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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

July 12, 2022

Brooke Boone
KinderCare Education LLC
4900 Evergreen
Detroit, MI 48126

RE: License #: DC390019252
Investigation #: 2022D0401011
KinderCare Learning Center #1182

Dear Ms. Boone:

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 400.8140(1)	Discipline.
R 400.8140(2)(c)	Discipline.
R 400.8330(25)	Food services and nutrition generally.
R 400.8335(5)	Food services and nutrition; provided by center.
R 400.8340(2)(a)	Food services and nutrition; provided by parents.

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

- I interviewed the program director, child care staff members, and parents.
- I completed an on-site inspection on the following date: 5/31/2022.

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

R 400.8335(5) Food services and nutrition; provided by center.

I recommend no change to the current license status.

Due to the violations, you must send us a corrective action plan by 7/31/2022. 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 (517) 284-9730.

Sincerely,



Rebecca Wagster, Licensing Consultant
Child Care Licensing Bureau
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909
(269) 615-6055

enclosure

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

I. IDENTIFYING INFORMATION

License #:	DC390019252
Investigation #:	2022D0401011
Complaint Receipt Date:	05/27/2022
Investigation Initiation Date:	05/31/2022
Report Due Date:	07/26/2022
Licensee Name:	KinderCare Education LLC
Licensee Address:	5005 Meadows Road, Ste 200 Lake Oswego, OR 97035
Licensee Telephone #:	(269) 385-0115
Administrator:	Brooke Boone, Designee
Licensee Designee:	Brooke Boone, Designee
Name of Facility:	KinderCare Learning Center #1182
Facility Address:	3939 W Main Street Kalamazoo, MI 49006
Facility Telephone #:	(269) 385-0115
Original Issuance Date:	12/15/1998
License Status:	REGULAR
Effective Date:	02/02/2022
Expiration Date:	02/01/2024
Capacity:	120
Program Type:	CHILD CARE CENTER

ALLEGATION(S)

	Violation Established?
Staff scream at children and pick them up by their arms and move them to a new location aggressively.	No
Staff smother children in their armpits in an attempt to get them to fall asleep.	No
Breastfeeding parents are discriminated against at the child care center.	No
Staff make bottles with formula that is either brought in by parents or supplied by the child care center.	Yes

II. METHODOLOGY

05/27/2022	Special Investigation Intake 2022D0401011
05/31/2022	Special Investigation Initiated - On Site 10:15 a.m. - 11:15 a.m. Program Director Taylor Brown and Lead Caregiver Jessica Damer.
06/16/2022	Contact - Telephone call made Child A's Mother
06/16/2022	Contact - Telephone call made Child B's Mother
06/24/2022	Contact - Telephone call made Lead Caregiver Kristin Launius
06/27/2022	Contact - Telephone call made Child C's Mother

07/06/2022	Inspection Completed-BCAL Sub. Compliance
07/11/2022	Exit Conference – Program Director Taylor Brown

ALLEGATION: Staff scream at children and pick them up by their arms and move them to a new location aggressively.

INVESTIGATION: I made an unscheduled onsite inspection at KinderCare Learning Center on 5/27/2022 and spoke with program director Taylor Brown and lead caregiver Jessica Damer. Ms. Brown believes the allegations were made by a disgruntled employee that walked out of the center in the middle of her shift last week. Ms. Brown has spent time observing classrooms and has never heard staff screaming at children nor has she witnessed staff handle children in an aggressive manner.

Jessica Damer is a lead caregiver in the infant room. Ms. Damer has heard staff speak in a stern tone to children but has never heard staff yell at children or witnessed staff lift children up by their arms.

I spoke on the telephone with Kristin Launius on 6/24/2022. Ms. Launius is a co-lead in the infant classroom. Staff redirect infants. She has never heard staff yell or handle children aggressively.

I spoke on the telephone with Child A’s Mother on 6/16/2022. Child A’s Mother has overheard staff raise their voice to get children’s attention, but they are not yelling at children in an attempt to intimidate. She has never observed staff handle children aggressively.

I spoke on the telephone with Child B’s Mother on 6/16/2022 and Child C’s Mother on 6/27/2022. Both parents have heard staff raise their voice in the classrooms caring for older children, but never in the infant or toddler classrooms. They have never seen staff aggressive with children.

APPLICABLE RULE	
R 400.8140	Discipline.
	(1) Positive methods of discipline that encourage self-control, self-direction, self-esteem, and cooperation must be used.

ANALYSIS:	Staff use positive methods of discipline. Staff and parents have never seen anyone handle children aggressively. Although staff are said to raise their voices in the classroom, no one has heard them yell or scream at children.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION: Staff smother children in their armpits in an attempt to get them to fall asleep.

INVESTIGATION: Taylor Brown informed me that staff in the infant classroom have previously complained that staff member Teresa Swiatkoushi was holding an infant too close to her body. Ms. Brown did not observe this concern but did provide Ms. Swiatkoushi with additional training on holding infants appropriately and infant safe sleep. Ms. Swiatkoushi no longer works in the infant room.

