



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

June 21, 2019

Melissa Sell  
Howell IXL, LLC  
5424 E. Grand River  
Howell, MI 48843

RE: License #: DC470370944  
Investigation #: 2019D0895008  
IXL Learning Center

Dear Ms. Sell:

Attached is the Special Investigation Report for the above referenced facility. No substantial violations were found.

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 (248) 975-5053.

Per MCL 722.113g, this report must be filed in your licensing notebook.

Sincerely,

A handwritten signature in blue ink that reads "Thanh C. Biehl".

Thanh Biehl, Licensing Consultant  
Bureau of Community and Health Systems/ Child Care Licensing  
4th Floor, Suite 4B  
51111 Woodward Avenue  
Pontiac, MI 48342  
(734) 417-8580

Enclosure

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

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	DC470370944
<b>Investigation #:</b>	2019D0895008
<b>Complaint Receipt Date:</b>	05/02/2019
<b>Investigation Initiation Date:</b>	05/06/2019
<b>Report Due Date:</b>	07/01/2019
<b>Licensee Name:</b>	Howell IXL, LLC
<b>Licensee Address:</b>	5424 E. Grand River Howell, MI 48843
<b>Licensee Telephone #:</b>	Unknown
<b>Administrator:</b>	Melissa Sell, Designee
<b>Licensee Designee:</b>	Melissa Sell, Designee
<b>Name of Facility:</b>	IXL Learning Center
<b>Facility Address:</b>	5424 E. Grand River Howell, MI 48843
<b>Facility Telephone #:</b>	(517) 546-2000
<b>Original Issuance Date:</b>	02/13/2015
<b>License Status:</b>	REGULAR
<b>Effective Date:</b>	08/13/2017
<b>Expiration Date:</b>	08/12/2019
<b>Capacity:</b>	208
<b>Program Type:</b>	CHILD CARE CENTER

## II. ALLEGATION(S)

	<b>Violation Established?</b>
Staff are hired and working with children before completing the comprehensive background check.	No
There is a two- year- old child who is constantly biting other children. There is a concern for the safety of the other children.	No
A caregiver fell asleep on a child in care.	No
The Toddler classroom is out of ratio. There is a sign above the door stating the capacity is 12 children, but the room has 16 children.	No
There is not enough food for the children in care.	No
The food is not served at proper temperatures.	No

## III. METHODOLOGY

05/02/2019	Special Investigation Intake 2019D0895008
05/06/2019	Special Investigation Initiated - On Site (On-site 1:00 P.M. - 2:05 P.M.) Interviewed program director, Ms. Meagan Fox, and licensee designee, Ms. Kristin Lovrenich, separately.
05/07/2019	Contact - Telephone call made Licensee designee, Ms. Melissa Sell.
05/08/2019	Contact – Document received Ms. Markel’s transcripts.
06/03/2019	Inspection Completed On-site (On-site 10:45 A.M.- 1:00 P.M.) Interviewed program director, Ms. Fox, and caregivers, Ms. Kristina Dirker, Ms. Katie Gamache, Ms. Blair Merlo, Ms. Lexi Wilcox, Ms. Laura Peca, Ms. Lisa Vancise, Ms. Breann McCarter, Ms. Kirsten Humitz, Ms. Danielle Colombo, and Ms. Kelsey McLaughlin, separately.

	Caregiver, Ms. Emily Markel, is on medical leave. Caregivers, Ms. Aaricka McCracken and Ms. Alex Baruzzini, were absent.
06/14/2019	Contact - Telephone call made T/C with Child C's Mother and Child D's Mother. LM for Child B's Mother.
06/17/2019	Exit Conference T/C with PD, Ms. Fox.
06/17/2019	Contact- Telephone call received T/C with Child B's Mother.
06/17/2019	Contact – Telephone call received T/C Second Exit Conference with Ms. Fox.

**ALLEGATION: Staff are hired and working with children before completing the comprehensive background check.**

**INVESTIGATION:** On May 6, 2019, I completed an unannounced on-site inspection.

I interviewed program director, Ms. Meagan Fox, who said all caregivers have obtained fingerprints and completed the background check. Caregivers are not working with the children until they are found eligible.

