



STATE OF MICHIGAN
DEPARTMENT OF HUMAN SERVICES
LANSING

RICK SNYDER
GOVERNOR

NICK LYON
INTERIM DIRECTOR

February 24, 2015

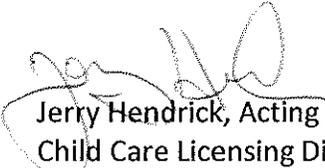
Ms. Debra Poole
The Child Development Center
610 Columbus
Grand Haven, MI 49417

Re: License DC700304611

Dear Ms. Poole:

On or about December 9, 2014, you were certified mailed a copy of the Department of Human Service's Notice of Intent to Revoke your license to operate a child care center. In accordance with that Notice, and because you did not exercise your right of appeal, your license has been revoked effective February 21, 2015. It is further understood that you will not be receiving children for care now, or in the future, unless you are legally licensed to do so.

Sincerely,


Jerry Hendrick, Acting Director
Child Care Licensing Division
Bureau of Children and Adult Licensing

Enclosure.

JH:kam

cc: Yolanda Sims, Licensing Supervisor
Tarah Kline, Licensing Consultant

Certified Mail- Return Receipt Requested.



RICK SNYDER
GOVERNOR

State of Michigan
DEPARTMENT OF HUMAN SERVICES
BUREAU OF CHILDREN AND ADULT LICENSING



MAURA D. CORRIGAN
DIRECTOR

December 16, 2014

Debra Poole
610 Columbus
Grand Haven, MI 49417

License #: DC700304611
SIR #: 2014D1073014

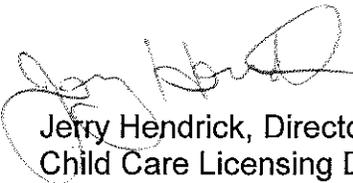
Dear Ms. Poole:

Enclosed is a copy of a NOTICE OF INTENT TO REVOKE YOUR LICENSE to operate a child care center, alleging that you have violated the Child Care Organizations Act. Your options are as follows:

- 1) You may appeal the Notice of Intent and attend a pre-hearing compliance conference. A Notice of Compliance Conference, which provides the date, time, location, and guidelines of the conference, is enclosed.
- 2) You may appeal the Notice of Intent, waive the compliance conference, and proceed directly to an administrative law hearing.
- 3) You may choose not to appeal the Notice of Intent.

If you choose to appeal the Notice of Intent, the Department must receive your WRITTEN APPEAL within 30 days of your receipt of this Notice. If the Department does not receive your written appeal within 30 days of your receipt of this Notice, you will have WAIVED YOUR RIGHT to an administrative law hearing and the proposed action will be final.

Sincerely,



Jerry Hendrick, Director
Child Care Licensing Division
Bureau of Children and Adult Licensing

Enclosures

Cc: Yolanda Sims, Area Manager

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

In the matter of

License #: DC700304611
SIR #: 2014D1073014

Debra Poole

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, provides notice of the intent to revoke the license of Licensee, Debra Poole, 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 November 9, 2009, Licensee was issued a license to operate a child care center, with a current licensed capacity of 54, at 610 Columbus, Grand Haven, MI 49417.
2. On multiple occasions between May and September of 2014, the Licensee used inappropriate methods of verbal and physical discipline towards children in care. This is a repeat violation. In September and October of 2014, Ms. Kline interviewed the Licensee's assistant caregivers and parents of children in care regarding the Licensee's conduct at the child care center. Multiple parents and

caregivers reported that the Licensee's temperament was unsuitable to assure the welfare of children, as evidenced by the following:

- a. On multiple occasions, the Licensee yelled at children in care for making age-appropriate noises. On one occasion, Caregiver 3 observed the Licensee yell at a 6-month-old infant because the child was babbling.
- b. On multiple occasions, Caregiver 2 observed the Licensee yell at children out of frustration. Caregiver 2 indicated that the Licensee did not have age-appropriate expectations for children in care. The Licensee regularly expected 18-month-old children to sit quietly and listen to a story for long periods of time. The Licensee yelled at the toddlers when they did not comply with story time.
- c. On multiple occasions, the Licensee yelled at Caregiver 3 while in the presence of children.
- d. On one occasion, the Licensee yelled at children in Caregiver 4's classroom because the children were laughing too much.
- e. On at least one occasion, the Licensee yelled at Caregiver 4 for holding infants too much and for comforting children when they were crying in their cribs. The Licensee instructed caregivers to allow children less than one year of age to "cry it out" and wait 30 minutes before comforting the infants during nap time.
- f. On more than one occasion, Caregiver 4 observed the Licensee mock young children while they were crying. The Licensee responded to the children's cries by making a "wah...wah..." noise at the children.

