



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

December 29, 2021

Jamie Tabaczka
4738 Caberfae Hwy
Manistee, MI 49660

RE: License #: DG510280132
Investigation #: 2022D1073001
Jamie Tabaczka

Dear Ms. Tabaczka:

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 400.1911(1) Care; supervision; children.

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

- I interviewed: the person who made the complaint, licensee, caregivers, and parents.
- I completed on-site inspections on the following date: 11/8/21.

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

R 400.1911(1) Care; supervision; children.
R400.1910(1) Ratio of personnel to children

Due to the violations, you must send us a corrective action plan by 01/19/2022. 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,



Tarah Kline, Licensing Consultant
 Bureau of Community and Health Systems
 Suite 11
 701 S. Elmwood
 Traverse City, MI 49684
 (616) 916-2490

enclosure

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

I. IDENTIFYING INFORMATION

License #:	DG510280132
Investigation #:	2022D1073001
Complaint Receipt Date:	11/04/2021
Investigation Initiation Date:	11/05/2021
Report Due Date:	01/03/2022
Licensee Name:	Jamie Tabaczka
Licensee Address:	4738 Caberfae Hwy Manistee, MI 49660
Licensee Telephone #:	Unknown
Administrator:	N/A
Licensee Designee:	
Name of Facility:	Jamie Tabaczka
Facility Address:	4738 Caberfae Hwy Manistee, MI 49660
Facility Telephone #:	(231) 398-9108
Original Issuance Date:	01/10/2006
License Status:	REGULAR
Effective Date:	08/12/2020
Expiration Date:	08/11/2022
Capacity:	12
Program Type:	CHILD CARE GROUP HOME (CAPACITY 7-12)

II. ALLEGATION(S)

	Violation Established?
Child A (male, age 4) left the child care unsupervised without Ms. Tabaczka's knowledge. Child A was found walking down the very busy highway in front of Ms. Tabaczka's home.	No
Additional Findings	Yes

III. METHODOLOGY

11/04/2021	Special Investigation Intake 2022D1073001
11/05/2021	Special Investigation Initiated - Telephone Spoke with licensing consultant Linda Strube
11/08/2021	Inspection Completed On-site Spoke to Jamie Tabaczka and Frankie Bachinski
11/23/2021	Contact - Telephone call made Spoke with Child A and Child B's Mother and Maternal Grandmother
12/13/2021	Contact - Telephone call made Spoke with Child C, Child D, and Child F's Mother
12/13/2021	Contact - Telephone call made Left message with Child E's Mother
12/13/2021	Contact - Telephone call made Spoke with Child G's Mother
12/13/2021	Contact - Telephone call made Left message for Child H's Mother
12/13/2021	Inspection Completed-BCAL Sub. Compliance

ALLEGATION: Child A (male, age 4) left the child care unsupervised without Ms. Tabaczka's knowledge. Child A was found walking down the very busy highway in front of Ms. Tabaczka's home.

INVESTIGATION: I spoke with Linda Strube, the licensing consultant assigned to this child care home on 11/5/2021. She indicated that Ms. Tabaczka contacted her on 11/2/21 indicating that Child A left the child care and was found on the road outside her home. Ms. Strube indicated that Child A is the nephew of Ms. Tabaczka's child care staff member.

I conducted an onsite inspection at the child care on 11/8/2021. During this inspection I spoke with licensee Ms. Tabaczka and child care staff member Frankie Bachinski. I confirmed with Ms. Tabaczka and Ms. Bachinski that Child A is related to Ms. Bachinski per the definition of related in Public Act 116. Ms. Bachinski was working during the time that Child A left the child care.

When speaking with Ms. Tabaczka and Ms. Bachinski about Child A leaving the child care, they both indicated that they went outside to look for him in a panic. The child care home has a direct exit from the basement of the home where the child care approved space is located. Ms. Tabaczka stated that she ran one way from the back of the home around to the front yard and Ms. Bachinski indicated she ran the other way. When they both arrived in the front of the house a car was in the driveway with Child A. During the time that Ms. Tabaczka and Ms. Bachinski were outside looking for Child A, eleven children were unsupervised in the child care home.

I spoke with Child A's Mother on 11/23/2021. She confirmed that Child A is related to Ms. Bachinski. She stated that she is very displeased with the care that Ms. Tabaczka and Ms. Bachinski provided Child A. She feels that Child A could have died when he left the child care on 11/2/2021. I explained to Child A's Mother that the department does not regulate related children in child care.

I spoke with Child B, Child C and Child D's Mother on 12/13/2021. She stated that her children love going to the child care and she loves how much Ms. Tabaczka and Ms. Bachinski do with the children. She has never arrived to see children unsupervised and has nothing but great things to say about the child care.

I spoke with Child E's Mother on 12/13/2021. She stated that she brought Child E (male, age 1) to Ms. Tabaczka's home after several of her family members brought their children there. Child E loves going there and she has never had any concerns.

I left messages for Child F's Mother and Child G's Mother. At the writing of this report, these messages had not been returned.

APPLICABLE RULE	
R 400.1911	Care; supervision; children.
	(1) A licensee shall ensure appropriate care and supervision of children at all times.
ANALYSIS:	Ms. Tabaczka and Ms. Bachinski did not provide proper supervision to the children in care when they both left the child care home to look for Child A, leaving eleven children unsupervised in the child care home.
CONCLUSION:	VIOLATION ESTABLISHED

NOTE: The department does not regulate related children in child care. The department did not investigate Child A leaving the child care home and being found on the road.

ADDITIONAL FINDINGS:

INVESTIGATION: When I spoke with Ms. Strube regarding the incident that occurred at the child care home on 11/2/2021, she indicated that she talked with Child A's Mother on 11/4/2021. During this conversation, Child A's Mother indicated that most mornings Ms. Tabaczka cares for 12 children by herself until Ms. Bachinski arrives to the child care at 8:30 AM.

During my onsite inspection at the child care on 11/5/2021 I asked Ms. Tabaczka if she ever cares for more than 6 children in the mornings prior to Ms. Bachinski arriving at the child care. Ms. Tabaczka stated that on occasion parents will drop off earlier than they are scheduled to so she will have more than 6 children for 5-10 minutes.

I obtained attendance records for the children for the last month and Ms. Bachinski's time sheets during my onsite inspection. When reviewing the records, the following days Ms. Tabaczka did not maintain ratio: 10/25/21, 10/26/21, 10/27/21, 10/29/21, 11/1/21, 11/2/21, 11/3/21, and 11/5/21

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 children. The ratio must include all children in care who

	<p>are not related to any personnel and any of the following children who are less than 6 years of age:</p> <p>(a) Children of the licensee.</p> <p>(b) Children of a child care staff member or child care assistant.</p> <p>(c) Children related to any member of the household by blood, marriage, or adoption.</p>
ANALYSIS:	<p>Ms. Tabaczka indicated that on occasion she will not maintain the ratio requirements of one personal to six children. Attendance records also verified that on occasion Ms. Bachinski did not arrive prior to Ms. Tabaczka receiving the 7th child in care.</p>
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Upon receipt of an acceptable corrective action plan, I recommend increased monitoring with unannounced visits to assure ratio requirements are met.



12/29/2021

Tarah Kline
Licensing Consultant

Date

Approved By:



12/29/2021

Candice Case-French
Area Manager

Date