



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
LIFELONG EDUCATION, ADVANCEMENT, AND POTENTIAL
LANSING

Michelle Richard
ACTING DIRECTOR

6/4/2024

Senica Smith
4967 North Watervliet Road
Watervliet, MI, 49098

License Number: DG110246464
Special Investigation Number: SI-00029289

Dear Senica Smith,

I conducted a special investigation because the child care licensing bureau 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 400.1908(1)	The licensee shall ensure that the actual number of unrelated children in care at any 1 time does not exceed the number of children for which the child care home is licensed, not more than 6 children for a family child care home and not more than 12 children for a group child care home.
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: Senica Smith, child care staff members, and parents.
- I completed on-site inspections on the following dates: 08/24/2023

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

Rule/Law Number	Rule Description
R 400.1907(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.
R 400.1906(1)(b)	Daily records detailing arrival times and departure times at the child care home.

Due to the violations, a corrective action plan was requested. You submitted an acceptable corrective action plan.

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, Tiara McKay at 269-615-5758 or mckayt2@michigan.gov. In the event that Tiara McKay is not available and you need to speak to someone immediately, please contact the Child Care Licensing Bureau at 517-284-9730.

Sincerely,



Tiara McKay, Licensing Consultant

Enclosure

**MICHIGAN DEPARTMENT OF
LIFELONG EDUCATION, ADVANCEMENT, AND POTENTIAL
CHILD CARE LICENSING**

Report Type: Special Investigation Report

Date of Report: 6/4/2024

Special Investigation Number	Complaint/Incident Receipt Date
SI-00029289	8/8/2023
Investigation Initiation Date	Report Due Date
9/22/2023	10/07/2023
License Number	Licensee Name(s)
DG110246464	Senica Smith
Capacity	Facility Name
12	Senica D. Smith
Program Type	Mailing Address
Group Home	4967 North Watervliet Road, Watervliet, MI, 49098
Facility Address	Facility Email Address
4967 N. Watervliet Road, Watervliet, MI, 49098	smithsenica@gmail.com
Facility Phone Number	License Status:
2698762117	Regular
Original License Issuance Date	License Expiration Date:
7/15/2002	2/21/2025
License Effective Date:	
2/22/2023	

ALLEGATION(S)

	Violation Established?	
There are times when the child care home is exceeding capacity, with up to 25 unrelated children being present at one time.		No
Appropriate care and supervision are not being provided when children are being dropped off at local parks with only Minor, a 13-year-old, providing care and supervision.		No
Additional Finding:	Yes	

METHODOLOGY

Date	Activity
9/22/2023	Special Investigation Case Created SI-00029289
8/24/2023	Special Investigation Initiated via On-site from approximately 1:00 until 2:30 pm. Interviewed Senica Smith, Child Care Staff Member 1, and Child Care Staff Member 2.
8/31/2023	Contact – Phone Call Made to Senica Smith.
4/24/2024	Contact – Phone Call Made to Child G's Mother.
4/24/2024	Contact – Phone Call Made to Child A and B's Mother.
4/24/2024	Contact – Phone Call Made to Child H's Mother.
4/24/2024	Contact – Phone Call Made to Child I's Mother.
4/24/2024	Contact – Phone Call Made to Child J, K, and L's Mother.
4/24/2024	Contact – Phone Call Made to Child E and F's Mother.
4/24/2024	Contact – Phone Call Made to Child D's Mother.
4/24/2024	Contact – Phone Call Made to Child Care Staff Member 3.
4/24/2024	Contact – Phone Call Made to Child C's Mother.
4/25/2024	Exit Conference with Senica Smith.
4/25/2024	Contact – Phone Call Received from Child M and N's Mother.
4/25/2024	Contact – Phone Call Made to Minor's Mother. No answer. Unable to leave a message.

ALLEGATION: There are times when the child care home is exceeding capacity, with up to 25 unrelated children being present at one time.

INVESTIGATION:

I conducted an unscheduled on-site inspection on Thursday 8/24/23. Senica Smith, Child Care Staff Member (CCSM) 1, and CCSM 2 were present with 22 children. Also present was Senica Smith's 13-year-old niece, Minor, who comes to the home to provide care for related children. During the inspection I interviewed Senica Smith, CCSM 1, and CCSM 2.

