



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

April 7, 2023

Polly Szczubelek
300 E Grand
Mt Pleasant, MI 48858

RE: License #: DG370061013
Investigation #: 2023D0012009
Tender Loving Day Care

Dear Ms. Szczubelek:

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:

R400.1913(2) Discipline; child handling.

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

- I interviewed: the person who made the complaint, licensee, caregivers, parents, or others with relevant information.
- I completed one onsite visit on 3/20/2023.

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

R400.1952(1)(a) Child transportation; parent permission; child information card; required when off-premises.

I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by 4/26/2023. 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:

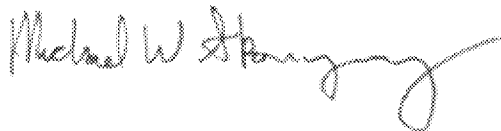
- How compliance with each rule will be achieved.
- Who is directly responsible for implementing the corrective action for each violation.
- Specific time frames for each violation as to when the correction will be completed or implemented.
- How continuing compliance will be maintained once compliance 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"/>	X
A rule or law violation was found and abuse and/or neglect of a child occurred.	<input type="checkbox"/>	X

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 (517) 284-9730.

Sincerely,



Michael Skonieczny, Licensing Consultant
 Child Care Licensing Bureau
 611 W. Ottawa St.
 P.O. Box 30664
 Lansing, MI 48909
 (989) 289-8572

enclosure

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

I. IDENTIFYING INFORMATION

License #:	DG370061013
Investigation #:	2023D0012009
Complaint Receipt Date:	03/16/2023
Investigation Initiation Date:	03/17/2023
Report Due Date:	05/15/2023
Licensee Name:	Polly Szczubelek
Licensee Address:	300 E Grand Mt Pleasant, MI 48858
Licensee Telephone #:	(989) 772-1435
Administrator:	N/A
Licensee Designee:	N/A
Name of Facility:	Tender Loving Day Care
Facility Address:	300 E Grand Mt Pleasant, MI 48858
Facility Telephone #:	(989) 772-1435
Original Issuance Date:	02/02/1993
License Status:	REGULAR
Effective Date:	07/10/2021
Expiration Date:	07/09/2023
Capacity:	12
Program Type:	CHILD CARE GROUP HOME (CAPACITY 7-12)

II. ALLEGATION(S)

	Violation Established?
Ms. Szczubelek refused to take Child A (4 year old male) and Child B (4 year old male) to preschool because of their poor behavior the day before.	No
Additional Findings	Yes

III. METHODOLOGY

03/16/2023	Special Investigation Intake - 2023D0012009
03/17/2023	Special Investigation Initiated – Telephone with Child A's mother
03/20/2023	Inspection Completed On-site from 10:15 until 11:15AM
03/20/2023	Contact - Telephone call made to child care staff member Taylor Dostal.
03/20/2023	Contact - Document Received from child care staff member Lindsey Abbott.
04/06/2023	Contact - Telephone call made to Child B's mother
04/06/2023	Exit Conference with licensee via telephone.

ALLEGATION: Ms. Szczubelek refused to take Child A (4 year old male) and Child B (4 year old male) to preschool because of their poor behavior the day before

INVESTIGATION: On 3/17/2023 I spoke with Child A's mother on the telephone. Child A has attended Polly Szczubelek's home child care for three years and his older siblings have also attended the child care. As part of the child care agreement, Ms. Szczubelek agreed to transport Child A to and from preschool. On 3/15/2023 Ms. Szczubelek contacted the parents for Child A and Child B and informed them that the children were misbehaving during pick up from preschool and in order to teach them a lesson, she would not be taking them to preschool the next day. This was not the first time Child A was misbehaving while being transported to or from preschool, but it was the first time that Ms. Szczubelek refused to transport them. She told Ms. Szczubelek that she disagreed with her decision and felt it was inappropriate to keep Child A from preschool. She feels that up until this last year they have been happy with Ms. Szczubelek's child care, but lately she feels Ms. Szczubelek has had a poor attitude and has been inflexible. Ms. Szczubelek has

informed Child A's parents that he is being removed from the child care in May to make room for a new family. There have been no other disciplinary concerns.