During the inspection, Ms. Fox submitted a copy of the staffing plan. The staffing plan indicated a total of 39 caregivers, including the program directors. Ms. Fox and I reviewed 8 of the 39 caregiver records in the Child Care Background Check system.

Name	Hire Date	Eligibility Date	Fingerprint Date
1. Aaricka McCracken	09/07/2018	08/30/2018	08/15/2018
2. April Pope	01/14/2019	01/07/2019	01/04/2019
3. Ashley Martin	01/28/2019	01/10/2019	01/10/2019
4. Brooke Machleit	12/04/2018	11/30/2018	11/30/2018
5. Chelsey Girardot	04/08/2019	04/08/2019	03/29/2019
6. Emily Markel	12/10/2018	11/30/2018	11/30/2018
7. Gabriella Bonk	01/02/2019	12/21/2018	12/20/2018
8. Lauren Somers	01/22/2019	01/16/2019	01/16/2019

All eight records reviewed indicated that the caregivers were found eligible prior to the date of hire.

Ms. Fox stated that there was one caregiver, Ms. Andrea Dimmett, who resided out of state within the last five years so her clearance took longer to complete. Ms. Dimmett was fingerprinted and worked supervised until she was found eligible. Ms. Dimmett was fingerprinted on March 25, 2019, hired on April 8, 2019 and was found eligible on April 3, 2019. Ms. Dimmett is no longer employed with the child care center. Her last date was April 23, 2019.

<b>APPLICABLE RULE</b>	
<b>MCL 722.115m</b>	<b>Child care center, group child care home, or family child care home; requirements for licensure.</b>
	(2) A person, partnership, firm, corporation, association, nongovernmental organization, or governmental organization shall not establish or maintain a child care center, group child care home, or family child care home unless licensed by the department.
<b>ANALYSIS:</b>	The caregivers have completed the comprehensive background check and found eligible prior to working with the children in care.  Caregivers who resided out of state within the past five years are supervised until he/she has been found eligible.
<b>CONCLUSION:</b>	<b>VIOLATION NOT ESTABLISHED</b>

**ALLEGATION:** There is a two year old child who is constantly biting other children. There is a concern for the safety of the other children.

**INVESTIGATION:** On May 6, 2019, I completed an unannounced on-site inspection. I interviewed program director, Ms. Fox, and licensee designee, Ms. Kristin Lovrenich, separately.

Ms. Fox stated that she's not sure who the child may be in the allegation. There is a child in the Toddler Too classroom who is biting. Ms. Fox said she was on medical leave and recently returned to the child care center. She believes it may have been Child A (male, 31 months old). Child A's biting incidents have progressed while she was off. Child A has an individualized support plan dated April 11, 2019.

I reviewed the plan which indicated the goals are to decrease the amount of biting and decrease the amount of one on one caregiver assistance. The goals will be met by using a notebook to track the biting patterns, small group when possible, shadowing when possible, and chewy breaks.

Ms. Fox and Ms. Lovrenich both said there's usually four caregivers with between 12 to 16 children in the Toddler Too classroom. They have never received a complaint from any of the families in the classroom regarding the biting.

On May 7, 2019, I called and spoke with licensee designee, Ms. Melissa Sell. Ms. Sell stated that she believes the complaint was filed by a disgruntled former caregiver.

Ms. Sell said there has not been any complaints from families. The Howell location is their main office and she is there every day. Her child is in the toddler program. As a manager and a parent, Ms. Sell said she is aware of the daily activities in the classroom. She has no concerns regarding appropriate care and supervision.

On June 3, 2019, I interviewed caregivers, Ms. Kristina Dirker, Ms. Katie Gamache, Ms. Blair Merlo, Ms. Lexi Wilcox, Ms. Laura Peca, Ms. Lisa Vancise, and Ms. Breann McCarter, separately. Caregiver, Ms. Emily Markel, is on medical leave. Caregivers, Ms. Aaricka McCracken and Ms. Alex Baruzzini, were also absent during the inspection.

Ms. Dirker is a floater between the Toddler and Toddler Too classrooms. Ms. Dirker said biting occurs on most days but it's nothing out of the ordinary. The caregivers try to stop the biting before it can happen.

