



STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

GRETCHEN WHITMER
GOVERNOR

ORLENE HAWKS
DIRECTOR

February 20, 2020

Erica Tank
Green Garden Child Development Center, LLC
380 11 Mile Road
Madison Heights, MI 48071

RE: License #: DC630320659
Investigation #: 2020D0429002
Green Garden Child Development Center

Dear Ms. Tank:

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 400.8125 | Staff and Volunteers. |
|------------|-----------------------|

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

- I interviewed the caregivers and parents.
- I completed an onsite inspection on 10/18/2019.

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

| | |
|-------------------|------------------------------|
| R 400.8125 | Staff and Volunteers. |
|-------------------|------------------------------|

I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by 3/9/2020. 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.

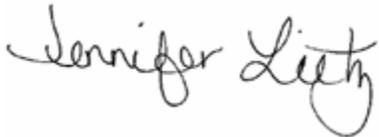
- How continuing compliance will be maintained once compliance is achieved.
- The signature of the responsible party and a date.

| 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 (248) 975-5053.

Sincerely,



Jennifer Lietz, Licensing Consultant
 Bureau of Community and Health Systems
 4th Floor, Suite 4B
 51111 Woodward Avenue
 Pontiac, MI 48342
 (517) 899-5987

enclosure

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

I. IDENTIFYING INFORMATION

| | |
|---------------------------------------|---|
| License #: | DC630320659 |
| Investigation #: | 2020D0429002 |
| Complaint Receipt Date: | 10/14/2019 |
| Investigation Initiation Date: | 10/14/2019 |
| Report Due Date: | 12/13/2019 |
| Licensee Name: | Green Garden Child Development Center, LLC |
| Licensee Address: | 380 11 Mile Road Madison Heights, MI 48071 |
| Licensee Telephone #: | (248) 548-4447 |
| Administrator: | Erica Tank, Designee |
| Licensee Designee: | Erica Tank, Designee |
| Name of Facility: | Green Garden Child Development Center |
| Facility Address: | 380 11 Mile Road Madison Heights, MI 48071 |
| Facility Telephone #: | (248) 548-4447 |
| Original Issuance Date: | 07/17/2012 |
| License Status: | REGULAR |
| Effective Date: | 01/17/2019 |
| Expiration Date: | 01/16/2021 |
| Capacity: | 77 |
| Program Type: | CHILD CARE CENTER |

II. ALLEGATION(S)

| | Violation Established? |
|---|-------------------------------|
| Child A (3-year-old, male) and Child B (3-year-old, female) touched each other under their clothes with a hanger while playing in the dramatic play area. | Yes |

III. METHODOLOGY

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|------------|--|
| 10/14/2019 | Special Investigation Intake 2020D0429002 |
| 10/14/2019 | Special Investigation Initiated - Telephone Talked to caregiver Elizabeth Yarbrough. |
| 10/18/2019 | Contact – telephone call made Interviewed Child A’s and Child B’s Mothers. |
| 10/18/2019 | Inspection Completed On-site From 4:00 PM to 5:40 PM. Interviewed director Elizabeth Yarbrough, caregivers Jenna Brackett and Sigi Malaj and watched the video. |
| 10/18/2019 | Exit Conference with Erica Tank |
| 10/18/2019 | Inspection Completed-BCAL Sub. Compliance |

ALLEGATION: Child A (3-year-old, male) and Child B (3-year-old, female) touched each other under their clothes with a hanger while playing in the dramatic play area.

INVESTIGATION: On 10/14/19, caregiver Elizabeth Yarbrough informed the department that Child A and Child B touched each other under their clothes with a hanger while playing in the dramatic play area. Ms. Yarbrough stated caregiver Jenna Brackett came and told her the above information. Ms. Brackett heard two other children talking about it, so she went over to Child A and Child B to see what was going on. The children were playing “doctor” on the couch in the “house” area and when Ms. Brackett asked them what happened, the children stated they were touching each other’s privates with the hanger. Ms. Brackett called Child A and Child B’s Mothers and told them what happened. Ms. Yarbrough also talked to both parents. Child B’s Mother was uncomfortable with her staying at the center, so she came and picked her up. Child A’s mother picked him up at his normal time. Both

children came back to the center the following day for care and have been there ever since. Ms. Yarbrough watched the video and saw that the children were playing doctor and that they both hooked a play plastic hanger into each other's pants. It appears that they truly were just playing doctor and their play did not look sexual in nature. The caregivers were not paying attention to what was happening in the dramatic play area, so they were going to do coaching on supervision with them.

