



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

July 9, 2021

Karen Potter
5077 Bancroft Ave.
Lowell, MI 49331

RE: License #: DF410271584
Investigation #: 2021D0614012
Potter Karen

Dear Ms. Potter:

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:

R400.1910(1)	Ratio of personnel to children.
R400.1911(1)	Care; supervision; children.
R400.1961(1)(a)	Parent notification required; incidents; accidents; illness; disease; isolation.

The details of the allegations are in the attached report. To investigate the allegations, I completed an onsite inspection on 06/01/2021. I interviewed the person who made the complaint, licensee, parents, or others with relevant information.

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

MCL 722.120	Investigation, inspection, and examination of conditions, books, records, and reports...
R400.1907(3)	Child's records.

I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by 7/29/2021. 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.

	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 (616) 356-0183.

Sincerely,



Samantha Struppa, Licensing Consultant
Bureau of Community and Health Systems
Unit 13, 7th Floor
350 Ottawa, N.W.
Grand Rapids, MI 49503
(616) 690-2934

enclosure

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

I. IDENTIFYING INFORMATION

License #:	DF410271584
Investigation #:	2021D0614012
Complaint Receipt Date:	05/24/2021
Investigation Initiation Date:	05/27/2021
Report Due Date:	07/23/2021
Licensee Name:	Karen Potter
Licensee Address:	5077 Bancroft Ave. Lowell, MI 49331
Licensee Telephone #:	(616) 868-0265
Administrator:	N/A
Licensee Designee:	N/A
Name of Facility:	Potter Karen
Facility Address:	5077 Bancroft Avenue Lowell, MI 49331
Facility Telephone #:	(616) 460-1976
Original Issuance Date:	12/14/2004
License Status:	REGULAR
Effective Date:	12/14/2019
Expiration Date:	12/13/2021
Capacity:	6
Program Type:	CHILD CARE FAMILY HOME (CAPACITY 1-6)

II. ALLEGATION(S)

	Violation Established?
Child B had red lines on her belly and received a black eye from another child. There is concern that the children are not supervised by Ms. Potter as she cares for many children.	No
Additional Findings	Yes

III. METHODOLOGY

05/24/2021	Special Investigation Intake 2021D0614012
05/27/2021	Special Investigation Initiated - Telephone I spoke with the complainant.
05/27/2021	Contact - Telephone call made I spoke with Child A and B's Father.
05/27/2021	Contact - Document Received I received text messages of pictures of Child B by Child B's Father.
06/01/2021	Contact - Face to Face I made an unannounced visit from 9:47AM until 10:45AM. I spoke with licensee, Karen Potter.
06/17/2021	Contact - Document Received I received an email from Child C's Mother. She submitted a positive reference letter regarding her experiences at Ms. Potter's child care.
06/23/2021	Contact - Document Received I received an email from Ms. Potter. She submitted a positive note from another parent regarding her child care.
06/23/2021	Contact - Telephone call made I spoke with Child C's Mother.
07/08/2021	Exit Conference with Ms. Potter

ALLEGATION: Child B had red lines on her belly and received a black eye from another child. There is concern that the children are not supervised by Ms. Potter as she cares for many children.

INVESTIGATION:

On 05/27/2021 I spoke with the complainant.

On 05/27/2021 I spoke with Child A and B's Father. He explained there were marks present on Child B's belly button area that were noticed when Child A and B's Mother was getting Child B ready for bed. Child B told him that Child C "did it" in the basement during quiet time and said Ms. Potter was upstairs. Child A and B's Father explained they have had problems in the basement over the last couple of months as he feels the children are not supervised when in the basement. He stated Ms. Potter has not directly told him that she leaves children in the basement, but Child B reported Ms. Potter is upstairs when children are resting in the basement.

Child A and B's Father reported the marks on Child B's belly looked like finger nail marks and Child B said Child C used his finger to make the marks, he is unsure if this happened over or under her shirt, but this was unwanted contact. This occurred roughly around May 19th. He stated Child B said she did not want to go to child care on May 19th because Child C "scrapes her on her belly". Child B's Father spoke with Ms. Potter that morning, Ms. Potter stated she would watch Child C and make sure he does not scratch Child B's belly. When Child A and B's Father picked up that day, Ms. Potter did not seem talkative, and he began putting Child A and Child C in his car. When he was getting Child B strapped in her car seat, he noticed a mark around her eye which looked as if she might have been stung by something, so he took a picture and showed this to Ms. Potter and asked what happened. Ms. Potter responded by "Oh I don't know, did you ask her?" Child A and B's Father told Ms. Potter that Child B mentioned she had sand in her eye and Ms. Potter stated Child B was running around the basement and probably ran into something. Child A and B's Father stated on their way home he asked Child B what happened, and she responded that Child C hit her with a shovel in the sandbox. He stated when he picked her up the children were inside, and this incident occurred while they were outside. He did not receive an incident report and Ms. Potter acted like she did not know that Child B had an injury to her eye. He stated there is no way that Ms. Potter did not notice the eye as the injury was obvious. He stated Child B did not see a doctor, but he is thinking after Child C hit her with the shovel, she may have rubbed her eye afterwards and sand possibly fell inside her eye.