Ms. Gamache is the lead caregiver and Ms. Merlo and Ms. Wilcox are caregivers in the Toddler classroom. They all said they have no concerns regarding the biting. The biting occurs but it doesn't happen every day. They talk to the children, use redirection and teethers to prevent biting incidents.

Ms. Peca, Ms. McCarter and Ms. Vancise are caregivers in the Toddler Too classroom. Ms. Vancise is the lead caregiver. They all said there were a few children who are biting but only one child that requires one on one attention. Child A is a

biter. They talk to Child A about appropriate behavior, use redirection and chewy breaks to help him.

Ms. McCarter said Child A displays aggressive behavior and requires a lot of attention. They monitor him and try to do a lot of one on one without separating other children. Child A is currently on a plan to help him with his biting.

On June 14, 2019, I called and spoke with Child C's Mother and Child D's Mother. I left a message for Child B's Mother.

Child C's Mother said she has had two children attend the child care center. They were always well supervised.

Child D's Mother said she loves IXL Learning Center and is completely comfortable there.

Child C's Mother and Child D's Mother both said they had no concerns regarding appropriate care and supervision.

On June 17, 2019, I received a telephone call from Child B's Mother who said she had no concerns regarding appropriate care and supervision.

<b>APPLICABLE RULE</b>	
<b>R 400.8125</b>	<b>Staff and Volunteers.</b>
	(1) All staff and volunteers shall provide appropriate care and supervision of children at all times.
<b>ANALYSIS:</b>	The caregivers are using communication, redirection and chewy breaks to assist children who are biting. Individualized support plans are also available to assist caregivers and the child's family such as in Child A's case.  The caregivers are providing appropriate care and supervision of the children.
<b>CONCLUSION:</b>	<b>VIOLATION NOT ESTABLISHED</b>

**ALLEGATION:** It is alleged that a caregiver fell asleep on a child in care.

**INVESTIGATION:** On May 6, 2019, I completed an unannounced on-site inspection. I interviewed program director, Ms. Fox, and licensee designee, Ms. Lovrenich, separately.

Ms. Fox said on April 24, 2019 during naptime, caregiver, Ms. Kristina Dirker, was lying next to the children and rubbing their backs when she fell asleep. The incident was reported to management. They interviewed Ms. Dirker who admitted to dozing off. Ms. Dirker was verbally disciplined and written documentation of the incident is in her file. The incident occurred in the Toddler classroom. Ms. Fox does not know how long Ms. Dirker was asleep.

Ms. Lovrenich was not aware of any incident regarding a caregiver falling asleep in the classroom.

On May 7, 2019, I called and spoke with licensee designee, Ms. Melissa Sell, who said Ms. Dirker is a new employee. It was naptime and Ms. Dirker nodded off. Ms. Sell isn't sure how long Ms. Dirker was asleep. Ms. Sell said Ms. Dirker was not asleep on a child. Ms. Dirker was verbally disciplined.

On June 6, 2019, I completed an unannounced on-site inspection. I interviewed program director, Ms. Fox, licensee designee, Ms. Sell, staff, Ms. Jamie Miller, and caregivers, Ms. Dirker, Ms. Gamache, Ms. Merlo, Ms. Wilcox, Ms. Peca, Ms. Vancise, Ms. McCarter, Ms. Kirsten Humitz, and Ms. Danielle Colombo, separately. Caregiver, Ms. Markel, is on medical leave. Caregivers, Ms. McCracken and Ms. Baruzzini, were also absent.

Ms. Dirker said she was hired on April 11, 2019. The incident occurred two or three weeks afterwards; she doesn't remember the exact date. She was in the Toddler classroom and it was naptime around 1:00 P.M. She fell asleep while rubbing the children's backs. She was on the carpet and the children were sleeping on cots. Ms. Dirker said she suffers from bad insomnia. She dozed off and doesn't know how long she was asleep but she believes it was just a few seconds.

Ms. Dirker said there were 16 children and two caregivers when the incident occurred. All of the children were asleep. She and Ms. Kirsten Humitz were in the room.

