

STATE OF MICHIGAN  
DEPARTMENT OF HUMAN SERVICES  
BUREAU OF CHILDREN AND ADULT LICENSING

In the matter of

License #: DG610313621  
SIR #: 2014D1073007

Michelle Marshall & Carla Conklin  
CJS Playhouse

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Pursuant to the Child Protection Law, MCL 722.627(2), the information contained in this Order of Summary Suspension and Notice of Intent to Revoke is  
**CONFIDENTIAL**

ORDER OF SUMMARY SUSPENSION  
AND NOTICE OF INTENT TO REVOKE LICENSE

The Michigan Department of Human Services, by Jerry Hendrick, Director, Child Care Licensing Division, Bureau of Children and Adult Licensing, Orders the Summary Suspension and provides notice of the intent to revoke the license of Licensees, Michelle Marshall & Carla Conklin, to operate a group child care home pursuant to the authority of the Child Care Organizations Act, 1973 PA 116, as amended, MCL 722.111 et seq., for the following reasons:

1. On or about September 10, 2012, Licensees were issued a license to operate a group child care home with a licensed capacity of 12 at 4445 South Virginia Drive, Muskegon, MI 49444.
2. On March 7, 2013, Licensing Consultant Debra Purdom completed a Licensing Study Report and cited Licensees for violating licensing rules R 400.1907(1)(a) and R 400.1941(2). Several child information cards were missing required information, and clothing was stored within four feet of the furnace. Licensees

submitted an acceptable corrective action plan on March 6, 2013, to show compliance with the cited licensing rule violations.

3. On July 31, 2014, emergency personnel responded to Licensees' home due to Child D (F, age one year) suffering a seizure. Licensees failed to report this incident to the Department within 24 hours, as required.
4. On August 4, 2014, Licensing Consultant Tarah Kline received complaint allegations that children in Licensees' care were walking down the road unsupervised towards an intersection. The children were found by a neighbor and returned to the child care home.
5. On August 4, 2014, Ms. Kline spoke with DHS Worker Amanda Wincheski who stated that Jessica Sherry moved into Licensees' home with her two children, Minor Household Member 1 (MHM1; M, DOB 06/10/09) and Minor Household Member 2 (MHM2; M, DOB 05/03/12), about a month ago. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]
6. On August 5, 2014, Ms. Kline and DHS Worker Jenifer Leon conducted an unannounced inspection of Licensees' home. During this inspection Ms. Kline substantiated the following licensing rule violations:
  - a. Licensees were unable to provide an explanation as to how MHM1 and MHM2 were able to walk towards the intersection unsupervised. Ms.

Conklin later stated that another child was with MHM1 and MHM2 but when asked for clarification she recanted and stated only MHM1 and MHM2 had walked away from her home;

- b. During this inspection Licensees admitted that Ms. Sherry and MHM1 and MHM2 live in their home. Licensees failed to report this household composition change to the department within seven days;
- c. Ms. Kline and Ms. Leon interviewed Ms. Sherry who admitted that she was living in Licensees' home when MHM1 and MHM2 walked unsupervised towards the intersection. She further stated that when MHM1 and MHM2 walked towards the intersection she thought they were being supervised by Ms. Conklin and Minor Household Member 3 (MHM 3; F, DOB 11/07/02).
- d. When Ms. Kline interviewed Licensees regarding Child D's seizure that occurred on July 31, 2014, Licensees were unable to provide the location of Child D when the seizure occurred or any proof that Child D was properly supervised;
- e. Licensees admitted that they had not provided written notification of Child D's illness to the department within 72 hours of the incident, as required;
- f. When asked if they had made a verbal report of Child D's seizure to the department within 24 hours of the incident, as required, Carla Conklin stated that she "thought" she had called Ms. Purdom;
- g. Ms. Kline compared the attendance log with the child information cards for the enrolled children and discovered that eight of the 17 children were

missing child information cards. Of the reviewed cards one was missing father information, two were missing date of admission, and two were missing allergy information;

