



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

**REDACTED REPORT**

April 17, 2020

Tricia Ryan  
Foundation for Behavioral Resources  
600 S Lincoln St  
Augusta, MI 49012

RE: License #: DC390313702  
Investigation #: 2020D0208009  
CDC - Forest

Dear Ms. Ryan:

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:

R400.8140 Discipline

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

- I interviewed the program director, licensee designee, child care staff members, parents, and children.
- I completed an onsite inspection on 03/11/2020.

As a result of this investigation, I recommend no change to the current license status. I did not find any violations. The special investigation report is attached.

<b>During this special investigation:</b>	<b>Yes</b>	<b>No</b>
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 at (269) 568-2686. In the event that I am not available and you need to speak to someone immediately, please contact the local office at (616) 356-0183.

Sincerely,

A handwritten signature in cursive script that reads "Roxanne Duckworth".

Roxanne Duckworth, Licensing Consultant  
Bureau of Community and Health Systems  
Child Care Licensing Division  
322 E. Stockbridge Ave  
Kalamazoo, MI 49001

enclosure

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

**I. IDENTIFYING INFORMATION**

<b>License #:</b>	DC390313702
<b>Investigation #:</b>	2020D0208009
<b>Complaint Receipt Date:</b>	03/10/2020
<b>Investigation Initiation Date:</b>	03/11/2020
<b>Report Due Date:</b>	05/09/2020
<b>Licensee Name:</b>	Foundation for Behavioral Resources
<b>Licensee Address:</b>	600 S Lincoln St Augusta, MI 49012
<b>Licensee Telephone #:</b>	(269) 731-5775
<b>Administrator:</b>	Tricia Ryan, Designee
<b>Licensee Designee:</b>	Tricia Ryan, Designee
<b>Name of Facility:</b>	CDC - Forest
<b>Facility Address:</b>	5196 Comstock Ave. Comstock, MI 49048
<b>Facility Telephone #:</b>	(269) 488-2323
<b>Original Issuance Date:</b>	09/14/2011
<b>License Status:</b>	REGULAR
<b>Effective Date:</b>	03/12/2018
<b>Expiration Date:</b>	03/11/2020
<b>Capacity:</b>	86
<b>Program Type:</b>	CHILD CARE CENTER

**II. ALLEGATION(S)**

	<b>Violation Established?</b>
About a month and a half ago, Program director Teri choked an unknown child in her classroom.	No

**III. METHODOLOGY**

03/10/2020	Special Investigation Intake 2020D0208009
03/11/2020	Contact - Document Received Email contact with [REDACTED]
03/11/2020	Special Investigation Initiated - On Site Arrival: 3:50PM - Departure: 4:30PM. Interviewed program director, Teri Orlando, and lead child care staff member, Melissa Goldsberry. Present was [REDACTED]
03/12/2020	Contact - Document Received Email received from Early Childhood Education Coordinator/licensee designee, Tricia Ryan.
03/17/2020	Contact - Telephone call made Spoke with Early Childhood Education Coordinator/licensee designee, Tricia Ryan.
03/17/2020	Contact - Document Received Emails with [REDACTED]
04/03/2020	Contact - Document Received Email received from [REDACTED]

04/07/2020	Contact - Telephone call made Unsuccessful telephone contact with Child A's Mother (phone number was not in service). Spoke with Child B and Child C's Mothers.
04/07/2020	Contact - Document Sent Emailed Child A's Mother.
04/08/2020	Contact - Document Received Email received from Child A's Mother.
04/08/2020	Contact - Telephone call made Case conference call with [REDACTED]
04/08/2020	Contact - Document Received Email contact with [REDACTED]
04/09/2020	Exit Conference Spoke with Early Childhood Education Coordinator/licensee designee, Tricia Ryan.

**ALLEGATION:** About a month and a half ago, Program director Teri choked an unknown child in her classroom.

**INVESTIGATION:** On 03/11/2020 I conducted an unannounced onsite inspection to Child Development Center (CDC) Forest with [REDACTED]. We interviewed program director, Teri Orlando, and child care staff member, Melissa Goldsberry. Ms. Orlando identified Child A, who was seen leaving with his father shortly after we arrived. I collected child information cards, attendance records, the parent handbook with the center's discipline policy, and a copy of the safety plan between Child A's parents and the center to address Child A's behaviors.