Ms. Gamache, Ms. Merlo, Ms. Peca, Ms. Vancise, Ms. McCarter, and Ms. Colombo all said they did not witness the incident. Ms. Wilcox was hired in May 2019; she was not present when the incident occurred.

Ms. Humitz is the lead preschool caregiver. She was not in the Toddler classroom when the incident occurred. According to Ms. Humitz, she was walking through the classroom to go to lunch when she saw Ms. Dirker lying next to a child. She didn't

think anything of it and continued to go upstairs for her lunch break. Ms. Humitz said within five minutes a caregiver reported that Ms. Dirker was asleep. Ms. Humitz does not remember the name of the caregiver that reported the incident. Ms. Humitz went back downstairs and saw Ms. Dirker walking around the classroom. According to Ms. Humitz, Ms. Markel said Ms. Dirker apologized to her for falling asleep. The incident was reported to Ms. Fox. It is unknown how long Ms. Dirker was asleep.

I re-interviewed Ms. Dirker who initially said Ms. Humitz was in the classroom with her when the incident occurred. She remembers seeing Ms. Humitz sitting across from her. She was sure it wasn't Ms. Markel. Ms. Dirker said she was fairly new and perhaps she could've mixed up the caregiver's names but she's certain it wasn't Ms. Markel.

Ms. Markel is on medical leave and was not interviewed.

During the inspection, I spoke with Ms. Fox, Ms. Miller and Ms. Sell. I informed them of the discrepancy regarding who was actually in the classroom with Ms. Dirker at the time of incident. Ms. Fox believes Ms. Markel was the second caregiver. In summary, there was another caregiver in the classroom with Ms. Dirker. She was not alone with the children when she fell asleep.

<b>APPLICABLE RULE</b>	
<b>R 400.8125</b>	<b>Staff and Volunteers.</b>
	(1) All staff and volunteers shall provide appropriate care and supervision of children at all times.
<b>ANALYSIS:</b>	<p>On April 24, 2019, in the Toddler classroom, caregiver, Ms. Kristina Dirker fell asleep during naptime. It is believed she was asleep for a few seconds.</p> <p>Ms. Dirker and another caregiver were in the classroom when the incident occurred.</p> <p>IXL Learning Center management has spoken with Ms. Dirker who was verbally disciplined.</p>
<b>CONCLUSION:</b>	<b>VIOLATION NOT ESTABLISHED</b>

**ALLEGATION:** The Toddler classroom is out of ratio. There is a sign above the door stating the capacity is 12 children, but the room has 16 children.

**INVESTIGATION:** On June 6, 2019, I completed an unannounced on-site inspection. Program director, Ms. Fox, and I completed a walk through in the Toddler classroom. During the inspection, I observed 13 children with 1 caregiver. The

children were asleep except for one child. I reminded Ms. Fox that when all children in a room are asleep, one caregiver may provide supervision. However, if a child is awake then the required ratio and supervision is required. Ms. Fox said there's usually four caregivers in the classroom. They take their lunch breaks during naptime.

The Toddler classroom is a large room separated into two rooms, Room 6 and Room 6B. Room 6 was previously approved for a capacity of five children. Room 6B was previously approved for a capacity of twelve children. Both rooms are approved for children ages twelve months through two years old.

During the walk through, there were thirteen children on one side of the classroom. I informed Ms. Fox that capacity must be maintained even during naptime. Ms. Fox said the children are usually spread out in the two rooms.

Ms. Fox said the children are split in to two groups with a total of four caregivers. She was unaware that a second lead caregiver was required for the second group. Ms. Gamache is the lead caregiver in the Toddler classroom. Ms. Markel is an assistant caregiver but she has lead qualifications.

On May 8, 2019, Ms. Fox emailed Ms. Markel's transcripts to the department. I reviewed the transcripts. Ms. Markel has at least 12 semester hours in early childhood education with 3 semester hours in infant and toddler development.

On June 3, 2019, I completed an unannounced on-site inspection. Upon my arrival, I observed four caregivers with thirteen children in the Toddler classroom.

I interviewed caregiver, Ms. Gamache, who said she was a lead caregiver in the Infant classroom and was recently moved to the Toddler classroom in May 2019. They keep a ratio of one caregiver to four children with a group size of twelve. They break up into two groups once the thirteenth child arrives in the room.