- h. Licensees took Ms. Kline and Ms. Leon to the basement of the home, leaving Emily Shreve and Megan Cisler in charge of caring for the child care children. Ms. Kline asked for the assistant caregiver paperwork for Ms. Shreve and Ms. Cisler but Carla Conklin stated that she did not have any paperwork for either since they had just begun their employment;
  - i. While in the basement minimal flooring was observed due to stacks of clothes, papers, boxes and garbage being stacked up. There were also flies and fruit flies observed. The furnace and water heater are located in the basement and clothing, boxes, cleaning supplies and other miscellaneous items were observed within four feet of the flame producing equipment.
7. On August 5, 2014, Ms. Kline spoke with Ms. Purdom who confirmed that she never received a verbal notification from Licensees of Child D's seizure.
8. On August 13, 2014, Ms. Kline and Ms. Leon spoke with Private Citizen 1 who brought MHM1, MHM2 and MHM3 from the intersection back to Licensees' home. Private Citizen 1 stated that her mother, Private Citizen 2, noticed the children walking towards the intersection. Private Citizen 1 saw two boys and one girl and one of the boys dressed only in a diaper and appeared to be two years old.

9. On August 13, 2014, Ms. Kline and Ms. Leon interviewed Officer Hunt of the Fruitport Police Department. Officer Hunt was the officer who arrived at Licensees' home on July 31, 2014, in response to Child D suffering a seizure. Officer Hunt stated that when he arrived at Licensees' home there were unattended children in the home along with boxes, food, garbage and paper all stacked up around the house making it very difficult to respond promptly to the medical emergency.
10. On August 13, 2014, Ms. Kline and Ms. Leon arrived at Licensees' home and noticed that Sherry Wagonmaker was at the home providing care to children. Ms. Conklin stated that she did not have a file containing any of the required assistant caregiver documentation for Ms. Wagonmaker.
11. On August 15, 2014, Ms. Kline and Ms. Leon spoke with Private Citizen 2 who verified that she witnessed MHM1, MHM2 and MHM3 walking down the street with no supervision. She verified that she saw two boys and one girl.
12. On August 29, 2014, Ms. Kline interviewed Private Citizen 3, a parent who was considering Licensees' home for child care. Private Citizen 3 stated that she arrived at Licensees' home ten minutes early for a scheduled appointment. When she arrived a child answered the door and let her into the home. Ms. Marshall provided a tour of the home and during this tour Private Citizen 3 observed five to six children sitting in front of the television covered in pudding from head to toe. The floor was full of dirt and grime, counters were covered in boxes, dirty dishes were overflowing on to the counters and sink and there were boxes stacked in the play area. As Private Citizen 3 and Ms. Marshall walked

through the mud room to go to the backyard Private Citizen 3 observed dog feces all over the floor. Ms. Marshall showed her the backyard play area and Private Citizen 3 observed several piles of dog feces.

13. On August 29, 2014, Ms. Kline and Ms. Leon conducted an additional on-site inspection of Licensees' home and observed popcorn all over the playroom floor with child care children present. When asked to explain, Ms. Marshall stated that the children had a popcorn fight the previous day and it had not been cleaned up yet. During this on-site inspection and the on-site inspection that occurred on August 5, 2014, Ms. Kline and Ms. Leon observed garbage overflowing out of the garbage can placed in front of the home with several flies and flying insects landing on the trash and children's car seats that were stacked in front of the home. When Ms. Kline and Ms. Leon entered the home they observed the floor to be very dirty throughout the kitchen area. Additionally, there were dirty dishes and stacks of papers and boxes on the table and next to the table. The playroom where the child care children were playing was messy with toys and dishes and the furniture in the playroom had several stains and tears.

#### COUNT I

The conduct of [REDACTED] as evidenced in paragraph 5 above, provides grounds for revocation of licensure pursuant to:

**MCL 722.119(3) Child care organization; presence of certain individuals prohibited; conditions; unsupervised contact by certain individuals prohibited; conditions; documentation that individuals not named in central registry; policy regarding supervision of volunteers; children's camps or campsites. ... If an updated central registry clearance documents that a licensee, registrant, adult household member, licensee**

designee, chief administrator, staff member, or unsupervised volunteer is named as a perpetrator in a central registry case, he or she may not be present in the child care organization . . .