Senica Smith acknowledged that her numbers were high on the date of the on-site inspection. She said they were high because she was having an end of the summer party for the children that day, so a lot of children were in attendance for the party. She acknowledged that her numbers sometimes go over 12 children, but she said each time they do, the extra children are related children and there is always enough child care staff, or Minor, present to care for the related children. Senica Smith was unable to say for certain how many children were present on certain days. She denied ever having 25 children present at one time.

While on-site I asked to see attendance records. Senica Smith was not able to produce attendance for the current week. She did not have attendance for the previous week, 8/14/23 – 8/18/23, because she was closed and not providing care that week. Her most recent attendance record was from the week of 8/7/23 – 8/10/23 (she was closed Friday 8/11/23). That week's attendance was not completed in full. I asked for attendance for the week of 7/31/23 – 8/4/23 and that week was not completed in full either.

The Attendance records Senica Smith was able to produce were being kept in a spiral notebook, with each page containing one date of attendance. The date is listed at the top of each page. The children are divided into three sections on each page. On all pages, the top section is not labeled. Senica Smith described this section as the unrelated, or child care children, section. The second and third sections are sometimes labeled as "related under 6" and "related over 6". Sometimes the second and third sections are not labeled at all. On some pages there are circled numbers off to the right that appear to be indicators of how many children were present, or expected to be present, that day. Senica Smith advised that these numbers have to do with how many lunches she had to prepare on those days. On most of the dates there were arrival times but no departure times. Based on the way attendance records are being maintained, it was difficult to determine how many children were present each day, either related or unrelated.

I asked Senica Smith to write down each child that was present during the on-site inspection, indicating which children were child care children and which children were related children. She wrote the child care children on one piece of notebook paper and the related children on another piece of notebook paper. I asked her to explain how each related child was related and I noted the relation in the margin beside the children's names. The lists reflected that nine child care children were present and 13 related children were present during the on-site inspection. Of the 13 related children, 7 were under the age of 6 years. Senica Smith highlighted the child care children that were being watched on that date by Minor. She highlighted seven children.

I interviewed CCSM 1. CCSM 1 advised that she has been working at the child care home since May 2023. She works Monday – Friday from 7:30/8:00 – 5:30. She said that the maximum number of children usually present at one time is 18, except on Thursdays. She said they can have up to 23 children on Thursdays. She called this

Thursday, the date of the on-site inspection, a “normal” Thursday. CCSM 1 could not say for certain which children were related to Senica Smith.

I interviewed CCSM 2. She worked at the child care home from September 2021 – September 2022. She came back to work in February 2023. She works Monday – Friday from 8:00 – 5:30. She estimated that there are about 15 children present each day, with more than 15 children being present on Thursdays. CCSM 2 could not say for certain how many children are present on Thursdays. CCSM 2 could not say for certain which children were related to Senica Smith.

I interviewed CCSM 3 on 04/24/2024. She started working for the child care home in October 2021. She works Monday – Friday from 8:00 – 4:45. CCSM 3 stated that there were usually 16 or 17 children present each day over the summer. On Thursdays they might have had up to 22 children. She said that Senica Smith takes attendance, but CCSMs help out if she is busy. CCSM 3 stated that she believed about half of the enrolled children were children related to Senica Smith, but she could not say which children were related.

I interviewed Child A and B’s Mother, Child C’s Mother, Child D’s Mother, Child E and F’s Mother, Child G’s Mother, Child H’s Mother, Child I’s Mother, Child J, K, and L’s Mother on 04/24/24. I interviewed Child M and N’s Mother on 04/25/24.

It should be noted that when Senica Smith wrote down each child that was present during the on-site inspection on 8/24/24, she indicated that Child B, Child C, Child D, Child E, and Child F were related to her. Child A and B’s Mother said that Child A and Child B are related to Senica Smith, because Child A and B’s Grandmother is married to Senica Smith’s cousin. Child C’s Mother confirmed that Child C is related to Senica Smith as a second cousin. Child D’s Mother said that Senica Smith and Child D are members of the same Native American tribe. Child E and F’s Mother confirmed that Child E and F are related to Senica Smith as second cousins.

All nine parents that I spoke with said that they have never counted children, so none of them could say for certain how many children have been present in the home on a daily basis, over the summer up to the current date. All nine parents also said that they have never had any concerns about the number of children present in the home at one time. Child E and F’s Mother said what she’s seen in the home “can’t be more than 10 children”. Child H’s Mother estimated that she has only seen “between 8 and 10” children in the home.