I spoke with Ms. Fox who said Ms. Markel is on medical leave. Ms. Fox is currently interviewing candidates for the lead caregiver position. According to Ms. Fox, she interviewed a candidate earlier today that has lead qualifications.

<b>APPLICABLE RULE</b>	
<b>R 400.8182</b>	<b>Ratio and group size requirements.</b>
	(3) In each room or well-defined space, the maximum group size and ratio of caregivers to children, including children related to a staff member or the licensee, shall be the following: (a) For infants and toddlers, there shall be 1 caregiver for 4 children and a maximum group size of 12.

<b>ANALYSIS:</b>	<p>The Toddler classroom is in ratio and group size. The children are separated into two groups with a ratio of one caregiver for four children with a maximum group size of 12.</p> <p>The Toddler classroom is a large room that is split into two rooms, Room 6 and Room 6B. Room 6 was previously approved for a capacity of five children. Room 6B was previously approved for a capacity of twelve children.</p>
<b>CONCLUSION:</b>	<b>VIOLATION NOT ESTABLISHED</b>

**ALLEGATION:** There is not enough food for the children in care.

**INVESTIGATION:** On May 6, 2019, I completed an unannounced on-site inspection. I interviewed program director, Ms. Fox, and licensee designee, Ms. Lovrenich, separately.

Ms. Fox said about a month ago there was an incident where the new cook didn't prepare enough food. She believes the lunch was supplemented with ham and cheese since it's simple to prepare and is readily available in the refrigerator.

Ms. Fox said usually the administrators or extra caregiver does the cooking and preparing the meals.

A copy of the menu dated May 2019 was obtained during the inspection. Hickory ham with mashed potatoes and fruit, pulled pork with cauliflower and fruit, chicken and dumplings with broccoli and fruit, chicken nuggets with mixed vegetables and fruit are some examples of meals prepared at the center. Ms. Fox said this is a rotating menu.

Ms. Lovrenich said she does not recall any incident when there wasn't enough food for the children. There's always food in the refrigerator.

On May 7, 2019, I called and spoke with licensee designee, Ms. Sell. Ms. Sell said Ms. Colombo, Ms. McLaughlin and Ms. McCracken are the main staff preparing meals.

Ms. Sell is a parent and a manager. Her child attends the toddler program at the child care center. She said it is important to her that not only her child is fed nutritional food but other children as well. There's always enough food at the center. Ms. Sell said there are some meals that the children love and want more of and in these cases, the caregivers request more food. They have always provided additional food.

On June 3, 2019, I completed an unannounced on-site inspection. I interviewed caregivers, Ms. Dirker, Ms. Gamache, Ms. Merlo, Ms. Wilcox, Ms. Peca, Ms. Vancise, Ms. McCarter, Ms. Humitz, Ms. Colombo, and Ms. McLaughlin, separately. Caregiver, Ms. Markel, is on medical leave. Caregivers, Ms. McCracken and Ms. Baruzzini, were absent.

Ms. Dirker, Ms. Gamache, Ms. Merlo, Ms. Wilcox, Ms. Peca, Ms. Vancise, Ms. McCarter and Ms. Humitz all said they had no concerns regarding the food.

Ms. Gamache, Ms. Peca, Ms. McCarter and Ms. Humitz all said there are always leftovers, and if needed, they can get more food from the kitchen. Ms. McCarter said she has never witnessed any incident where a child didn't have anything to eat.

Ms. Vancise said there's usually enough food but, on some occasions, there weren't enough fruits or vegetables for a second serving.

Ms. Colombo and Ms. McLaughlin both assist with cooking and preparing meals. There have been no complaints regarding the food. Ms. McLaughlin said the serving size is based on the child's age. Ms. Colombo and Ms. McLaughlin both said there is always enough food for first servings; second and third servings are available if there's leftovers. Ms. McLaughlin said if there's a favorite meal such as chicken nuggets, she always heats up a second serving.

Ms. Colombo and Ms. McLaughlin both said the child care center purchases food from Gordon Food Service. There's always a lot of food at the center.

During the inspection, I observed the children eating lunch in the Toddler Too classroom. There was plenty of food for each child.