#### COUNT II

The conduct of Licensees, as set forth in paragraphs 3 through 13 above, evidences a violation of:

- R400.1902(2) Caregiver and child care home family.**  
(2) An applicant or the caregiver shall be of responsible character and shall be suitable and able to meet the needs of children and provide for their care, supervision, and protection.

#### COUNT III

The conduct of Licensees, as set forth in paragraphs 5 & 6(b) above, evidences a violation of:

- R400.1902(3) Caregiver and child care home family.**  
(3) All persons, including minors, residing in the child care home shall be of good moral character and be suitable to assure the welfare of children.

#### COUNT IV

The conduct of Licensees, as set forth in paragraphs 5 & 6(b) above, evidences a violation of:

- R400.1903(1)(h) Caregiver responsibilities.**  
(1) A caregiver shall be responsible for all of the following provisions:  
(h) Report to the department, within 7 working days, any changes in the household composition or when any new or existing member of the household has any of the following:  
(ii) Involvement in substantiated abuse or neglect of children.

COUNT V

The conduct of Licensees, as set forth in paragraphs 6(h) & 10 above, evidences a violation of:

**R400.1903(5)**

**Caregiver responsibilities.**

(5) The caregiver shall assure that all assistant caregivers shall be of good moral character and be suitable to assure the welfare of children.

COUNT VI

The conduct of Licensees, as set forth in paragraph 6(i) above, evidences a violation of:

**R400.1941(2)**

**Heat-producing equipment.**

(2) Combustible materials and equipment shall not be stored within 4 feet of furnaces, other flame or heat-producing equipment, or fuel-fired water heaters.

[Note: By this reference paragraph 2 is incorporated into this count for the purpose of demonstrating a willful and substantial violation of the above rule.]

COUNT VII

The conduct of Licensees, as set forth in paragraphs 4, 6(a), 6(c), 8, 11 & 12 above, evidences a violation of:

**R400.1911(1)**

**Supervision.**

(1) The caregiver shall assure appropriate care and supervision of children at all times.

COUNT VIII

The conduct of Licensees, as set forth in paragraphs 6(i), 12 & 13 above, evidences a violation of:

- R400.1932(1) Home maintenance and safety.**  
(1) The structure, premises, and furnishings of a child care home shall be in good repair and maintained in a clean, safe, and comfortable condition.

COUNT IX

The conduct of Licensees, as set forth in paragraphs 6(f) & 7 above, evidences a violation of:

- R400.1962(1) Department notification of injury, accident, illness, death, or fire.**  
(1) The caregiver shall make a verbal report to the department within 24 hours of a serious injury, accident, illness, or medical condition of a child, occurring while a child is in care, which results in emergency medical treatment or hospitalization at a health facility, or which results in a death.

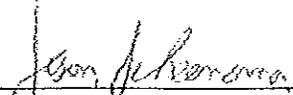
DUE TO THE serious nature of the above violations and the potential risk it represents to vulnerable children in Licensees' care, emergency action is required. Therefore the provision of MCL 24.292 of the Administrative Procedures Act of 1969, as amended, is invoked. Licensees are hereby notified that the license to operate a group child care home is summarily suspended.

EFFECTIVE 6:00 p.m., on September 11, 2014, Licensees are ordered not to operate a group child care home at 4445 South Virginia Drive, Muskegon, MI 49444, or at any other location or address. Licensees are not to receive children for care after that time or date. Licensees are responsible for informing parents or guardians of children in care that license has been suspended and that Licensees can no longer provide care.

HOWEVER, BECAUSE THE Department has summarily suspended Licensees' license, an administrative hearing will be scheduled before an Administrative Law Judge. Licensees will be notified of the hearing date.

Licensees MUST NOTIFY the Department in writing or by phone no later than 5 days before the administrative hearing whether or not Licensees plan to attend. MCL 24.272 of the Administrative Procedures Act of 1969 permits the Department to proceed with the administrative hearing even if Licensees do not appear. Licensees may be represented by an attorney at the administrative hearing.

DATED: 9-11-14

 for Steve Yager  
Steve Yager, Director  
Children's Services Administration  
Department of Human Services

This is the last and final page of the ORDER OF SUMMARY SUSPENSION AND NOTICE OF INTENT in the matter of Michelle Marshall & Carla Conklin, DG610313621, consisting of 10 pages, this page included.

JNH