



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

May 31, 2019

Mark Werner
Good Shepherd Lutheran Church
E9035 M28 East
Munising, MI 49862

RE: License #: DC020097434
Investigation #: 2019D0720011
Good Shepherd Early Childhood Center

Dear Mr. Werner:

Attached is the Special Investigation Report for the above referenced facility. Due to the violations identified in the report, a written corrective action plan is required. The corrective action plan is due 15 days from the date of this letter and 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.
- Indicate how continuing compliance will be maintained once compliance is achieved.
- Be signed and dated.

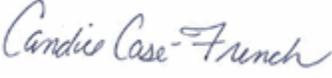
Increased monitoring and a six-month provisional license is recommended. If you do not contest the issuance of a provisional license, you must indicate so in writing; this may be included in your corrective action plan or in a separate document. If you contest the issuance of a provisional license, you must notify this office in writing and an administrative hearing will be scheduled. Even if you contest the issuance of a provisional license, you must still submit an acceptable corrective action plan.

If you desire technical assistance in addressing these issues, please feel free to contact me. In any event, the corrective action plan is due within 15 days.

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 (906) 226-4171.

Per MCL 722.113g, this report and any related corrective action plans must be filed in your licensing notebook.

Sincerely,

 for Anne O'Neill

Anne O'Neill, Licensing Consultant
Bureau of Community and Health Systems
234 W. Baraga Ave.
Marquette, MI 49855
(906) 290-2131

enclosure

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

I. IDENTIFYING INFORMATION

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|---------------------------------------|--------------------------------------|
| License #: | DC020097434 |
| Investigation #: | 2019D0720011 |
| Complaint Receipt Date: | 04/09/2019 |
| Investigation Initiation Date: | 04/09/2019 |
| Report Due Date: | 06/08/2019 |
| Licensee Name: | Good Shepherd Lutheran Church |
| Licensee Address: | E9035 M28 East Munising, MI 49862 |
| Licensee Telephone #: | Unknown |
| Administrator: | N/A |
| Licensee Designee: | Mark Werner, Designee |
| Name of Facility: | Good Shepherd Early Childhood Center |
| Facility Address: | E9035 M28 East Munising, MI 49862 |
| Facility Telephone #: | (906) 387-3579 |
| Original Issuance Date: | 08/20/2001 |
| License Status: | REGULAR |
| Effective Date: | 06/14/2018 |
| Expiration Date: | 06/13/2020 |
| Capacity: | 43 |
| Program Type: | CHILD CARE CENTER |

II. ALLEGATION(S)

| | Violation Established? |
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| On 03/21/2019 caregiver Michele Curtis slapped Child A (4-year-old, male) on the bottom when he refused to come out from behind a chair. | Yes |
| Additional Findings | Yes |

III. METHODOLOGY

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| 04/09/2019 | Special Investigation Intake 2019D0720011 |
| 04/09/2019 | Special Investigation Initiated - Face to Face on site 11:10 a.m. to 12:10 p.m. |
| 05/10/2019 | Contact - Telephone call made Telephone call to Rev. Mark Werner to request child information cards, professional development plan, etc. |
| 05/10/2019 | Contact - Document Sent Email to Rev. Mark Werner requesting child information cards, staff records, etc. |
| 05/14/2019 | Contact - Telephone call made Left a message requesting a return phone call from Marcia Lindstrom or Rev. Mark Werner |
| 05/14/2019 | Contact - Document Sent Email to center's email address requesting child information cards, staff information, etc. |
| 05/16/2019 | Inspection Completed On-site Interviews with Rev. Mark Werner, Caregiver Marcia Lindstrom, and Caregiver Michele Curtis 9:50 am to 11:21 am |
| 05/21/2019 | Contact - Telephone call made Interview with Caregiver Tari Johnson |
| 05/21/2019 | Contact - Telephone call made Attempted to contact Child A's Mother. Left message. |
| 05/21/2019 | Contact - Telephone call made Interview with Child B's Mother. |

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| 05/21/2019 | Contact - Telephone call made Attempted to contact Child C's Mother. Left message. |
| 05/21/2019 | Contact - Telephone call made Attempted to contact Child D's Mother. Left message. |
| 05/21/2019 | Contact - Telephone call made Attempted to contact Child E's Mother. Left message. |
| 05/21/2019 | Contact - Telephone call received Interview with Child A's Mother. |
| 05/21/2019 | Contact – Telephone call received Interview with Child C's Mother. |
| 05/22/2019 | Contact - Telephone call made Attempted to contact Child D's Mother. Left message. |
| 05/22/2019 | Contact - Telephone call made Attempted to contact Child E's Mother. Left message. |
| 05/22/2019 | Contact – Document sent Email to Marcia Lindstrom. |
| 05/23/2019 | Exit Conference Via phone with Marcia Lindstrom |

ALLEGATION: On 03/21/2019 caregiver Michele Curtis slapped Child A (4-year-old, male) on the bottom when he refused to come out from behind a chair.