Jessica Damer did have previous concern about how Ms. Swiatkoushi held infants. She told Ms. Brown about her concerns and worked with Ms. Swiatkoushi on how to hold infants.

Kristin Launius informed me that there was a time when she had a concern about how a staff member was holding infants too close to her armpit. Ms. Launius addressed the issue with the staff member and it was corrected immediately. There has not been an issue since.

Child A's Mother informed me that she did not enter the child care center when Child A attended the infant room due to COVID, therefore, never observed staff holding infants.

Child B's Mother and Child C's Mother did not express any concerns about how staff hold children.

APPLICABLE RULE	
R 400.8140	Discipline.
	(2) All of the following means of punishment are prohibited: (c) Restricting a child's movement by binding or tying him or her.

ANALYSIS:	Staff did not smother a child in an attempt to restrict their movement. Some staff had concern that Teresa Swiatkoushi held infants too close to her armpit. The issue was addressed with Ms. Swiatkoushi and immediately corrected.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION: Breastfeeding parents are discriminated against at the child care center.

INVESTIGATION: Taylor Brown stated she is an advocate of breastfeeding. She informed me that the only individual that has breastfed at the child care center since she began employment there in December 2021 was former child care staff member Ashante Waters. Ms. Waters worked in the infant room and was the primary caregiver for other infants. Ms. Waters occasionally breastfed, however, also brought bottles for her infant and would pump during breaks. Ms. Waters had the tendency to focus all her attention on her own child and was not fulfilling the needs of the other children she was responsible for. Ms. Brown informed me that parents can breastfeed in the classroom or the staff bathroom. While in the infant classroom, I noticed a sign posted stating “breastfeeding welcome.”

Jessica Damer informed me that breastfeeding is welcome at the child care center and breastfeeding positivity is incorporated in the training. According to Jessica, former child care staff member Ashante Waters breastfed her child a few times at the center, however, no other parents chose to breastfeed at the center.

Kristin Launius stated that she has only witnessed one staff member/parent breastfeed at the center since she started working there in October 2021. Ms. Launius stated that the center supports breastfeeding and they have never turned anyone away.

Child A’s Mother did not enter the facility when her child was an infant. She does not know if breastfeeding was supported by center staff.

Child B’s Mother stated that Child B was not enrolled at KinderCare until he was one years old. Child B’s Mother did not breastfeed or send bottles to the center.

Child C’s Mother never breastfed at the center. She assumes it would have been permitted, however, she sent breast milk in ready to feed bottles for Child C out of convenience.

APPLICABLE RULE	
R 400.8330	Food services and nutrition generally.
	(25) Breastfeeding must be supported and accommodated.
ANALYSIS:	Breastfeeding is supported and accommodated by the child care staff.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ALLEGATION: Staff make bottles with formula that is either brought in by parents or supplied by the child care center.

INVESTIGATION: Taylor Brown informed me that bottles are premade and labeled. This expectation has been explained to both parents and staff. She has no knowledge of staff mixing formula and does not think formula is stored in the infant room.

Jessica Damer stated that parents typically bring in ready to feed bottles, however, staff have prepared bottles with formula provided by the parent or found in the infant classroom. One parent used to only bring in one prepared bottle and staff would have to clean the bottle and prepare additional bottles when the child was hungry. According to Ms. Damer staff would follow the directions printed on the formula can to make sure they were preparing it correctly.

Kristin Launius said that parents make bottles and bring them to the center, however, there was one parent that occasionally did not bring enough. Staff found an unopened can of formula in the classroom and would occasionally prepare bottles for the child. This is no longer an issue as the child is now eating solid foods.

Child A's Mother informed me that parents mix the formula at home and bring ready to feed bottles to the child care center.

Child B's Mother stated that Child B was not enrolled at KinderCare until he was one years old. Child B's Mother did not breastfeed or send bottles to the center.

Child C's Mother sent breast milk in ready to feed bottles for Child C.

APPLICABLE RULE	
R 400.8335	Food services and nutrition; provided by center.
	(5) Formula must be commercially prepared and ready-to-feed.

ANALYSIS:	Formula was stored at the child care center. Staff occasionally prepared bottles for children when a parent did not supply enough for their child.
CONCLUSION:	VIOLATION ESTABLISHED

APPLICABLE RULE	
R 400.8340	Food services and nutrition; provided by parents.
	(2) Breast milk, formula, milk, or other beverages provided in a same-day supply must be furnished daily in either of the following: (a) Clean, sanitary, ready-to-feed bottles or beverage containers.
ANALYSIS:	Parents are required to prepare bottles at home and furnish the center ready to feed bottles for their child.
CONCLUSION:	VIOLATION NOT ESTABLISHED

III. RECOMMENDATION

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

7/12/2022

Rebecca Wagster
Licensing Consultant

Date

Approved By:

7/12/2022

Yolanda Sims
Area Manager

Date

