



STATE OF MICHIGAN
 DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
 LANSING

GRETCHEN WHITMER
 GOVERNOR

ORLENE HAWKS
 DIRECTOR

December 13, 2021

Amy Arena
 REE Midwest, Inc.
 1742 Crooks Rd
 Troy, MI 48084

RE: License #: DC330294579
 Investigation #: 2021D0108018
 Rainbow Child Development Center-Okemos

Dear Ms. Arena:

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 400.8112	Comprehensive background check; fingerprinting.
R 400.8112	Comprehensive background check; fingerprinting.
R 400.8143	Children's records.
R 400.8161	Emergency procedures.
R 400.8161	Emergency procedures.
R 400.8375	Premises.

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

- I interviewed: program director, caregivers, and others with relevant information.
- I completed on-site inspections on the following dates: 07/29/2021

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

R 400.8112	Comprehensive background check; fingerprinting.
R 400.8112	Comprehensive background check; fingerprinting.
R 400.8125	Staff; volunteer; requirements.
R 400.8143	Children's records.
R 400.8161	Emergency procedures.
R 400.8161	Emergency procedures.
R 400.8375	Premises.
R 400.8515	Construction.

I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by 01/05/2021. 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.

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 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) 284-9727.

Sincerely,

A handwritten signature in black ink that reads "Monica Sturdivant". The signature is written in a cursive, flowing style.

Monica Sturdivant, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909

enclosure

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

I. IDENTIFYING INFORMATION

License #:	DC330294579
Investigation #:	2021D0108018
Complaint Receipt Date:	07/28/2021
Investigation Initiation Date:	07/29/2021
Report Due Date:	09/26/2021
Licensee Name:	REE Midwest, Inc.
Licensee Address:	1742 Crooks Rd Troy, MI 48084
Licensee Telephone #:	(248) 519-1930
Administrator:	Amy Arena, Designee
Licensee Designee:	Amy Arena, Designee
Name of Facility:	Rainbow Child Development Center-Okemos
Facility Address:	3682 Okemos Rd. Okemos, MI 48864
Facility Telephone #:	(517) 347-1919
Original Issuance Date:	04/14/2008
License Status:	1ST PROVISIONAL
Effective Date:	10/12/2021
Expiration Date:	04/11/2022
Capacity:	108
Program Type:	CHILD CARE CENTER

II. ALLEGATION(S)

	Violation Established?
The staff files are not up to date and a handful of staff do not have background checks and consent/disclosure forms.	Yes
There are some child information forms missing out of the child information binder that holds all these forms.	Yes
Fire cribs have been taken out of infant 1 room while both infant rooms were combined. Since then both infant rooms are back up and running. Although two fire cribs have not been taken back to infant 1 room.	No
No fire/tornado drills have been completed. No documentation has been kept for this.	Yes
Outside of the building (on both sides of the building) have steep hills down towards the playgrounds and are unsafe for children and staff.	Yes
Additional Findings	Yes

III. METHODOLOGY

07/28/2021	Special Investigation Intake 2021D0108018
07/29/2021	Special Investigation Initiated - On Site Onsite from 10:11am-1:25pm Interview with Program Director, Christina Alighire Assistant Program Director, Stacy Brewer Child care staff members, Chaesa Moffat, Sara Bunker, Bethanne Bailey, Benjamin "Petra" Mills, and Naga Jampani observation of classrooms
08/25/2021	Contact - Document Received Architect, Larry A. Smith
09/20/2021	Exit Conference Program Director, Christine Alighire
12/13/2021	Inspection Completed-BCAL Sub. Compliance
12/13/2021	Corrective Action Plan Requested and Due on 01/05/2022

ALLEGATION: The staff files are not up to date and a handful of staff do not have background checks and consent/disclosure forms.

INVESTIGATION: On 07/29/2021, I conducted an onsite inspection at the child care center. During the onsite inspection, I conducted an interview with Program Director, Christina Alighire. I informed Ms. Alighire of the allegations in the complaint. Ms. Alighire confirmed that most of the allegations were true. She explained that since she began working at the facility in March 2021, she has had to deal with a lot of turn over and enrollment issues, which has made it difficult to focus on paperwork. She indicated that her priority was also addressing aggressive behaviors displayed by some of the children, to ensure safety for the children and child care staff members.

Ms. Alighire indicated that when she began working at the child care center there were a lot of issues with the organization of the staff files. She reiterated that once she got the classroom behaviors under control, her plan was to work to get staff files in compliance. At the time of the inspection, Ms. Alighire was able to show me what steps she was currently taking to work on the staff files and that included getting all the staff their individual folders so they could determine what was missing. She indicated that she and Ms. Brewer were actively working together through this process.

