



STATE OF MICHIGAN
 DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
 LANSING

GRETCHEN WHITMER
 GOVERNOR

ORLENE HAWKS
 DIRECTOR

January 6, 2020

Stacy McEachern
 Alger Marquette Community Action Board
 1125 Commerce Drive
 Marquette, MI 49855

RE: License #: DC020378966
 Investigation #: 2019D0720017
 Alger Head Start

Dear Ms. McEachern:

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:

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| R 400.8125 | Staff and Volunteers. |
| | (1) All staff and volunteers shall provide appropriate care and supervision of children at all times. |
| R 400.8173 | Equipment. |
| | (3) Play equipment, materials, and furniture, shall be all of the following: (b) Safe, clean, and in good repair. |

The details of the allegations are in the attached report. To investigate the allegations, I completed an onsite inspection on 10/02/2019. I interviewed the person who made the complaint, program director, licensee designee, caregivers, parents, and observed children.

As a result of this investigation, I found the following violations:

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|-------------------|--|
| R 400.8125 | Staff and Volunteers. |
| | (1) All staff and volunteers shall provide appropriate care and supervision of children at all times. |
| R 400.8173 | Equipment. |
| | (3) Play equipment, materials, and furniture, shall be all of the following: (b) Safe, clean, and in good repair. |
| R 400.8158 | Incident, accident, injury, illness, death, fire reporting. |
| | (3) A center shall submit a written report to the department of the occurrences outlined in subrule (1) and (2) of this rule in a format provided by the department within 72 hours of the verbal report to the department. |

I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by 1/26/2020. 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.

| | Yes | No |
|---|-------------------------------------|-------------------------------------|
| A rule or law violation was found and a serious injury or death occurred. | <input checked="" type="checkbox"/> | <input 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,



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 #: | DC020378966 |
| Investigation #: | 2019D0720017 |
| Complaint Receipt Date: | 09/30/2019 |
| Investigation Initiation Date: | 09/30/2019 |
| Report Due Date: | 11/29/2019 |
| Licensee Name: | Alger Marquette Community Action Board |
| Licensee Address: | 1125 Commerce Drive Marquette, MI 49855 |
| Licensee Telephone #: | (906) 228-6522 |
| Administrator: | Stacy McEachern, Designee |
| Licensee Designee: | Stacy McEachern, Designee |
| Name of Facility: | Alger Head Start |
| Facility Address: | 413 Maple Street Munising, MI 49862 |
| Facility Telephone #: | (906) 228-6522 |
| Original Issuance Date: | 09/28/2015 |
| License Status: | REGULAR |
| Effective Date: | 03/28/2018 |
| Expiration Date: | 03/27/2020 |
| Capacity: | 20 |
| Program Type: | CHILD CARE CENTER |

II. ALLEGATION(S)

| | Violation Established? |
|--|-----------------------------------|
| On 9/23/19, Child A (four-year-old, male) had his fingers run over by another child on a bike. | Yes |
| Additional Findings | Yes |

III. METHODOLOGY

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| 09/30/2019 | Special Investigation Intake 2019D0720017 |
| 09/30/2019 | Special Investigation Initiated - Telephone 01:43 pm licensee designee |
| 10/02/2019 | Contact - Document Sent email to licensee designee requesting medical report |
| 10/03/2019 | Inspection Completed On-site on site 11 am to 1 pm |
| 10/03/2019 | Contact - Telephone call received Teresa Nault |
| 10/18/2019 | Contact - Document Received medical report received |
| 10/18/2019 | Contact - Attempted phone call to Child A's Father Message left |
| 10/21/2019 | Contact - Document Received |
| 10/21/2019 | Contact - Attempted phone call to Child A's Father Message left |
| 11/21/2019 | Exit Conference Teresa Nault |

ALLEGATION: On 9/23/19, Child A (four-year old, male) had his fingers run over by another child on a bike.

INVESTIGATION: An email from Teresa Nault, Licensee Designee regarding the incident was received on 09/24/2019 at 9:41 a.m. She reported:

“There was an accident at school yesterday concerning a child whose finger got hurt when riding a bike in the hallway he fell and then another child tried to stop and fell on top of him with the bike he was riding. The handlebar of the other bike landed on this child's hand. Beryl [Davis, Program Director] contacted the parent and he came to get the child. The parent did express concern that the finger might be broken. The parent took the child to the doctor and the doctor told him that it was not broken but that he would have to be careful with it. Beryl stayed in contact with the Dad throughout the process. There were some older bikes that after this incident that we discarded for safety reasons.”

After receipt of this email, I requested an incident report on 09/25/2019. On 09/26/2019, I sent a second request for the incident report. The incident report was not received by child care licensing until 09/27/2019 at 3:11 p.m.