He explained roughly two months ago, Ms. Potter told him this "wasn't working out" to have Child A and Child B under her care. He explained when Child B came home and complained of another child kicking or hitting her, he would bring this to Ms. Potter's attention, and he does not believe Ms. Potter liked this as she responded by saying "This might not be working out then". He explained Child B told him that another child was mean to her and he would push and kick her, so he brought this to Ms. Potter's attention. Ms. Potter had shut down and said, "I don't know, he has ADHD".

Child A and B's Father had asked her to get a camera in the basement to help identify when things happen, but he never confronted her about not being in the basement as whenever he did bring concerns to her attention, she became defensive. He stated it seemed to have upset Ms. Potter to bring this to her attention. He explained there was a time when Child A had a red bottom and he wanted to make sure Child A was changed enough, then the following week Child B was pushed by another child and Ms. Potter changed her attitude and said maybe it wasn't working out and he believed they could work through these challenges. Ms. Potter told him that maybe she could not provide the level of care needed. He stated things were turning for the better as Ms. Potter was providing them with more updates, however last week there were back-to-back incidents with Child B and at that point, he was done with the child care.

Child A and B's Father stated he typically does the drop off, but he has seen over six children present at the child care. He stated this was concerning as he thought Ms. Potter may be overwhelmed with the number of children present and the supervision she is able to provide with that many children. He does not remember dates of when he has seen this.

Child A and B's Father texted pictures of Child B's eye as well as the red marks on her belly. The picture does show a light, red mark underneath her belly button, but scratch marks are not visible. The next pictures are dated 5/19/2021 with a time of 4:18PM. This shows, what looks like a darker, red line underneath her eye. Child A and B's Father sent additional pictures and her eye progress to a bruise mark on 5/24/2021.

On 06/01/2021 I made an unannounced visit to the home and spoke with Karen Potter. She stated Child B began care with her in August of 2020, when Child A was born, Child B stayed home for a period of time, but then they both began care in January of 2021. She explained she felt that Child A and Child B needed a nanny rather than a child care due to how protective the parents were of their children. She stated Child A and B's Father would think Child B was getting "beat up by the kids here" and the parents do not understand that children play. Child A and B's Father had told Ms. Potter that Child B came home and was running and jumping all over, Ms. Potter responded by saying "Yep, she's 3". She explained roughly a month ago, she told Child A and B's Father things were not working out here to care for their children as she has six children to care for and things in the child care happen quickly. She thought in Child A and B's Father's mind, he felt like the other children were mean to Child B. She stated Child B was quiet while in care and if something did happen with Child B, she likely would not tell Ms. Potter. For example, if Child B needed to use the restroom, Ms. Potter would have to ask her to go because Child B would not tell her that she needed to go to the restroom. Ms. Potter explained Child A and B's Mother told her that she would still sit in the restroom with Child B while she went potty. Child A and B's Father told Ms. Potter that Child B told him she did not want to use the restroom in the basement. Ms. Potter stated Child B does not wear diapers and she does help her wipe after using the restroom, but the parents at home sit with her and hold her hand while in the restroom.

Ms. Potter explained she was upset with Child A and B's Mother and Father because if they did not trust her to care for their children then she did not want to care for them. She stated roughly a month ago, Child A and Child B's Mother approached her crying, explaining that she does enjoy Ms. Potter's child care and loved Ms. Potter and wanted to keep the children here.

Ms. Potter stated on 05/19/2021, was the last day Child A and Child B were at the child care. Child A and B's Father dropped off the children and showed Ms. Potter a picture of Child B's stomach with the red marks. Child B reported that Child C scratched her on her stomach. This was alleged to occur the day prior, on 05/18/2021. Child A and B's Father reported concerns that the red marks were close to Child B's private body, Ms. Potter did not agree and wondered why Child A and B's Father would say that the marks were close to her private body. She stated she does not know what time this may have occurred and stated Child B does not speak much while in care. However, Child C reported he was rubbing her belly at nap time. She explained for nap time, she is either upstairs or downstairs as the older children, such as Child B and Child C, nap in the basement and the younger children nap in rooms upstairs. She stated during nap time, she does try to go back and forth between upstairs and downstairs. She explained after lunch time, all the children are upstairs as she starts putting the younger children to sleep first. Then, she brings the older children downstairs in the basement and puts a movie on for them to fall asleep to. Sometimes they sleep and sometimes they do not. Then she will go back upstairs to check on the younger children. While she is upstairs, the children downstairs are laying down resting and usually some are asleep, and some are awake. She explained she will sometimes leave the children in the basement while playing if she needs to go upstairs and change a diaper. She stated there are no other times that child care children are left alone.