During the interview, Ms. Alighire stated that there are eight child care staff members employed at the child care facility and 30 children enrolled.

Ms. Alighire stated that while the paperwork may be unorganized, the child care staff members do not work with the children unsupervised prior to being fingerprinted. She stated that the child care staff members are typically supervised or complete paperwork and training while the fingerprints are being processed.

During the onsite inspection I also interviewed assistant director Stacy Brewer and child care staff members Chaesa Moffat, Sara Bunker, Bethanne Bailey, Benjamin "Petra" Mills, and Naga Jampani

Ms. Brewer has worked for the child care program for approximately five weeks. She stated that when she began working at the child care center, she reviewed the staff files and learned that one of the lead caregivers did not have fingerprints. She also could not locate all the consent and disclosure forms for the child care staff members. Once Ms. Brewer learned that all the required information was missing for these child care staff members, she began working with Ms. Alighire to gather the information.

During the interview with Ms. Moffat, she stated that she did get fingerprinted. She did not recall if she completed the consent and disclosure form and was not aware of the date that she was fingerprinted.

Ms. Bunker stated that she was fingerprinted before she was allowed to work with the child care children. She added that she previously worked at another child care facility. She also recalled signing a consent and disclosure form for the Rainbow program.

Ms. Bailey stated that she was fingerprinted before she was allowed to work with the child care children. She also worked at another child care facility before being hired at Rainbow. She also stated that she filled out a consent and disclosure form since working at the Rainbow facility.

Mr. Mills stated that he was fingerprinted prior to working with the child care children. He added that before the fingerprints results were received, he did “onboarding” paper work and training. Mr. Mills also completed a consent and disclosure form for the fingerprints.

Ms. Jampani confirmed that she was fingerprinted before working with the child care children. She stated that she recently signed the consent and disclosure form.

During the onsite inspection I reviewed the records of 10 child care staff members, including Ms. Alighire and Ms. Brewer. During the review of the records, I observed that all 10 child care staff members were fingerprinted. Seven of these child care staff members were fingerprinted after their listed start date. However, there is no documentation as to when the child care staff members began working with the children unsupervised. All 10 of the child care staff members had signed consent and disclosure forms on file, however, six of the forms were signed after the child care staff members fingerprint appointment date.

APPLICABLE RULE	
R 400.8112	Comprehensive background check; fingerprinting.
	(1) Pursuant to section 5n of the act, MCL 722.115n, before an individual has unsupervised contact with children, the department shall determine the individual's eligibility to be any of the following: (c) A child care staff member.
ANALYSIS:	I do not have enough information to determine if the child care staff members were unsupervised prior to working with the children.
CONCLUSION:	VIOLATION NOT ESTABLISHED

APPLICABLE RULE	
R 400.8112	Comprehensive background check; fingerprinting.
	(2) An applicant or licensee shall do all of the following:

	(a) Ensure that each individual who requires an eligibility determination under subrule (1) of this rule completes, signs, and submits all of the information required in subrule (5) of this rule, and in subrule (6) of this rule if applicable, on a form prescribed by the department. The forms are available on the department's website for the child care background check system, www.michigan.gov/ccbc. The form or forms must be signed and dated prior to the individual's appointment to be fingerprinted.
ANALYSIS:	Six child care staff members signed their consent and disclosure forms after their fingerprint appointment date.
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION: There are some child information forms missing out of the child information binder that holds all these forms.

INVESTIGATION: Ms. Alighire stated that she just recently began the process of getting the child files in order because they were a “mess.” She also indicated that in the previous week she requested that parents complete new enrollment packets to ensure that the children’s information was updated.

Ms. Brewer confirmed that the child information cards were not complete as many were lacking information. She stated that she was been working with Ms. Alighire to have parents complete new records for the enrolled children.

On the day of the onsite inspection, there were eight child care staff members present and 27 children in attendance at the child care facility.

During the onsite inspection I reviewed the child information records for the children that were present at the child care facility that day. Two child information cards were missing.

APPLICABLE RULE	
R 400.8143	Children's records.
	(1) At the time of a child's initial attendance, a center shall obtain a child information card, using a form provided by the department or a comparable substitute, that is completed and signed by the child's parent. The center shall keep it on file and accessible in the center.

ANALYSIS:	Two children attending the child care center on the day of the on-site inspection were missing child information cards.
CONCLUSION:	VIOLATION ESTABLISHED

ALLEGATION: Fire cribs have been taken out of infant 1 room while both infant rooms were combined. Since then both infant rooms are back up and running. Although two fire cribs have not been taken back to infant 1 room.

