

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF COMMUNITY AND HEALTH SYSTEMS

In the matter of

License #: DC820337189
SIR #: 2019D0934003

Jade Child Development Center, Inc.

ORDER OF SUMMARY SUSPENSION
AND NOTICE OF INTENT TO REVOKE LICENSE

The Michigan Department of Licensing and Regulatory Affairs, by Mark C. Jansen, Division Director, Child Care Licensing Division, Bureau of Community and Health Systems, hereafter referred to as "the Bureau," orders the summary suspension and provides notice of the intent to revoke the license of Licensee, Jade Child Development Center, Inc., to operate a child care center 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 August 19, 2013, Licensee was issued a license to operate a child care center with a licensed capacity of 110 at 28482 Cherry Hill Road, Garden City, Michigan 48135.
2. Prior to the issuance of the license, and during subsequent modifications of the statutes and rules, Licensee received copies of the Child Care Organizations Act, the licensing rule book for child care centers, and the Child Protection Law.

These rules and statutes are posted and available for download at

www.michigan.gov/lara.

Previous Licensing Violations

3. On May 24, 2017, Licensing Consultant Selika Johnson initiated *Special Investigation #2017D0911018* after the Bureau received a licensing-related complaint and cited Licensee, in part, for failing to provide appropriate care and supervision as required by Rule 400.8125(1). On May 17, 2017, a parent observed Child A, approximately 2 years of age, walking in the hallway unsupervised with his pull-up and pants around his ankles and dragging a step stool.
4. On August 16, 2018, Licensing Consultant Timika Haley initiated *Special Investigation #2018D0918032* after the Bureau received a licensing-related complaint and cited Licensee for failing to provide appropriate care and supervision as required by Rule 400.8125(1). On August 14, 2018, Child C, age 2 years, was injured while at the center leaving a dime-sized mark on his forehead. None of the caregivers provided an explanation for how he was injured.
5. On September 18, 2018, Ms. Haley initiated *Special Investigation #2018D0918035* after the Bureau received a licensing-related complaint and cited Licensee for failing to provide appropriate care and supervision as required by Rule 400.8125(1). On September 11, 2018, a parent dropped off Child D, age 3 years, at the center. While in the parking lot checking her phone, the parent observed Child D wandering in the parking lot without supervision. When the parent returned the child to the center, none of the caregivers were aware that Child D had left the building.

6. On November 15, 2018, Ms. Haley issued *Special Investigation Report #2018D0918035* recommending the issuance of a six-month, first provisional license upon receipt of an acceptable written corrective action plan.

Current Allegations

7. Licensee failed to provide appropriate care and supervision of children at all times as demonstrated by the following:
 - a. On November 9, 2018, sometime between 4:20 p.m. and 4:40 p.m., Caregiver Jasmine Thornton picked Child E (age 5 years) up at his school and transported him, along with eight other children, by bus to the center.
 - b. On November 9, 2018, sometime between 4:20 p.m. and 4:40 p.m., Ms. Thornton entered the center with eight of the nine children that were aboard the bus, leaving Child E unattended on the bus.
 - c. On November 9, 2018, at approximately 5:50 p.m., Child E's Mother arrived at the center to pick up Child E. When she did not see Child E in his classroom, Child E's Mother began asking caregivers at the center where Child E was. Assistant Program Director Vicki Dobbs went outside, checked the bus, and found Child E crying. His pants were soaked with urine, and his coat was open. According to www.accuweather.com, the outside temperature was 39 degrees Fahrenheit.
 - d. On November 10, 2018, Child E's Mother took Child E to the Children's Hospital of Michigan – Emergency Department after he complained that his toes felt cold and itchy. Child E was diagnosed with “frost nipped toes.”

- e. On November 14 and 15, 2018, Licensing Consultant LaTanya Ellington conducted on-site investigations at the center. Licensee did not provide their employee bussing policy that existed on or before November 9, 2018. Licensee did not have training documentation showing that Ms. Thornton receiving training on transporting children. The employee handbook and the new teacher orientation packet did not contain procedures for counting and keeping track of children while transporting. Licensee did not provide documentation verifying that Ms. Thornton received the handbook and orientation packet.
- f. During interviews with Ms. Ellington on November 14 and 15, 2018, Ms. Thornton admitted that she did not double-check the bus for children before she exited the bus. She stated that she had been employed at the center for approximately two weeks prior to the incident with Child E, and she had not been trained on the center's bussing policy.

COUNT I

The conduct of Licensee, as set forth in paragraphs 7(a) through 7(f) above, evidences a willful and substantial violation of:

R 400.8125

(1) All staff and volunteers shall provide appropriate care and supervision of children at all times.

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

EFFECTIVE 6:00 p.m., on November 19, 2018, Licensee is ordered not to operate a child care center at 28482 Cherry Hill Road, Garden City, Michigan 48135, or at any other location or address. Licensee is not to receive children for care after that time or date. Licensee is responsible for informing parents or guardians of children in care that license has been suspended and that Licensee can no longer provide care.

HOWEVER, BECAUSE THE Department has summarily suspended Licensee's license, an administrative hearing will be promptly scheduled before an administrative law judge. Licensee MUST NOTIFY the Department and the Michigan Administrative Hearings System (MAHS) in writing within seven calendar days after receipt of this Notice if Licensee wishes to appeal the summary suspension and attend the administrative hearing. The written request must be submitted via MAIL or FAX to:

Michigan Administrative Hearings System
611 West Ottawa Street, 2nd Floor
P.O. Box 30695
Lansing, Michigan 48909-2484
Phone: 517-335-2484
FAX: 517-335-6088

MCL 24.272 of the Administrative Procedures Act of 1969 permits the Department to proceed with the administrative hearing even if Licensee does not appear. Licensee may be represented by an attorney at the administrative hearing.

DATED:

11/19/18



Mark C. Jansen, Division Director
Child Care Licensing Division
Bureau of Community and Health Systems

This is the last and final page of the ORDER OF SUMMARY SUSPENSION AND NOTICE OF INTENT in the matter of License #DC820337189, consisting of six pages, this page included.

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_____ /

PROOF OF SERVICE

The undersigned certifies that a copy of the Order of Summary Suspension and Notice of Intent was personally served upon the person below on ___ / ___ / ___ at ___:___ a.m. or p.m.

Jade Child Development Center, Inc.
Rhonda Guido, Licensee Designee
28482 Cherry Hill Road
Garden City, MI 48135

Served by:

Child Care Licensing Consultant
Child Care Licensing Division
Bureau of Community and Health Systems