Ms. Orlando confirmed there was an incident approximately a month and a half ago involving Child A where she had to gently restrain him as he was having some behavior issues and he was not able to get himself under control. She demonstrated that she was behind him and had her arms on his shoulders like a pretzel hold. During this time, he was making growling noises as he often does as a form of play

or self-entertaining. Ms. Orlando indicated it occurred approximately 10:30AM - 11:00AM in the Bumblebee classroom. She and child care staff member, Alissa Garcia, were present in the classroom. The children were lining up to go out to the gym. Child A was starting to hit and kick others, which was when she gently restrained him. Child A did hit and kick her to try and get away. Ms. Orlando estimated she held him for approximately two minutes, he calmed down, and they went down to the gym to join the rest of his class. After this incident occurred the Early Childhood Education Coordinator for the CDC's, who is also licensee designee, Tricia Ryan, came to the center to talk to her about the incident and said another child care staff member had thought Ms. Orlando choked Child A. Ms. Orlando did not understand why Ms. Ryan was contacted as Ms. Garcia was present with her in the class for the incident and never indicated she had an issue with her actions. Ms. Orlando reported she has a good rapport with the family of Child A, and that the center has a safety plan with the family and staff members to manage Child A's behaviors when they become difficult. She or another child care staff member talk with Child A's parents daily when they pick up or drop off.

During this conversation, Ms. Ryan was contacted by telephone and put on speakerphone. Ms. Ryan reminded me that she had called me about a month and a half ago when it occurred and told me she had done an internal investigation and concluded that Ms. Orlando had gently restrained the child to protect him and other children from being harmed. She reported that this was the same incident as the one she was speaking of during our phone conversation about restraining a child. Ms. Ryan indicated she would send me her documentation from investigating the situation.

Ms. Goldsberry is the lead child care staff member in Dragonfly, the classroom Child A transitioned into recently. Ms. Goldsberry did not have concerns with Ms. Orlando and the way she handles children's behaviors. She confirmed there is a safety plan between the center and Child A's parents, and that the center has good communication with the family and works with them on Child A's issues/behaviors.



On this same day I reviewed the safety plan the center has with Child A's parents. The classroom expectations are to always be kind (keep your hands to yourself and use appropriate language in a respectful manner), be safe (keep feet on the floor, stay in the classroom with the teacher, and stay on the playground and do not run outside of the fence), and care for the environment (take care of classroom materials and furniture stays on the floor). Intentional opportunities to learn expectations and be successful are to use words to express emotions, reference the "plan" and how Child A can stay on track, opportunities throughout the day for sensory breaks (vacuuming, calming apps, etc.), reflection time daily with teachers, and daily use of mindful moments. School-home communication plan is to exchange daily emails

with parents, and phone calls when necessary. Child A's behaviors being monitored are [REDACTED], and any behavior that would make the environment unsafe for Child A, his classmates, or his teachers. The action plan to manage the behaviors are to ensure that Child A and others are safe, using language noted in the plan, redirect Child A to a task, and if Child A has two instances of inappropriate behavior in a day, mom will be called to pick him up. The plan was signed by Child A's Mother, Ms. Orlando, and Ms. Goldsberry.

I also reviewed the center discipline policy in the parent handbook. The center uses positive methods of discipline, such as, clarifying the rule for the child, showing appropriate behavior by example, offering the words needed to help children solve their problems and helping verbalize what they want, redirect, ignore, and offer alternative activity praise to extinguish the behavior. If a behavior escalates, the child is moved directly next to the child care staff member and reminded of the rule and appropriate behavior, moved outside of the immediate group but still expected to participate in the activity, and reminded of the rule. If a child shows a pattern of behavior issues/concerns, the center will work with the parents to come up with a plan to work on the behavior with the child.