INVESTIGATION: On 04/09/2019 licensing consultant Anne O'Neill completed an on-site inspection. Ms. O'Neill received copies of the discipline policy, the center's staff member corrective action procedure, the parent handbook, and a letter of disciplinary action for Michele Curtis.

The discipline policy in the parent handbook states that staff will use positive methods of discipline which encourages self-control, self-esteem, cooperation and conflict resolution. When verbal correction and redirection do not work, the child will be removed from the group.

Good Shephard's Early Childhood Staff Member Corrective Action Procedure states that the Good Shephard Early Childhood Board of Education shall immediately be made aware of any violations in center/state polices. The licensing consultant shall be notified of any inappropriate action concerning staff. The staff member will be given a mandatory unpaid leave of absence if necessary. The parents will be informed of the incident and a mandatory extended 90-day probation period will be

enforced. A corrective action plan will be developed and signed by the employee. If deemed necessary, mandatory training for the staff member will be required.

The letter of disciplinary action signed by Ms. Curtis states that she understands that her method of discipline in the classroom was against the written policies of Good Shepherd and the licensing rules. She has agreed to complete training in order to prevent further incidents in the classroom.

Ms. O'Neill interviewed caregiver Michele Curtis. On 03/21/2019 lead caregiver Marcia Lindstrom was on vacation. Ms. Curtis was sitting in the rocking chair. Child A was getting into things that are used in the classroom, but children don't have free access to the items. Ms. Curtis swatted Child A on the bottom to get his attention. Child A does have behavior problems. Ms. Curtis was overwhelmed because the lead caregiver was on vacation. Caregiver Teri Johnson was also in the classroom when the incident happened. Ms. Curtis told Ms. Johnson that she swatted Child A on the bottom and Ms. Johnson told her that was not acceptable.

Ms. Curtis stated she did have an orientation when she started. The orientation consisted of first aid and CPR, learning where things were, and the daily routine. She did receive a copy of the discipline policy and she thinks she read it. Ms. Curtis was aware that there was to be no physical punishment. She did not see a copy of the licensing rules, but she thought there was a copy around the center somewhere.

Ms. Curtis is taking a discipline course. She has learned new techniques such as time in, not using rewards, rearranging the room, and changing the routine. Typically, children sit in a chair outside the room when there is a discipline problem.

Ms. O'Neill interviewed caregiver Marcia Lindstrom. Ms. Lindstrom was on vacation at the time of the incident. Ms. Curtis did not indicate that she was not ready to fill in as the lead caregiver.

Ms. O'Neill viewed the video surveillance of the incident. Ms. Curtis swatted Child A on the bottom with an open hand. Ms. Johnson was seated in front of Ms. Curtis, but she was looking at her phone when the incident happened.

On 05/16/2019 I completed an on-site inspection. I obtained copies of the child information cards, staff contact information, and Ms. Curtis' training certificate for "Discipline in Child Care". I reviewed Ms. Curtis' staff file.

I interviewed caregiver Michele Curtis. On 03/21/2019 Child A was going behind the teacher chair and was getting into stuff. Child A was not listening, and Ms. Curtis swatted Child A on the bottom to get his attention. Ms. Curtis did not swat Child A to be mean or to hurt him; she was just trying to get Child A to listen.

Ms. Curtis was fairly new in the program when the incident happened. She had just started in January. She did receive an orientation. In the orientation some of the

licensing rules and the center policies were covered. She cannot remember exactly what was covered and what information she knew from her previous experiences. Since the incident, she has completed a 20-hour training course through Care Courses titled "Discipline in Child Care." She is currently taking a Conscious Discipline course. The trainings were part of the plan the center put into place to prevent a future incident. Ms. Curtis shared some of the new techniques she has learned including using time in versus time out.

I interviewed caregiver Marcia Lindstrom. Ms. Lindstrom is the lead caregiver in the three-year-old classroom. On 03/21/2019 Ms. Curtis and Ms. Johnson were in the classroom. Ms. Lindstrom was on vacation. Since the incident, Ms. Curtis has completed one discipline course and she is currently enrolled in a second discipline course. Occasionally children are placed in the hallway to cool down if there is a behavior issue. The caregivers supervise the child sitting in the hallway.

On 05/21/2019 I interviewed caregiver Teri Johnson. On 03/21/2019 she was working in the classroom with Ms. Curtis. Ms. Curtis was on the other side of the classroom. Ms. Johnson thought she heard someone being slapped. She was busy at the time and she did not see anything. No children were crying or distressed. At the end of the day, Ms. Curtis told her that she had slapped Child A on the bottom because he was getting into things. Ms. Johnson told Ms. Curtis that physical punishment is not acceptable. Ms. Johnson was shocked by Ms. Curtis' behavior. Ms. Johnson notified Ms. Lindstrom of the incident.