On 3/20/2023 I conducted an onsite visit at the home of Polly Szczubelek. She was advised of the allegations and confirmed that she did tell the parents of Child A and Child B that she would not be transporting them to preschool for one day as a consequence for some misbehavior earlier in the week. Child A and Child B have been running ahead of the child care staff member, jumping on furniture, and just acting out of control. She let the parents of both children know that they could bring their children to child care that day for the full day or they could make other arrangements to get the children to preschool. Child B's parents agreed with her decision, but Child A's parents disagreed with her decision and kept Child A home and took him to preschool themselves. Ms. Szczubelek said child care staff that transport children are Taylor Dostal and Lindsey Abbott. Both women have valid driver's licenses and valid registration and insurance. Child A and Child B use their own booster seats in the car and a medical supply kit is brought with the staff members each day when transporting children.

On 3/20/2023 I spoke with Ms. Dostal. She has worked with Ms. Szczubelek since September 2022 and loves working there. She transports Child A and Child B one day a week to preschool. During pick up time, the children were jumping on furniture, not listening, and were crawling up the stairs. They have been spoken to multiple times by her and Ms. Szczubelek about misbehaving. They always use their own booster seats and always have the correct paperwork and first aid kit in the car.

On 3/20/2023, I spoke with Ms. Abbott. She has worked with Ms. Szczubelek for the last three years. She transports Child A and Child B two days a week to preschool. During pick up time, the children have needed numerous reminders to listen and behave in the stairwell and the parking lot. She knows Ms. Szczubelek has spoken to them about their behavior and has spoken to their parents as well. The children always use their own booster seats and the correct paperwork and first aid kit are always in the car.

On 4/6/2023, I spoke with Child B's mother. She feels Ms. Szczubelek has been a great child care provider and Child B enjoys attending Ms. Szczubelek's child care. Child B has attended Ms. Szczubelek's child care since he was 10 weeks old. She is aware of the investigation and feels that Ms. Szczubelek has done nothing wrong. The decision to keep Child B home from preschool for a day as a consequence for his behavior was a collaborative decision. She agreed that Child B missing preschool was an appropriate action and understands Ms. Szczubelek's reasoning. She is very appreciative that Ms. Szczubelek's staff drives Child B to preschool and understands it is a privilege and not a right. Child B went to Ms. Szczubelek's home the day he missed preschool and was cared for appropriately as usual.

On 4/6/2023 I conducted an exit conference on the telephone with Ms. Szczubelek. There is no finding of inappropriate discipline.

APPLICABLE RULE	
R 400.1913	Discipline; child handling.
	(2) Developmentally appropriate positive methods of discipline that encourage self-control, self-direction, self-esteem, and cooperation must be used.
ANALYSIS:	Based on the investigative findings, there is no evidence that Ms. Szczubelek has used any disciplinary techniques that are developmentally inappropriate or negative. Ms. Szczubelek is not obligated to provide transportation for Child A and Child B to preschool and can choose to stop providing that service at any time.
CONCLUSION:	VIOLATION NOT ESTABLISHED

Additional Findings

INVESTIGATION: On 3/20/2023 I conducted an onsite visit at the home of Polly Szczubelek. While looking at the child files, I noted that Ms. Szczubelek did not have written permission to transport Child A and Child B to and from preschool. She advised she did not get written permission signed by Child A and Child B's parents and did not realize she needed to. She was under the impression that the child information card had a statement giving her permission to transport, but after reading it, she realized she was wrong. She was advised that she needed to get an annual permission slip signed for this routine transportation service that she provides.

APPLICABLE RULE	
R 400.1952	Child transportation; parent permission; child information card; required when off-premises.
	(1) A licensee shall obtain and keep on file written permission from a child's parent before a child is transported in a vehicle. Written permission must be obtained for both of the following: (a) Routine transportation, at least annually.
ANALYSIS:	Ms. Szczubelek admitted she did not have a routine transportation permission slip signed by Child A and Child B's parents. She indicated she would get one signed this week and keep it on file.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

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



04/07/2023

Michael Skonieczny
Licensing Consultant

Date

Approved By:



04/07/2023

Rose A. Rafferty
Area Manager

Date