I watched the video and saw Child A and Child B playing in the dramatic play area, which is located at the far end of the room. There is a couch, stove, refrigerator, dress up clothes and other general "house area" toys and equipment. Child B was lying on the couch and Child A was kneeling on the floor next to the couch as he listened to her heart. Child B lifts her own shirt and her belly is sticking out. Child A puts on a dress up glove you would wear with a dress and has a small plastic hanger in his hand that dress up clothes are hung up on. Child A listens to Child B's heart again, pushes on her stomach, checks her forehead, looks in her mouth, and looks at her eyes. It appears that the children are playing doctor. Child B puts her shirt back down and then Child A lies on the couch. Child B puts on the gloves and Child A lifts his own shirt. Child B listens to his heart. Then Child B lies back on the couch and the same routine happens again, Child B lifts her own shirt and Child A checks her vitals. Then Child A lies back on the couch and the same routine happens except this time, Child B hooks the hanger down into Child A's pants and then checks his vitals. They switch again and Child B lies on the couch. Child A puts the hanger into Child B's pants and then checks her vitals. Child A and Child B play like this for a long time, each time they lie on the couch, they lift their own shirts, the hanger goes down into their pants, and they check each other's vitals.

The caregivers Jenna Brackett and Sigi Malaj do not notice any of this. They were both on the other side of the room. Ms. Brackett was sitting at a table facing the dramatic play area, but she was looking down inputting information into the classroom's app on the tablet and a child was playing with her hair. Ms. Malaj was sitting at a table drawing with a group of children and her back is to the dramatic play area. When Ms. Brackett gets up to go over to the counter in the classroom, a child walks past her and sits at the table behind her and tells another child that Child A pulled Child B's pants down. Ms. Brackett hears this (there is no sound on the video, but in her interview, Ms. Brackett say this is what she heard) and goes over to talk to Child A and Child B about what was going on.

Ms. Brackett stated it was "work time" and the children were playing. She heard one child say to another child that Child A pulled Child B's pants down. She said, "What?" and went over to the "house area" and asked Child A and Child B what happened. Their pants were not down, but Child B said Child A touched her vagina with a hanger. She asked Child A if she was okay and she said she was. She told Child A and Child B she needed to know what happened, and Child A said Child B touched him too and Child A admitted that she did. She asked the children if their pants were pulled down, and they both said, "No" that they pulled the waistband of their pants out and put the hanger down their pants. She is not sure if the hanger

was over or under their underwear (I could not tell this in the video either). She talked to both children about who is and who is not allowed to touch their private parts. She also told both children to give each other space and to not play together the rest of the day. She then went to the office and told Ms. Yarbrough what happened and called both Child A and Child B's Mothers and told them what happened. Child B's Mother stated she was not comfortable leaving her there and she came and picked her up. Child A stayed until his normal pick up time. Both children came back the next day and have been at the center every day since. Child A and Child B like to play with each other, so they have been keeping an extra eye on them and are more watchful of the dramatic play area.

Ms. Malaj stated it was "work time" and the children were playing. She was at a table drawing with a group of children and she did not see Child A and Child B playing with each other. She noticed Ms. Brackett go over to Child A and Child B and could tell something was wrong by the look on Ms. Brackett's face. She asked Ms. Brackett what happened, and she told her. Ms. Malaj did not see the incident happen and she did not talk to Child A or Child B or to their parents. The children have continued to come to the center for care and they like to play with each other. There have been no prior issues with the children, and nothing has happened since the incident either. They are keeping an extra eye on Child A and Child B and are more watchful of the dramatic play area. They also talked to the whole class about keeping their hands to their selves.

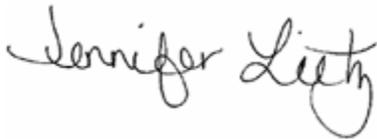
Child A's Mother stated Ms. Brackett called and told her Child A and another child were playing doctor in the "house area" and they touched each other's private parts with a hanger. Child A's Mother stated she was "freaked" out by this at first. Then Ms. Yarbrough called her back after reviewing the video and told her that the other child initiated putting the hanger down their pants and Child A followed suit. Ms. Yarbrough stated the children were genuinely playing doctor, their pants were not pulled down, and the hanger was put down into the waistband of their pants. Child A's Mother stated she talked to Child A and he said they put the hangers in each other's pant. She also talked to him about body safety. She is satisfied with how the center handled the situation, she has no concerns and Child A will continue to attend the center for care.

Child B's Mother stated Ms. Brackett called and told her Child B and another child were playing doctor in the "house area" and they touched each other's private parts with a hanger. Child A's Mother stated she was uncomfortable leaving Child B at the center, so she came and picked her up. Child A told her that the other child touched her vagina. After Ms. Yarbrough watched the video, she called her and told her the children were genuinely playing doctor, their pants were not pulled down, and the hanger was put down into the waistband of their pants. Child B's Mother stated Child B will continue to attend the center for care. Nothing has happened since the incident and there were no issues prior to the incident. She is satisfied with how the center handled the situation.

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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: | Appropriate care and supervision were not provided to Child A and Child B when staff were not paying attention to what the children were doing in the dramatic play area. |
| CONCLUSION: | VIOLATION ESTABLISHED |

IV. RECOMMENDATION

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

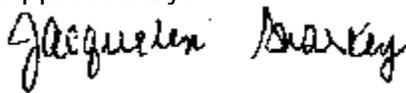


02/19/20

Jennifer Lietz
Licensing Consultant

Date

Approved By:



02/20/2020

Jacquelin Sharkey
Area Manager

Date