INVESTIGATION: During the interviews, Ms. Alighire and Ms. Brewer both acknowledged that the fire cribs had been moved from Infant 1 room to Infant 2 room when they combined the classroom due to low attendance numbers. They confirmed that the fire cribs were not immediately returned when Infant 1 room was re-opened.

During the interview with Ms. Bunker, she stated that she typically works in the infant rooms. She also confirmed that the fire cribs were moved to Infant 2 room but had recently been returned. Ms. Bunker was caring for two infants at the time of the interview.

During the onsite inspection I inspected Infant 1 room. The fire cribs were observed in Infant 1 room during this on-site inspection.

APPLICABLE RULE	
R 400.8161	Emergency procedures.
	(1) Written procedures for the care of children and staff for each of the following emergencies must be developed and implemented: (a) Fire.
ANALYSIS:	The center has an emergency plan that includes utilizing cribs for infants during when evacuating the building during a fire. At the time of the inspection, both cribs were returned to Infant 1 room.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION: No fire/tornado drills have been completed. No documentation has been kept for this.

INVESTIGATION: During my interview with Ms. Alighire, she confirmed that the center has not conducted any fire and tornado drills since she started as program director in March 2021.

Ms. Brewer stated that there have not been any fire and tornado drills since she began working at the child care facility.

Ms. Moffat stated that the center has not conducted fire and tornado drills, but she practices them with the preschool children as part of her programming.

Ms. Bunker, Ms. Bailey, Mr. Mills, and Ms. Jampani all confirmed that no fire and tornado drills have been conducted recently. None of the child care staff members could determine when the last drills were conducted.

APPLICABLE RULE	
R 400.8161	Emergency procedures.
	(5) A fire drill program, consisting of at least 1 fire drill quarterly, must be established and implemented.
ANALYSIS:	No fire drills have been conducted since at least March 2021.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.8161	Emergency procedures.
	(6) A tornado drill program, consisting of at least 2 tornado drills between the months of March through November, must be established and implemented.
ANALYSIS:	The child care center has until November to conduct two tornado drills.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION: Outside of the building (on both sides of the building) have steep hills down towards the playgrounds and are unsafe for children and staff.

INVESTIGATION: Ms. Alighire stated that she is aware of the concerns with the hills on both sides of the building as the former program director was working to address the concern. Ms. Alighire stated that a contractor was hired to come up with a plan to address the toddlers access to outside, however, she was unsure what the plan was at the time of this inspection.

Ms. Alighire stated that the toddler aged children do not use the steep hill to go to the outdoor play area, and instead she currently allows the toddlers to use the staircase next to their room to go outside through the lower level of the building. She felt that they have no other option because the toddlers need time outside to work on their gross motor skills. Ms. Alighire explained that when the toddler aged children go outside, the child care staff members working in that room request assistance from her and Ms. Brewer to assist each child down the staircase.

During the interview with Ms. Brewer, she stated that she was told that the child care program's corporate office is aware of the concerns with the steep hill and have contacted architects to address the concern. She confirmed that the toddlers are using stairs that are steep for them to get outside because they have also been told that the deck that the children were playing on is in poor condition from weather damage. Ms. Brewer explained that the fire marshal conducted an inspection and informed the child care center's leadership that toddlers are not supposed to use the stairs, however, they have no other option because the children need to spend time outdoors.

During the interview with Ms. Bailey, she confirmed that Ms. Alighire and Ms. Brewer assist with transitioning the children to the outdoor play area. She stated that each child is walked down the stairs by a staff member and then they head directly outside through the gym.

During the interview with Mr. Mills, confirmed that the staircase is used as the route to get the toddlers outside to the outdoor play area. He also explained the process of the transition is one child going down the stairs at a time with a child care staff member holding their hand. He indicated that there is a child care staff member that stays at the top of the staircase and another one at the bottom of the staircase the entire time.

On 08/25/2021, I received a phone call from Architect, Larry A. Smith. Mr. Smith stated that he was hired by the KinderCare corporate office to create a plan for a functional walkway to the outdoor play area. Mr. Smith stated that there are limited options for the walkway due to the distance from the building to the outdoor play area. Mr. Smith described that a potential ramp would be extremely expensive and have to be approximately 100 feet long to make the distance. He also stated that on snowy or rainy days, the ramp would be like a "toboggan ride" which would essentially be the same concern as the steep hill.

Due to the above concerns Mr. Smith stated that his suggestion at this point was for the child care center to build a small play area in the front of the building at a safe distance from the street.

On 08/25/2021, I reviewed special investigation report 2020D0185010 in April 2020 for the child care center. During that investigation, a child sustained an injury after a child care staff member fell on the child while walking down the hill. The child care center was cited as result of that investigation. The child care center submitted a corrective action plan which the department approved stating that the walkway would be modified for infants and toddlers to navigate by 06/01/2020. At the time of this investigation the walkway had not yet been modified.