On 05/21/2019 I interviewed Child A's mother. Ms. Lindstrom did notify her after Ms. Curtis swatted Child A on the bottom. Child A's mother had a meeting to discuss the event with Ms. Lindstrom and Pastor Mark Werner. Child A is still attending Good Shepherd and there have not been any other incidents. Child A's mother has no concerns regarding care and supervision or discipline at Good Shepherd.

On 05/21/2019 I interviewed Child B's (4-year-old, male) mother and Child C's (3-year-old, male) mother. Neither parent had concerns regarding care and supervision or discipline at Good Shepherd.

On 05/21/2019 and 05/22/2019 I attempted to contact Child D's (3-year-old, male) mother and Child E's (4-year-old, male) mother. I left messages requesting a return phone call. I did not receive a call back.

| APPLICABLE RULE | |
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| R 400.8140 | Discipline. |
| | (2) All of the following means of punishment shall be prohibited: (a) Hitting, spanking, shaking, biting, pinching, or inflicting other forms of corporal punishment. |

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| ANALYSIS: | Licensee designee Pastor Mark Werner failed to ensure that prohibited forms of punishment including spanking were not used in the center. On 03/21/2019 caregiver Michele Curtis spanked Child A on the bottom. |
| CONCLUSION: | VIOLATION ESTABLISHED |

ADDITIONAL FINDINGS:

INVESTIGATION: On 05/16/2019 I completed an on-site inspection. I reviewed the parent handbook prior to my visit. I interviewed licensee designee Pastor Mark Werner. Pastor Werner was under the impression that he was approved as the program director and John Weber was approved as the central administrator. Marcia Lindstrom is completing an administration class and she will be stepping in as program director.

Pastor Werner stated the center does not have a professional development plan. Pastor Werner was unaware of the need for a professional development plan. He also was not aware that the parent notification section of the parent handbook needed to address incidents and accidents.

I interviewed Marcia Lindstrom. She has over 18 semester hours in early childhood education. She is working on completing an administration course. She was under the impression that she only needed the 18 semester hours in early childhood education and the administration course to become the program director.

Ms. Lindstrom was unaware of the need for the center to have a professional development plan. She was also was not aware that the parent notification section of the parent handbook needed to address incidents and accidents.

I shared with Ms. Lindstrom the licensing requirements. I suggested Ms. Lindstrom work with Meagan Guindon from the Great Start to Quality Upper Peninsula Resource Center to earn her CDA. I shared Ms. Guindon's contact information and CDA information with Ms. Lindstrom.

I reviewed the center's file. Pastor Werner has a bachelor's in secondary education and a master's degree in youth ministry. A letter from licensing consultant Anne O'Neill dated 07/28/2016 states that Pastor Mark Werner is not approved as program director. Mr. Weber did complete the administration classes in 2011. He was never approved as the central administrator by the department. A letter from licensing consultant Michelle Newkirk dated 11/22/2010 states that John Weber is not approved as program director.

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| APPLICABLE RULE | |
| R 400.8113 | Program director qualifications; responsibilities. |
| | (3) A program director shall be present in the center in the following manner: (a) Full time for programs operating less than 6 continuous hours. |
| ANALYSIS: | Licensee designee Pastor Mark Werner failed to ensure a program director was present in the center full time for a program operating less than 6 continuous hours. The center does not have an approved program director. |
| CONCLUSION: | VIOLATION ESTABLISHED |

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| R 400.8131(5) | Professional development requirements. |
| | (5) An on-going professional development plan shall be developed and implemented to include all the training and professional development required by the child care center administrative rules. |
| ANALYSIS: | Licensee designee Pastor Mark Werner failed to ensure an on-going professional development plan was developed and implemented. The center does not have a professional development plan. |
| CONCLUSION: | VIOLATION ESTABLISHED |

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| APPLICABLE RULE | |
| R 400.8146 | Information provided to parents. |
| | (1) A center shall provide a written information packet to each parent enrolling a child that includes at least all of the following: (h) Parent notification plan for accidents, injuries, incidents, illnesses. |

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| ANALYSIS: | Licensee designee Pastor Mark Werner failed to ensure the written information packet to each parent enrolling a child included a parent notification plan for accidents, injuries, incidents, and illnesses. The parent handbook addresses how a parent will be notified if a child is sick or injured, but it does not address how and when a parent will be notified of other incidents. |
| CONCLUSION: | VIOLATION ESTABLISHED |

IV. RECOMMENDATION

Upon receipt of an acceptable corrective action plan, I recommend increased monitoring and modification of the license to first provisional.

Candice Case-French

for Anne O'Neill

May 31, 2019

Anne O'Neill
Licensing Consultant

Date

Approved By:

Rose A. Rafferty

May 31, 2019

Rose A. Rafferty
Area Manager

Date