On 03/12/2020 I received an email from Ms. Ryan with the documentation from the internal investigation she completed. The emailed documentation stated that Ms. Ryan arrived at CDC Forest at approximately 1:30PM on 01/23/2020. She spoke with Ms. Orlando in her office and asked her if anything had happened with Child A on 01/22/2020. Ms. Orlando looked confused and told Ms. Ryan "actually he had a pretty good day yesterday." Ms. Ryan asked her if she had to put her hands on Child A at any time that day, and Ms. Orlando indicated she had to gently restrain him once as he was trying to run out of the classroom, making for an unsafe environment. Child A was making growling noises during this as he often does throughout the day. Ms. Ryan told Ms. Orlando someone had thought she choked Child A. Ms. Ryan viewed Child A's neck/throat area and did not see any marks or indication he had been choked. Ms. Orlando denied choking him and reported she had gently restrained him by putting her hands on his shoulders/arms like a pretzel hold to keep him from running out of the room.

Ms. Ryan interviewed Ms. Garcia as she was in the classroom at the time of the incident. Ms. Garcia told Ms. Ryan she saw Ms. Orlando choke Child A and that Child A was making growling sounds. This happened during a transition time where children were getting ready to leave the classroom. Ms. Ryan asked Ms. Garcia if she feared for the children's safety around Ms. Orlando and she said no. She also asked Ms. Garcia if she felt scared working in a classroom with Ms. Orlando and Ms. Garcia said no. Ms. Ryan also spoke with the Kalamazoo Regional Educational Service Agency (KRESA) early childhood specialist, Laura Ynclan, who is often in the classrooms. She asked Ms. Ynclan if she had ever observed Child A run out of the classroom and have to be restrained, and she said yes. Ms. Ryan asked her if Child A makes growling noises, and Ms. Ynclan said yes.

On 03/17/2020 I spoke with Ms. Ryan. I asked her if the cameras had been installed at the center yet as they had purchased cameras. She informed me that the cameras were not installed at the time the incident occurred but were installed in mid-February.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



[REDACTED]

On 04/07/2020 I spoke with Child B and Child C's Mothers. I attempted to contact Child A's Mother but the phone number was not in service. I emailed her with the email address listed on the child information card.

Child B's Mother had no concerns with Ms. Orlando or the other child care staff members at the center. She is aware of the discipline policy and did not have concerns with the discipline methods used in classrooms. Child B's Mother reported that she works next door at the academy, so she is in and out of the center often. She indicated there are some children with tough behaviors at the center and Ms. Orlando handles the children well.

Child C's Mother did not have concerns with Ms. Orlando or the discipline methods used in the classrooms at the center. Child C is in Ms. Orlando's classroom and adores her. Child C's Mother reported her child has never come home and complained about anything concerning.

On 04/08/2020 I received an email from Child A's Mother. Child A's Mother reported no concerns with Ms. Orlando and the center and had no further questions/comments.

On this same day I case conferenced with [REDACTED]

[REDACTED]

[REDACTED]

<b>APPLICABLE RULE</b>	
<b>R 400.8140</b>	<b>Discipline.</b>
	<b>(2) All of the following means of punishment are prohibited: (a) Hitting, spanking, shaking, biting, pinching, or inflicting other forms of corporal punishment.</b>

<p><b>ANALYSIS:</b></p>	<p>Ms. Orlando denied ever choking or putting her hand on Child A's neck/throat. She reported that she had to gently restrain him in a pretzel like hold to prevent him from unsafe behaviors. During this particular incident she had gently restrained him as he was hitting, kicking, and trying to run out of the classroom.</p> <p>Ms. Ryan did an internal investigation and determined Ms. Orlando was using gentle restraint to prevent Child A from running out of the classroom.</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>The parents interviewed did not have concerns with Ms. Orlando or the discipline methods used in the classroom at the center.</p>
<p><b>CONCLUSION:</b></p>	<p><b>VIOLATION NOT ESTABLISHED</b></p>

**IV. RECOMMENDATION**

I recommend no change in the license status of this child care center.

*Roxanne Duckworth*

04/17/2020

Roxanne Duckworth  
Licensing Consultant

Date

Approved By:

*Yolanda Sims*

04/17/2020

Yolanda Sims  
Area Manager

Date