APPLICABLE RULE	
R 400.8375	Premises.
	(2) Stairs, walkways, ramps, landings, and porches must meet all of the following requirements: (a) If elevated, have barriers to prevent falls and handrails designed and constructed for use by children.
ANALYSIS:	The elevated walkway has not been modified to prevent falls when used by children and child care staff members.
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION: During the onsite inspection, I sat in the office waiting for Ms. Alighire to finish assisting in a classroom before she could participate in the interview. While I was waiting in her office, I heard a child care staff member yell very loudly “you’re going to shut your fingers in the door.” The tone of the child care staff members voice was extremely harsh. I walked to the door to observe the situation and saw two child care staff members assisting the toddlers as they left their classroom to transition to the staircase on their way to the outdoor play area. Ms. Alighire quickly came to assist the toddler classroom on the staircase. I stood in the doorway and observed the interactions until Ms. Alighire returned for our interview. During my interview with Ms. Alighire, I informed her of what I observed, I explained that the tone and volume that the child care staff member used was inappropriate. Ms. Alighire informed me that the child care staff member was Bethanne Bailey. Ms. Bailey was working with Mr. Mills when the incident occurred.

During the interview with Ms. Bailey, I explained to her what I observed. Ms. Bailey stated that she was concerned that the child would get hurt and wanted to get his attention. I explained my concerns with Ms. Bailey and processed different options to get a child’s attention other than yelling.

During the interview with Mr. Mills, I explained what I observed. Mr. Mills stated that he primarily works with Ms. Bailey, and he denied that this behavior is typical of Ms. Bailey. He stated that he has no concerns with the care and supervision provided by Ms. Bailey.

APPLICABLE RULE	
R 400.8125	Staff; volunteer; requirements.
	(1) All staff and volunteers shall provide appropriate care and supervision of children at all times.
ANALYSIS:	Ms. Bailey yelled at a child during their transition to the outdoor play area.
CONCLUSION:	VIOLATION ESTABLISHED

INVESTIGATION: During the interview with Ms. Brewer, she reported that the center’s administration was told that the children were unable to use the deck in the back of the building due the deck being in poor condition.

During the onsite inspection I observed areas of the deck where the wood paneling had warped and was separating.

During my interview with the architect, Mr. Smith, he also expressed concerns about the deck that the children utilized to play and as a fire exit. He stated that the deck has significant weather damage and should be repaired as the wood is warping and the wood panels are disconnecting. Mr. Smith also stated that the classrooms exit onto the deck, further causing concerns for use as several children will be on the deck at one time in the event of an emergency or during a drill.

APPLICABLE RULE	
R 400.8380	Maintenance of premises.
	(1) The premises must be maintained in a clean and safe condition and must not pose a threat to health or safety.
ANALYSIS:	The wood panels on the deck are warped and disconnecting making is unsafe for child care use.
CONCLUSION:	VIOLATION ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION: During the interviews with Ms. Alighire and Ms. Brewer, they both acknowledged that they were verbally told that the toddler aged children should not utilize the staircase. Neither of them knew exactly where this directive came from.

On 08/25/2021, I reviewed the most recent fire inspection from 01/23/2021 and 03/05/2021. I did not see any documentation on the fire inspection report with this information.

During my interview with Mr. Smith, I asked him about the concern with the children using the staircase to access the outdoor play area from the lower level of the child care center. Mr. Smith stated that the concern is that the staircase is not fire rated and it does not have the appropriate separation and a landing. Once again, he stated that in the event of an emergency the children would be in an unsafe space if the emergency occurred while they were using the staircase.

APPLICABLE RULE	
R 400.8515	Construction.
	(6) All vertical openings and stairways that are not required shall be constructed and arranged with effective fire and smoke separation under the requirements of standard partition construction. All door openings shall be as follows: (a) Protected with 1 3/4-inch flush solid core wood doors or 20-minute labeled fire-rated doors. (b) Installed in fully stopped smoke-tight substantial frames. (c) Equipped with approved self-closing devices and non-locking-against-egress positive latching hardware.
ANALYSIS:	The stairway used by the toddlers to transition outside does not have the appropriate fire separation.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Upon receipt of an acceptable corrective action plan, I recommend that the status of the license remain unchanged, and the special investigation be closed.

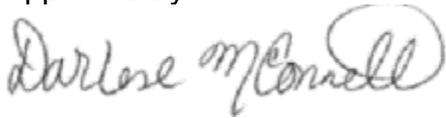


12/13/2021

Monica Sturdivant
Licensing Consultant

Date

Approved By:



12/14/2021

Darlese McConnell
Area Manager

Date