The incident report received on 09/27/2019 indicated that the injury occurred on 09/23/2019 at 11:20 a.m. in the hallway of the Munising Head Start. The report stated:

“The children were playing in the hallway (there is a specific area for the bikes.) Child A had lost his turn because of unsafe play and was trying to get another bike, when he apparently fell. The child on the bike (four-year-old male) skidded to a stop in an attempt not to run over Child A then fell as well. The end of the handlebar that the other child was riding pinched Child A's finger to the floor (with the weight of the riding child still on the bike as it went down, I'm assuming as it happened quite fast.”

On 09/23/2019, medical treatment was obtained by the child's parent at the local urgent care. The diagnosis was described on the incident report as “a bruised finger. A copy of the medical report was received on 10/18/2019. The report stated:

“Child A was at preschool and had a bike handle bar land on his left hand 2nd digit and did break the skin. Child A can move the finger, bend the finger and bring the finger to touch the thumb without difficulty. He has some ecchymosis. He has not received vaccinations including tetanus because his father has refused. The father also declined the X-ray.”

The finger was not x-rayed until Child A returned for further medical review on 9/27/19 with the grandmother. At that time, Child A's caregivers were concerned as the finger was still swollen and bruised. The x-rays found no fractures. The physician noted the lacerations appeared to be healing well with no sign of infection. Child A did not demonstrate any pain during the examination that included pushing and moving the finger. The recommendation was to continue to ice the finger multiple times per day.

On 10/02/2019, I did an on-site inspection. I observed children and interviewed caregivers. Beryl Davis described the situation just as she had written on the 9/27/2019 incident report. She showed me the location of the incident where a child was riding and Child A chased after to try to get to the bike. The assistant caregiver who was

present that day was Michele Curtis. She stated that the children were in the hallway with one child who was riding a bike without pedals and it fell on Child A's hand causing the injured finger. Child A was not supposed to be playing with the bike due to unacceptable behavior with a bike.

I had been advised by the licensee designee that the bikes that had been used were no longer present, having been removed by the licensee designee due to safety concerns. They were small bikes with handle bars and tires, but no pedals. I have not observed these bikes used indoors. They are typically used outdoors. The hallway in this building is an insufficient space to use this equipment. The use of these bikes in this location was a safety hazard.

Phone attempts to reach Child A's Father were unsuccessful. Child A's Mother is not listed on the child information card and is not available to interview.

During the interim inspection on 9/11/19, safety concerns with this group of children were brought to the attention of the center staff members during the interim inspection in September 2019. A violation of the appropriate care and supervision rule was found at that inspection with the interim report documenting multiple incidents of unsafe behavior by the children with inadequate caregiver supervision and response. The majority of those problems occurred in the hallway outside of the classroom around 11:15 a.m., which is the same timeframe and location as the incident that lead to this investigation.

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| APPLICABLE RULE | |
| R 400.8125 | Staff and Volunteers. |
| | (1) All staff and volunteers shall provide appropriate care and supervision of children at all times. |
| ANALYSIS: | The licensee designee failed to ensure all staff provided appropriate care and supervision. The use of bikes in the hallway was unsafe for the children. The children were not following safety guidelines and the adults did not maintain appropriate care of the children. |
| CONCLUSION: | REPEAT VIOLATION ESTABLISHED INTERIM REPORT DATED 09/27/2019 CORRECTIVE ACTION PLAN DATED 11/19/2019 |

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|------------------------|--|
| APPLICABLE RULE | |
| R 400.8158 | Incident, accident, injury, illness, death, fire reporting. |
| | (3) A center shall submit a written report to the department of the occurrences outlined in subrule (1) and (2) of this rule in a format provided by the department within 72 hours of the verbal report to the department. |

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| ANALYSIS: | The licensee designee failed to ensure a written report was submitted to the department within 72 hours. The verbal/email report was made on 9/24/19 at 9:41 a.m. The written incident report was submitted 9/27/19 at 3:11 p.m., exceeding the 72 hours. |
| CONCLUSION: | VIOLATION ESTABLISHED |

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| APPLICABLE RULE | |
| R 400.8173 | Equipment. |
| | (3) Play equipment, materials, and furniture, shall be all of the following: (b) Safe, clean, and in good repair. |
| ANALYSIS: | The licensee designee failed to ensure equipment was safe and in good repair. The licensee designee reported that they had removed the bike that had been used as it was determined to be unsafe. I have observed this style of bike used in outdoor play in the past and the indoor hallway where it was in use was an unsafe setting. |
| CONCLUSION: | VIOLATION ESTABLISHED |

IV. RECOMMENDATION

Upon receipt of an acceptable corrective action plan, I recommend no change in the license status. I recommend increased monitoring of this child care center.

 January 6, 2020

Anne O'Neill Date
Licensing Consultant

Approved By:

 January 6, 2020

Rose A. Rafferty Date
Area Manager