When Child A and B's Father picked up later that day, he took the children to the car then went back while she was speaking with another parent and put his phone to her face and asked, "Do you know what happened"? He showed Ms. Potter a picture of a scratch underneath Child B's eye. Ms. Potter responded that she did not know as Child B did not cry or say anything to her about being hurt. Ms. Potter expressed frustration as Child A and B's Father saw the scratch and assumed the worst. She stated the parents are very worried about their children. Ms. Potter stated she did not notice the mark on Child B's eye before she left, she never observed any incidents that would cause the injury. Ms. Potter stated she shut the door after Child A and B's Father asked her these questions and the mother she was speaking with at the time told her "You don't need to put up with that". She responded "Nope" and then texted Child A and B's Father "Sorry it's not working out, but I am not longer caring for your kids".

Ms. Potter explained a few weeks ago, Child C did receive a black eye while in care from playing with the blocks and she told Child C's Mother verbally what had happened. She stated there was no incident report written for the black eye as she told Child C's Mother verbally. She explained she has never really had to write an incident report as she has not had severe injuries, she has had minor injuries such as bumps, scratches, and bruises. She explained for these minor injuries, she notifies the parents verbally

and does not write an incident report. She stated she has never had a child injured in care and then seen by a doctor for that injury.

Ms. Potter explained there was never a time that she cared for more than six children while in care. She stated during the pandemic she thought there may be an increase in capacity and told parents she may be able to take seven children, however she believed this did not pass-through licensing, so she never took more than six children.

I reviewed attendance records for the month of May. Ms. Potter keeps attendance records electronically and I was able to verify that for the month of May, Ms. Potter had six children enrolled and there was not a day she had cared for more than six children.

On 06/23/2021 I spoke with Child C's Mother. She stated Child C has been attending the child care for roughly four years and she has had another child previously attend Ms. Potter's child care. She stated it is her understanding that licensing is involved because a family complained about Ms. Potter due to their child being scratched around her eye. She stated she assumed this was Child A and B's Mother and Father as Child B is no longer attending the child care from what she sees during drop off and pick up. She stated Child A and B's Father "had a lot to complain about". She stated she was shocked that someone would be concerned over a scratch, as this means children are active and playing instead of sitting in front of a T.V for most of the day. She stated children are going to receive bumps and bruises and parents must be okay with this happening. Ms. Potter asked Child C's Mother if Child C knew anything about what how Child B had a scratch on her belly. She stated Child C did not scratch Child B, Child C is still young, and he said he did not know what happened. She explained she did not think a scratch anywhere would be alarming to children or parents. She stated Child C did play with Child B because he felt bad for her. She stated Child C has never mentioned anything of concern regarding the child care. She stated she has no concerns regarding supervision, and she has never observed any concerning marks or bruises on Child C. She stated if there is a visible mark, Ms. Potter will verbally inform her of the incident. She stated she has never had any concerns regarding communication with Ms. Potter. Child C's Mother stated she has never had any concerns with the child care and her family called Ms. Potter "the biggest blessing of our lives". She believes Ms. Potter goes above and beyond what any other child care does for children as she implements a mixture of learning and craft time that is unique. Child C's Mother had previously submitted a letter via email highlighting the positive experience she has had with Ms. Potter.

APPLICABLE RULE	
R 400.1910	Ratio of personnel to children.
	(1) The ratio of personnel to children present in the home at any 1 time must be not less than 1 member of the personnel to 6

	<p>children. The ratio must include all children in care who are not related to any personnel and any of the following children who are less than 6 years of age:</p> <ul style="list-style-type: none"> (a) Children of the licensee. (b) Children of a child care staff member or child care assistant. (c) Children related to any member of the household by blood, marriage, or adoption.
ANALYSIS:	There is insufficient evidence to support Ms. Potter was operating at a ratio higher than 1 to 6 children.
CONCLUSION:	VIOLATION NOT ESTABLISHED

APPLICABLE RULE	
R 400.1911	Care; supervision; children.
	(1) A licensee shall ensure appropriate care and supervision of children at all times.
ANALYSIS:	Ms. Potter provided appropriate care and supervision as she is present with child care children at all times unless nap time to check on sleeping children upstairs and downstairs. No other parents reported this to be of concern.
CONCLUSION:	VIOLATION NOT ESTABLISHED

APPLICABLE RULE	
R 400.1961	Parent notification required; incidents; accidents; illness; disease; isolation.
	(1) A licensee shall promptly report to a child's parent any of the following: <ul style="list-style-type: none"> (a) Any incidents, accidents, suspected illness, or other changes observed in the health of a child.
ANALYSIS:	Parents and Ms. Potter confirmed parents were informed of any incidents verbally.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

On 05/27/2021 I spoke with Child A and Child B's Father. He explained when he brought up concerns regarding another child to Ms. Potter, Ms. Potter told him that this other child had Attention Deficit Hyperactivity Disorder (ADHD).

