) Confining a child in an enclosed area, such as a closet, locked room, box, or similar enclosure.
ANALYSIS:	Megan Sanborn acknowledged placing child care children in the staff office, with the door closed, for the purposes of timeout. Despite the presence of windows within the office, closing the child in a room is considered seclusion.
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION: Child A and Child B's Mother was informed that there were some additional disclosures made during the interview that I wanted to discuss. Without providing Child A and Child B's Mother with the disclosures that I received from Child H's Mother and Child I's Mother, I then asked Child A and Child B's Mother if she had any knowledge or information pertaining to the child care children's quiet and/or nap time. Child A and Child B's Mother denied that the child care center provides cots or mats for rest time and disclosed that the children bring in their own blankets. Child A and Child B's Mother confirmed that she has been present at the facility at times during the rest period, and stated she would see children either sleeping on the floor or on the couch. Child A and Child B's Mother stated the children will lay

directly upon the floor or couch. While discussing spacing, Child A and Child B's Mother denied witnessing children sharing blankets but reported "all the kids are right next to each other." Child A and Child B's Mother did not provide an approximate distance, but stated it was less than 18 inches separating the children. Child A and Child B's Mother stated there is a reward system that the CCSMs use to decide who naps on the couch. She also reported having personally witnessed children on the couch and stated the children will lay foot to foot and that the children's legs are in physical contact with the other child's legs.

Child H's Mother reported that the child care children do not sleep on mats and that they "only have blankets if they bring them from home." Child H's Mother confirmed being present at the facility in the past during rest time and reported seeing children laying directly on the floor as well as on the couch. Child H's Mother denied ever witnessing more than one child on the couch at a time, but reported the children on the couch are also napping directly on the surface. Child H's Mother denied there were 18 inches separating the children from one another.

Child I's Mother reported that during nap time she has witnessed children sleeping directly on the floor, and also disclosed that Child I have napped on the couch before. Child I's Mother said she believed the child care facility used a reward system to determine who can use the couch and disclosed that her son had recently slept on the couch. When asked if Child I was alone on the couch, Child I's Mother could be heard asking Child I, who informed her there was another child with him while he was laying on the couch.

During the exit conference that occurred with the licensee and program director Megan Sanborn she acknowledged the allegations surrounding the children napping directly on the floor and couch without having a surface separating them. Megan Sanborn stated that this has occurred because it was not a "nap time" even though children do sleep during this timeframe. Megan Sanborn also acknowledged that the children did not have the minimum requirement of an 18-inch separation between children. Megan Sanborn stated because the children were school age (who are not required to have scheduled naps) they would not be subject to the rules pertaining to napping.

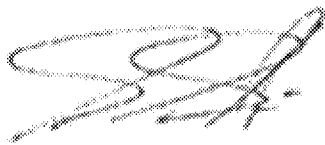
APPLICABLE RULE	
R 400.8176	Sleeping equipment.
	(18) All occupied cribs, porta-cribs, cots, and mats must be placed in such a manner that there is a free and direct means of egress and must be spaced as follows: (b) Cots and mats must be at least 18 inches apart.

ANALYSIS:	The school-aged children were napping and/or positioned during quiet time, less than the minimum requirement of 18 inches apart.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.8176	Sleeping equipment.
	(5) A cot or a mat and a sheet or blanket of appropriate size must be provided as follows: (a) For all preschoolers 3 years of age and older in care for 5 or more continuous hours.
ANALYSIS:	The school-aged children have a scheduled quiet time, where some children nap directly on the floor or couch without having a barrier separating the child from the sleeping surface.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

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



8/22/2023

Sean Shankin
Licensing Consultant

Date

Approved By:



8/22/2023

Yolanda Sims
Area Manager

Date