RULE/STATUTORY VIOLATIONS:

APPLICABLE RULES	
R 400.1908(1)	The licensee shall ensure that the actual number of unrelated children in care at any 1 time does not exceed the number of

	children for which the child care home is licensed, not more than 6 children for a family child care home and not more than 12 children for a group child care home.
ANALYSIS:	On the date of the on-site inspection, Senica Smith indicated that nine unrelated children were present and 13 related children were present. Of the children Senica Smith indicated as related, two did not meet the definition of relative, putting the capacity at 11 unrelated children at the time of the on-site inspection. Attendance records were not completed accurately so I was unable to determine if the home was over capacity on other dates.
CONCLUSION:	Violation Not Established

ALLEGATION: Appropriate care and supervision are not being provided when children are being dropped off at local parks with only Minor, a 13-year-old, providing care and supervision.

INVESTIGATION:

During the on-site inspection on 8/24/23 I interviewed Senica Smith, CCSM 1, and CCSM 2.

Senica Smith stated that Minor cares for the children that are related to Senica Smith. She said that Minor takes the school age related children to the park once or twice a week. They go to the park that is nearby, at the school.

CCSM 1 said that Minor sometimes takes school age children to the park at the school nearby. She said sometimes CCSM 3 goes to the park with them. She could not say for certain which children go to the park. She could only say that it was school age children, as those are usually the children for whom Minor provides care.

CCSM 2 said that Minor usually cares for about six children, all who are school age and all who are related to Senica Smith. She said sometimes, at nap time, Minor takes the children to the park.

During a conversation on another matter on 9/1/23, Senica Smith advised that Minor has never been alone at the park with children. She said that CCSM 3 is always there with them.

When I spoke with CCSM 3, she stated that Minor would take related school age children to the park during the summer, once or twice a week. CCSM 3 said that she usually went with Minor and the children, but there were times that another child care staff member went.

Child A and B’s Mother and Child C’s Mother stated that their children did not go to the park over the summer. Child D’s Mother and Child E and F’s Mother said that their children did go to the park. Neither parent was aware of who provided care and supervision while the children were at the park.

Child G’s Mother, Child H’s Mother, and Child I’s Mother all said that their children never went to the park. Child J, K, and L’s Mother said that Child J and Child K went to the park last summer. She was not aware of who provided care and supervision while the children were at the park, but she said “there is no way Senica would have allowed a 13-year-old to watch the children” at the park. She said Senica Smith “cares about the kids in the community”, “she’s great”, and “getting into her daycare is hard because so many people want to go there”. Child M and N’s Mother said that her children were enrolled shortly after the summer was over and they did not go to the park.

RULE/STATUTORY VIOLATIONS:

APPLICABLE RULES	
R 400.1911(1)	A licensee shall ensure appropriate care and supervision of children at all times.
ANALYSIS:	According Senica Smith, CCSM 1, and CCSM 3, Minor was never alone at the park with children and therefore appropriate care and supervision were provided.
CONCLUSION:	Violation Not Established

ADDITIONAL FINDING:

INVESTIGATION:

During the on-site inspection on 8/24/23 I requested attendance records for children and for child care staff members. Senica Smith was not able to produce attendance records for staff. She could not produce attendance records for children for the current week. She was able to produce children's attendance records for two other weeks that I

requested. The records for those two weeks were not completed in full, including departure times being left blank.

RULE/STATUTORY VIOLATIONS:

APPLICABLE RULES	
R 400.1907(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:	Attendance records of children are not being maintained as required. There was no record at all for some requested dates and there were incomplete records for other requested dates.
CONCLUSION:	Repeat Violation Established Reference: 5/2/2021 :Violation Established

APPLICABLE RULES	
R 400.1906(1)(b)	Daily records detailing arrival times and departure times at the child care home.
ANALYSIS:	Records detailing arrival and departure times of child care staff members are not being maintained.
CONCLUSION:	Repeat Violation Established Reference: : 5/11/2017 :Violation Established;

BUREAU RECOMMENDATION

Bureau Recommendation
I recommend the no change in the status of the license.

Approved By:	
 Tiara McKay Consultant 06/04/2024 Date	 Charnell Lennox Area Manager 06/05/2024 Date