



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

June 23, 2023

Wendy Freiberg
9083 170th Ave
Stanwood, MI 49346

RE: License #: DG540352224
Investigation #: 2023D1080012
Little Learners Day Care

Dear Ms. Freiberg:

I conducted a special investigation because the child care licensing division received information regarding your facility that related to licensing rules or law. The information was related to the following:

R 400.1910 (1) Ratio of personnel to children.
R 400.1911 (1) Care; supervision; children.

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

- I interviewed the person who made the complaint, licensee, witnesses, and parents.
- I completed on-site inspections on the following dates: 06/01/2023.

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

R 400.1910 (1) Ratio of personnel to children.
R 400.1911 (1) Care; supervision; children.
R 400.1906 (1)(b) Records of a licensee; child care staff member; child care assistant.
R 400.1925 (2)(e) Comprehensive background check; fingerprinting.

I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by 07/13/2023. 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"/>	<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, if you continue to maintain one. 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,

Amanda Wendell

Amanda Wendell, Licensing Consultant
 Child Care Licensing Bureau
 611 W. Ottawa Street
 P.O. Box 30837
 Lansing, MI 48909
 (231) 492-5410

enclosure

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

THIS REPORT CONTAINS QUOTED PROFANITY.

I. IDENTIFYING INFORMATION

License #:	DG540352224
Investigation #:	2023D1080012
Complaint Receipt Date:	05/24/2023
Investigation Initiation Date:	05/25/2023
Report Due Date:	07/23/2023
Licensee Name:	Wendy Freiberg
Licensee Address:	9083 170th Ave Stanwood, MI 49346
Licensee Telephone #:	(231) 823-2897
Administrator:	N/A
Licensee Designee:	
Name of Facility:	Little Learners Day Care
Facility Address:	9083 170th Ave Stanwood, MI 49346
Facility Telephone #:	(231) 250-3968
Original Issuance Date:	03/21/2014
License Status:	REGULAR
Effective Date:	09/19/2022
Expiration Date:	09/18/2024
Capacity:	14
Program Type:	CHILD CARE GROUP HOME (CAPACITY 7-12)

II. ALLEGATION(S)

	Violation Established?
Ms. Freiberg operates outside her allowed child care staff member to child ratio.	Yes
Ms. Freiberg did not provide appropriate care and supervision of children when she told an adult to “get the fuck out of here, fucking bitch” when she arrived to pick a child up from care.	Yes
Additional Findings	Yes

III. METHODOLOGY

05/24/2023	Special Investigation Intake 2023D1080012
05/25/2023	Special Investigation Initiated - Telephone Interview with Complainant
05/25/2023	Inspection Completed On-site 11:00-11:30 A.M. Interview with Ms. Freiberg Obtained child and staff records
06/06/2023	Contact - Telephone call made Interviews with Child A's Mother, Child B and C's Mother, and Child D and E's Mother
06/20/2023	Contact - Telephone call made Attempted contact with Ms. Freiberg
06/20/2023	Contact - Document Sent Email sent to Ms. Freiberg regarding her disconnected phone
06/21/2023	Contact - Telephone call made Exit conference and follow-up text messages

ALLEGATION: Ms. Freiberg operates outside her allowed child care staff member to child ratio.

INVESTIGATION: On 05/24/2023, I received a complaint alleging, in part, that Ms. Freiberg operates outside of her approved child care staff member to child ratio. In a review of Ms. Freiberg’s file, I noted that she has a variance to allow for a ratio of one child care staff member per seven child care children. The complaint alleges

that, on 05/23/2023 at 4:12 P.M., there were at least ten children present with no child care staff members besides Ms. Freiberg. The complainant reported hearing that this occurs often and when people ask her where the other staff member is, she tells them, "Oh they are working in the garage or the barn," so no one knows if another child care staff member is actually present.

Prior to completing my onsite inspection, I contacted the complainant, who confirmed that she counted at least 10 children at the time of the incident and denied that there were any other child care staff members present. She alleged that Ms. Freiberg is often out of ratio and will sometimes not put children on her attendance if she is over.

At the time of the onsite inspection, Ms. Freiberg was present with six child care children. Another child arrived while I was present. Ms. Freiberg denied that she is ever out of ratio. Her husband is her child care staff member and is always present when there are eight or more children present, which is normally only after 3:45 P.M. She reported that, on 05/23/2023 at 4:12 P.M., she thinks there were seven children present.

Child A's Mother reported that Child A attends care all day. Child A's Mother reported that there are normally four or five children present when she arrives to pick up. She denied that she thinks she's ever seen more than seven children. It should be noted that a review of Ms. Freiberg's attendance shows that Child A was present 17 of the 19 days Ms. Freiberg was open in May, and that there were between five and twelve children present daily when Child A was picked up.

Child B and Child C attend care every day after school from 3:45 P.M. to between 4:30 and 5:30 P.M. Child B and Child C's Mother reported that she has seen a child care staff member present, but denied remembering when this was. She thinks there are normally around six children present and denied that she's ever observed more than seven children present when she has picked her children up. The review of Ms. Freiberg's attendance shows that Child B and Child C are often picked up around the same time as Child A, so approximately the same number of children are present.

Child D and Child E have been attending child care for two or three years and attend after school and in the summer. Child D and Child E's Mother reported that when she picks up her children, there are normally more than seven child care children present and there is never a child care staff member present. While I was on the phone, Child D and Child E's Mother asked Child D who the children are that are present in the afternoon. Child D gave a long list of names and denied that there are ever two child care staff members present.

Ms. Freiberg provided me with child and staff attendance for the months of April 2023 and May 2023. On 05/25/2023, Ms. Freiberg was present alone with 12 child care children from 4:00-4:30 P.M. and with 8 child care children from 4:30-5:00 P.M.

