



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

Marlon I. Brown, DPA
ACTING DIRECTOR

1/22/2024

Kimberly Vogelsberg
1802 Castile Road,
Wakefield, MI, 49968

License Number: DF270413872
Special Investigation Number: SI-00079558

Dear Kimberly Vogelsberg,

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:

Rule/Law Number	Rule Description
R 400.1911(1)	A licensee shall ensure appropriate care and supervision of children at all times.

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

- I interviewed: Licensee, as well as Child A's mother and father..
- I completed on-site inspections on the following dates: 11/14/2023

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

Rule/Law Number	Rule Description
R 400.1911(1)	A licensee shall ensure appropriate care and supervision of children at all times.

Upon receipt of an acceptable corrective action plan, I recommend the 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.

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

Rule/Law Number	Rule Description
R 400.1911(1)	A licensee shall ensure appropriate care and supervision of children at all times.

Upon receipt of an acceptable corrective action plan, I recommend the 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.

Due to the violations, you must send us a [corrective action plan](#) by 2/9/2024. You can use our corrective action plan form or create your own. Even if you don't accept the provisional license, you must still send us an acceptable corrective action plan.

If you need help writing the corrective action plan, please contact licensing consultant Wendy Highland at 906.290.4937 or highlandw@michigan.gov. 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.

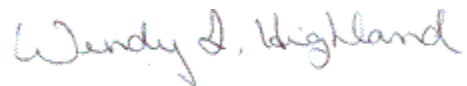
During this special investigation:	Yes	No
A rule or law violation was found and a serious injury or death occurred.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
A rule or law violation was found and abuse and/or neglect of a child occurred.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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 this report for accuracy and contact your consultant, Wendy Highland at

906.290.4937 or highlandw@michigan.gov. In the event that Wendy Highland is not available and you need to speak to someone immediately, please contact the Child Care Licensing Bureau at 517-284-9730.

Sincerely,

A handwritten signature in blue ink that reads "Wendy D. Highland". The signature is written in a cursive style with a large initial "W".

Wendy Highland, Licensing Consultant

enclosure

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CHILD CARE LICENSING BUREAU**

Report Type: Special Investigation Report

Date of Report: 1/22/2024

Special Investigation Number	Complaint/Incident Receipt Date
SI-00079558	11/13/2023
Investigation Initiation Date	Report Due Date
11/15/2023	01/14/2024
License Number	Licensee Name(s)
DF270413872	Kimberly Vogelsberg
Capacity	Facility Name
6	Caterpillars to Butterflies
Program Type	Mailing Address
Family Home	1802 Castile Road, Wakefield, MI, 49968
Facility Address	Facility Email Address
1802 Castile Road, Wakefield, MI, 49968	kimberlyvogelsberg8176@gmail.com
Facility Phone Number	License Status:
6087746620	Regular
Original License Issuance Date	License Expiration Date:
11/1/2022	4/30/2025
License Effective Date:	
5/1/2023	

ALLEGATION(S)

	Violation Established?	
Child A, 2 year old male, left Ms. Vogelsberg's house unattended. Child A was found by the side of the road by an unknown witness and taken to the Gogebic Michigan State Police post.	Yes	

METHODOLOGY

Date	Activity
11/15/2023	Special Investigation Case Created SI-00079558
11/13/2023	Special Investigation Initiated via Phone Call Conducted phone interview with licensee.
11/14/2023	Inspection Completed On-Site 11:30am to 12:30pm
11/14/2023	Exit Conference with Licensee Kimberly Vogelsberg.
11/14/2023	Contact – Phone Call Made

	Phone Interview-11:48am-11:55am
11/14/2023	Contact – Face to Face Interview with Child A's mother and father. 1:24pm-1:45pm
11/15/2023	Contact – Email Sent to Michigan State Police (MSP) regarding individual who picked up Child A on the side of the road.
12/05/2023	Contact – Email Received FOIA report received. The witness' name was redacted from the report.