On June 14, 2019, I called and spoke with Child C's Mother and Child D's Mother. I left a message for Child B's Mother.

Child C's Mother and Child D's Mother both said they loved IXL Learning Center and have no complaints. Child C's Mother said if she had any concerns, she would've spoken with management.

On June 17, 2019, I received a telephone call from Child B's Mother who said she had no issues at the child care center.

<b>APPLICABLE RULE</b>	
<b>R 400.8335</b>	<b>Food services and nutrition; provided by center.</b>
	(1) Food and beverages provided by the center shall be of sufficient quantity and nutritional quality to provide for the dietary needs of each child according to the minimum meal requirements of the child and adult care food program as administered by the Michigan department of education based on 7 C.F.R. Part 226, 1-1-11 edition, of the United States department of agriculture, food and nutrition services, child and adult care food program and is hereby adopted by reference. A copy can be obtained from CACFP at <a href="http://www.michigan.gov/cacfp">www.michigan.gov/cacfp</a> .

<b>ANALYSIS:</b>	The child care center is serving sufficient quantity of food that meets the needs of each child according to the child and adult care food program.
<b>CONCLUSION:</b>	<b>VIOLATION NOT ESTABLISHED</b>

**ALLEGATION:** The food is not served at proper temperatures.

**INVESTIGATION:** On May 6, 2019, I completed an unannounced on-site inspection. I interviewed program director, Ms. Fox, and licensee designee, Ms. Lovrenich, separately.

Ms. Fox and Ms. Lovrenich both said they don't prepare meals. They don't know if the food is checked for proper temperature before serving to the children.

Ms. Fox and Ms. Lovrenich both said some meals require longer heating time but lunch preparation usually starts at 10:00 A.M. Lunch is prepped and served between 11:00 A.M. and 11:30 A.M.

On May 7, 2019, I called and spoke with licensee designee, Ms. Sell. Ms. Sell said all food served at the center are pre-cooked. They are heating the food and serving the meal within 30 minutes. Ms. Sell said sometimes the caregivers get the food straight from the oven. Of course, some vegetables are served cold because it's raw. However, frozen vegetables are boiled and transferred to a foil-covered bowl. She is not aware of any complaints regarding the temperature of the food.

On June 3, 2019, I completed an unannounced on-site inspection. I interviewed caregivers, Ms. Dirker, Ms. Gamache, Ms. Merlo, Ms. Wilcox, Ms. Peca, Ms. Vancise, Ms. McCarter, Ms. Humitz, Ms. Colombo, and Ms. McLaughlin, separately. Caregiver, Ms. Markel, is on medical leave. Caregivers, Ms. McCracken and Ms. Baruzzini, were absent.

Ms. Dirker, Ms. Gamache, Ms. Merlo, Ms. Wilcox, Ms. Peca, Ms. Vancise, Ms. McCarter and Ms. Humitz, Ms. Colombo and Ms. McLaughlin all said they had no concerns regarding the food.

Ms. Colombo and Ms. McLaughlin both assist with cooking and preparing meals. They both said lunch preparation starts between 10:00 A.M. and 10:30 A.M. depending what is being heated. Some meals take longer to heat than others. All meals are pre-cooked and only require heating. They both use a thermometer to test the temperature of the food to ensure proper temperature.

<b>APPLICABLE RULE</b>	
<b>R 400.8320</b>	<b>Food preparation.</b>
	(8) The temperature of potentially hazardous foods shall be 41 degrees Fahrenheit or below or 135 degrees Fahrenheit or above at all times, except during necessary periods of preparation.

<b>ANALYSIS:</b>	The temperature of the food is being tested to ensure proper temperature prior to serving to the children in care.
<b>CONCLUSION:</b>	<b>VIOLATION NOT ESTABLISHED</b>

Note: The allegations regarding the management style and staff salary were not investigated because they did not involve a licensing rule or statute.

**IV. RECOMMENDATION**

I recommend no change in the license status.

*Thanh C. Biehl*

06/20/2019

Thanh Biehl  
Licensing Consultant

Date

Approved By:

*Jacquelin Sharkey*

06/21/2019

Jacquelin Sharkey  
Area Manager

Date