It should be noted that at the date and time of the allegation, Ms. Freiberg was present with seven child care children. Her child care staff member was signed in but was in an unlicensed space in the home and was not providing child care.

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 are not related to any personnel and any of the following children who are less than 6 years of age: <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:	Ms. Freiberg did not maintain a ratio of no more than seven child care children per one member of personnel when she was present alone with between eight and twelve child care children.
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION: Ms. Freiberg did not provide appropriate care and supervision of children when she told an adult to “get the fuck out of here, fucking bitch” when she arrived to pick a child up from care.

INVESTIGATION: The allegation stated that, on 05/23/2023 at 4:12 P.M., the complainant went to pick up a friend’s child at Ms. Freiberg’s child care. They knocked, went inside, Ms. Freiberg pointed at the complainant and said, “you get the fuck out of here, fucking bitch.”

In my conversation with the complainant, she relayed the same story. She was asked to pick up a friend’s child from the child care home, walked in the door, and Ms. Freiberg swore at her. She reported that she has a past relationship with Ms. Freiberg that did not end on good terms.

In my interview with her, I informed Ms. Freiberg of the investigation and the allegations that she swore at an individual in front of child care children. She confirmed that she told the complainant to “get the fuck out,” but denied calling her a “fucking bitch.” When asked why she did this, she stated, “because I was pissed.” Ms. Freiberg confirmed that this was done in front of children. She knows she cannot

swear in front of children in care. She reported that the complainant told her to “grow the fuck up” after Ms. Freiberg’s comment.

Child A’s Mother reported that, following my onsite inspection, Ms. Frieberg told her about the allegation, and she thinks that all parents were informed. Child A’s Mother denied knowing of the incident prior. Child A was present during the incident. Child A’s Mother denied any concerns with Ms. Frieberg, or the level of care Child A receives.

Child B and Child C’s Mother denied knowing of the incident. She was confident that her children would have said something to her if they heard it, and they had not said anything. She denied concerns with Ms. Freiberg, stating that she shows interest in her children.

On the day of the incident, Child D and Child E’s Mother messaged Ms. Freiberg to let her know that another individual would be picking up Child D. Later that evening, that individual told Child D and Child E’s Mother of the incident. Child D confirmed the details. Child D and Child E’s Mother relayed to me that the complainant told Ms. Freiberg that she was there to get Child D and Ms. Freiberg told her to “get the f out of her house.” Child D and Child E’s Mother clarified that the actual swear word was used. According to Child D, who I could hear in the background, the complainant did not say anything or reply to Ms. Freiberg.

APPLICABLE RULE	
R 400.1911	Care; supervision; children.
	(1) A licensee shall ensure appropriate care and supervision of children at all times.
ANALYSIS:	Ms. Frieberg did not provide appropriate care and supervision of children in care when she used inappropriate language in front of the children.
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION: At the onsite inspection, Ms. Freiberg provided me with child care staff members’ attendance records for calendar year 2023.

In reviewing Mr. Freiberg’s attendance records, I noted that he was signed in on 05/23/2023 from 3:30 – 5:30 P.M., despite not being present in the child use area of the home. In addition, he is signed in most days from 3:30-5:30 P.M., despite

parents denying seeing him when they pick up their children. I informed Ms. Freiberg that, if a child care staff member is signed in, the expectation is that they are present in the child care area and caring for children.

APPLICABLE RULE	
R 400.1906	Records of a licensee; child care staff member; child care assistant.
	(1) A licensee shall maintain a file for each child care staff member and each child care assistant that includes all of the following: (b) Daily records detailing arrival times and departure times at the child care home.
ANALYSIS:	Ms. Freiberg's daily staff member attendance is not accurate.
CONCLUSION:	VIOLATION ESTABLISHED

INVESTIGATION: In reviewing Ms. Freiberg's child care background check account, her husband is listed as an adult household member but not as a child care staff member. According to Ms. Freiberg's attendance, he has been a child care staff member since February 2023. At the onsite inspection, I informed Ms. Freiberg that he needs to have the additional role of child care staff member. This was completed on 06/11/2023, with a fingerprint redetermination date of 06/22/2023.

APPLICABLE RULE	
R 400.1925	Comprehensive background check; fingerprinting.
	(2) An applicant or licensee shall do all of the following: (e) Within the department's child care background check system, accurately complete and maintain the connection, disconnection, or withdrawn status of each individual associated with the license.
ANALYSIS:	Ms. Freiberg did not accurately connect Mr. Freiberg as a child care staff member in the CCBC system.
CONCLUSION:	VIOLATION ESTABLISHED

During the exit conference, technical assistance/consultation was provided regarding the following:

- In reviewing Ms. Freiberg's attendance (both staff and child), I noticed that individuals are signed in and out on the hour or half hour. Ms. Freiberg stated that she does this for convenience. I informed her that this is not accurate attendance, and she must sign individuals in as they arrive and out as they leave.
- I informed Ms. Freiberg that Mr. Freiberg must be completely qualified as a child care staff member, including completing the health and safety trainings and infant safe sleep training.

Note: The complaint also alleged that Ms. Freiberg lied on staff members' paychecks and falsified MDHHS records. The department only has the authority to investigate allegations of violations to the rules or the law, and there is no evidence to support the allegation that Ms. Freiberg falsified MDHHS records.

IV. RECOMMENDATION

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

Amanda Wendell

06/23/2023

Amanda Wendell
Licensing Consultant

Date

Approved By:

Candice Case-French

06/23/2023

Candice Case-French
Area Manager

Date