Allegation: Child A, 2 year old male, left Ms. Vogelsberg's house unattended. Child A was found by the side of the road by an unknown witness and taken to the Gogebic Michigan State Police post.

Investigation: On 11/13/2023 at approximately 3:26 pm, Ms. Vogelsberg self-reported that Child A, 2 year old male, left her house unattended.

On 11/14/2023, an on site inspection was conducted. Ms. Vogelsberg stated that Child A was dropped off at her house at approximately 9:10 am on 11/13/2023 by Child A's father. Child A "was having a rough time letting his dad leave", so she turned a television show on. Ms. Vogelsberg attempted to talk to Child A, but Child A told her to go away. She left Child A in the kitchen and went to the family room, turned the tv on and sat down asking Child A if he wanted to watch a movie. Child A "whined and said no."

Ms. Vogelsberg could not see Child A from where she was sitting in the living room. Child A was approximately twenty feet away in the kitchen sitting on the floor.

Ms. Vogelsberg waited several minutes then at approximately 9:45 am called out to Child A. He did not respond, so she went to the kitchen. Child A was not there. She searched the entire house: kitchen, dining room, back porch, as well as the second level. No doors were open. At approximately 10:08, Ms. Vogelsberg called Child A's father to ask if Child A had behaved in this manner before. He stated that upon occasion Child A would hide in a closet when upset. He told Ms. Vogelsberg to call if she could not find him. Ms. Vogelsberg looked in the garage and outside around the house, but did not see Child A.

At approximately 10:19 am, while standing outside her home, Ms. Vogelsberg called Child A's father. At that moment, a police car drove by. She waved the car down. The police officer asked if she was looking for a child. The police officer stated that a neighbor had seen Child A in the street, approximately half a block from Ms. Vogelsberg's, and took Child A to the Gogebic Michigan State Police Post (MSP) located at 100 Sunday Lake St, approximately .9 of a mile from Ms. Vogelsberg's house. Ms. Vogelsberg did not know who the neighbor was. She called Child A's father to tell him that Child A was at the MSP. Child A's father picked Child A up at the MSP

and took him back to Ms. Vogelsberg's home at approximately 11:00am. Ms. Vogelsberg was unaware of Child A's whereabouts for approximately 40 minutes on 11/13/2023.

While on site at approximately 10:48 am, this consultant telephoned the Gogebic Michigan State Police Post. Trooper Maxinoski confirmed that Child A had been picked up by a passerby on 11/13/2023. Child A was distraught and crying. Trooper Maxinoski stated that any additional information would need to be requested through the Freedom of Information Act.

At approximately 12:30, this consultant knocked on the doors of the houses located on each side of Ms. Vogelsberg's house. There was no answer at either house.

An on site interview was conducted with Child A's mother and father at approximately 1:30 pm on 11/14/2023. Child A's parents reiterated what Ms. Vogelsberg told them. Neither parent holds any hard feelings against Ms. Vogelsberg. They like and trust her and feel that the incident was not her fault.

On 11/15/2023 a Freedom of Information Act (FOIA) request was emailed to the Gogebic Michigan State Police post.

On 12/04/2023 the Gogebic Michigan State Police report was received with the witness's name redacted.

RULE/STATUTORY VIOLATIONS:

APPLICABLE RULES	
R 400.8125(1)	All staff and volunteers shall provide appropriate care and supervision of children at all times.
ANALYSIS:	Appropriate care and supervision was not provided when Child A left the child care home on 11/13/2023 and was found alone on the side of the road by an unknown witness and was taken to the Michigan State Police Post where Child A was picked up approximately one hour later by Child A's father.
CONCLUSION:	Violation Established

BUREAU RECOMMENDATION

Bureau Recommendation	
Upon receipt of an acceptable corrective action plan, I recommend the issuance of a 1st provisional license.	

Approved By:			
Wendy Highland Consultant	01/22/2024 Date	Rose A. Rafferty Area Manager	01/22/2024 Date