On 06/01/2021 I made an unannounced visit to the home and spoke with Ms. Potter. She stated she told Child C's Mother "about the whole thing", told her about Child A and B's Mother and Father as well as Child B, and Child C's Mother told her to let them go from the child care. Child C's Mother knows that Child C would not hurt anyone, and she wanted to speak with Child C regarding him hurting Child B. She stated she told Child C's Mother that Child C scratched Child B and Child A and B's Father told her that the red marks on Child B's stomach were close to her private area. Child C's Mother asked Ms. Potter what time Child A and B's Father picks up the children because she wanted to speak to him, Ms. Potter provided her this information. However, she picked up the normal time that day on 05/19/2021 because she wanted to speak with Child C about the incident first. Ms. Potter reported that Child C did not provide any information regarding the incident.

On 06/23/2021 I spoke with Child C's Mother. She stated she did not know the names of Child A and B's Mother and Father, but knew the names for Child A and Child B. She stated Ms. Potter told her that Child B was the child who had the scratch on her eye and the parents were upset about this. She stated Child A and B's Father was aggressively asking what happened and wanted to know if Child C knew what occurred. Child C's Mother stated she only knows about Child A and B's Mother and Father from what she has observed during pick up and drop off, they seem like a family that would need a nanny rather than a child care as they would ask a lot of questions about their children, such as what they did that day and what they ate. She explained most parents asked what their child's day looked like during pick up, but Child A and B's parents wanted to know every little detail. Therefore, they did not seem like a family that was overly trusting of anyone watching their children and they seemed nervous to leave their children with anyone.

On 07/08/2021 I spoke with Ms. Potter. She stated she did not tell Child A and B's Father that a child had ADHD but explained to him that the child kicking and pushing Child B had symptoms and was acting like a child with ADHD. Child A and B's Father told her they have not been around many children like in a child care setting, so Ms. Potter explained to them that this child was not kicking and jumping around to be mean, but rather because he has a lot of energy and appears to have symptoms of ADHD.

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.
	(3) A licensee shall keep the records the department prescribes regarding each child in its control and care and shall report to the department, when requested, the facts the department requires with reference to the children upon forms furnished by the department. Except as otherwise provided in this subsection and subsection (4), records regarding children and facts compiled about children and their parents and relatives are confidential and disclosure of this information shall be properly safeguarded by the child care organization, the department, and any other entity in possession of the information. Records that are confidential under this section are available to both of the following: (a) A standing or select committee or appropriations subcommittee of either house of the legislature having jurisdiction over protective services matter for children, according to section 7 of the child protection law, 1975 PA 238, MCL 722.627. (b) The children's ombudsman established in section 3 of the children's ombudsman act, 1994 PA 204, MCL 722.923.
ANALYSIS:	Ms. Potter disclosed confidential information to Child C's Mother regarding Child B's scratch and conversations Child A and B's Father had with Ms. Potter. Confidential information was also disclosed to Child A and B's Father by Ms. Potter when told that a child care child acted like they had symptoms of ADHD.
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

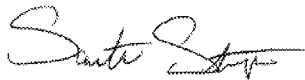
I reviewed attendance records for the month of May. Ms. Potter keeps attendance records electronically. However, Ms. Potter stated her grandson was not listed in the app used to keep attendance, therefore his attendance was never tracked. Her

grandson has a child information card, is 2 years of age and is being cared for by Ms. Potter during child care hours, therefore he would be considered a child care child.

APPLICABLE RULE	
R 400.1907	Child's records.
	(3) Dated daily attendance records of children in care must be maintained and include the child's first and last name and the time of arrival and departure. Electronic records may be used. If electronic records are used, they must be available to the department at the time of the inspection. If electronic attendance records are not available during an on-site inspection the child care home is in violation of this rule.
ANALYSIS:	Ms. Potter's grandson is a child care child who is 2 years old and would count in ratio, however his attendance was never recorded.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Upon receipt of an acceptable corrective action plan, I recommend no change to the status of this child care home license.



07/08/2021

Samantha Struppa
Licensing Consultant

Date

Approved By:



07/09/2021

Erika Bigelow for Katrice Sweet
Area Manager

Date