- g. On multiple occasions, Caregiver 7 observed the Licensee single out children who she thought were naughty and yelled at these children more often than others. Caregiver 7 disclosed that she ended her employment at the child care center after a short period of time because the Licensee constantly yelled at the staff and the children.
- h. On multiple occasions, Caregiver 5 observed the Licensee expect infants to quietly participate in structured play for an entire day. When the infants were not quiet or became distracted, the Licensee yelled at them.
- i. On one occasion in September or October of 2014, Caregiver 6 observed the Licensee forcefully place Child G (Female, Age 2) onto the toilet because the child was taking too long to use the bathroom.
- j. Parent A, Parent B, Parent E and Grandparent P have each observed the Licensee yelling at caregivers while children were in care.
- k. On multiple occasions, the Licensee yelled at Child H (Male, Age 11). Child H previously reported to Parent H that he was fearful of the Licensee.
- l. On one occasion in September 2014, Parent O arrived at the child care center to pick up Child O (Male, Age 1). When Child O saw his mother he puckered his lips and made a playful, spitting gesture at her. When Parent O mimicked Child O's gesture, the Licensee became upset and stated, "We do not do that here."
- m. On more than one occasion, Caregiver 1 observed the Licensee yell at children to calm down when they were crying. On at least one occasion,

the Licensee forcefully grabbed a crying child by the arm and pulled them into her office.

- n. On one occasion, Child N (Male, Age 3) was displaying behaviors of separation anxiety from his family and was crying in his classroom. At that time, Caregiver 1 observed the Licensee pull Child N out in to the hallway. Child N was made to stand in the hallway alone until he stopped crying.
- o. On one occasion, Caregiver 1 observed the Licensee place Child L (Female, Age 3) in a timeout during outdoor playtime. The Licensee made Child L stand facing a wall. When Child L turned around or talked, the Licensee started Child L's time in timeout over again. On another occasion, Caregiver 6 observed the Licensee place Child W (Male, Age 4) in a timeout facing the wall. When Child W turned around or talked, the Licensee yelled at Child W and started his time over again.
- p. On at least two occasions, Parent Q observed children crying while standing in a timeout on the playground. The Licensee forced the children to touch their noses to a cement wall while in the timeout. During these incidents, the Licensee yelled at the children when they turned their heads. On October 28, 2014, the Licensee admitted to Ms. Kline that she regularly makes children face a wall during a timeout. The Licensee further stated that she pauses a child's time if they turn away from the wall during a timeout. The Licensee reported that she restarts the timer once the child resumes facing the wall.

- q. On one occasion, Caregiver 1 observed the Licensee grab Child L by the arm and force the child run laps around neighboring houses during outdoor play time.
 - r. On one occasion, Caregiver 4 observed the Licensee place Child U (Male, Age 4) in a corner to sleep because the child was talking during naptime. The Licensee then placed a crib over the top portion of Child U's body and placed another crib adjacent to the first crib to prevent the child from sitting up or moving.
3. On one occasion, during the last week of July 2014, the Licensee took child care children on a field trip to the Coast Guard Festival in Grand Haven, Michigan. During the field trip, Child M (Male, Age 2) began to exhibit behavioral problems. The Licensee became upset and yelled at Child M. The Licensee then left the field trip with Child M and transported the child to her residence. The Licensee failed to obtain permission from Child M's parents to take Child M home with her. Parent M was unaware that the Licensee took Child M to her residence until an assistant caregiver informed Parent M of the incident several days later.
 4. On more than one occasion during September 2014, the Licensee failed to maintain the rule-required, caregiver-to-child ratio of one caregiver per four infants and toddlers. On these occasions, the Licensee was providing care to five infants with one additional caregiver. The Licensee left the room if one child fell asleep, leaving one staff person as the sole caregiver for five children.
 5. On September 24, 2014, the Licensee had a surgical procedure completed at a local hospital. Following the procedure, the Licensee sent several text messages

to Caregiver 1. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

6. On September 24, 2014, Caregiver 1 was working at the child care center when she received the text messages from the Licensee. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

7. On October 22, 2014, Ms. Kline reviewed child information cards at the Licensee's child care center. 22 of the 29 child information cards reviewed were missing information including allergies; parental contact information; children's addresses and physician information.

8. The Licensee lacks responsible character and suitability to assure the care, supervision, and protection of children, as demonstrated by her licensing history and repeated noncompliance with child care licensing rules. The Licensee has been cited for inappropriate methods of discipline during two previous special investigations, including the following:

a. On August 2, 2014, Licensing Consultant Lindsay Sichta initiated a special investigation of the Licensee's child care center (SIR #2012D1074011).

Ms. Sichta cited the Licensee for the following three rule violations:

i. On multiple occasions, the Licensee grabbed the wrists of children in care in order to place them in a timeout, in violation of R 400.5107(1) and (2)(a).

ii. On multiple occasions, the Licensee placed her hand over children's mouths to quiet them, in violation of R 400.5107(1).

iii. On more than one occasion, the Licensee withheld lunch from infants and toddlers when the children were fussy, in violation of R 400.5107(2)(b). On another occasion, the Licensee withheld lunch from a 20-month-old child because the toddler refused to use sign language for the word "please."

b. On September 25, 2012, the Licensee submitted a written corrective action plan to address the rule violations cited during Ms. Sichta's special investigation. In this corrective action plan, the Licensee stated that she implemented new policies with staff regarding the discipline of children in care.

c. On January 28, 2014, Licensing Consultant Debra Purdom initiated a special investigation of the Licensee's child care center (SIR #2014D1093005). Ms. Purdom cited the Licensee for the following rule violations:

- i. On January 21, 2014, the Licensee yelled at a group of two-year-old children in care. The Licensee made the children quietly and did not allow them to move for approximately 20 minutes. As the Licensee yelled at the toddlers, several of them became upset and began to cry, in violation of R 400.8125. At one point during the incident, the Licensee stated to a child, "I don't care what you want. You need to sit down." This conduct is also a violation of R 400.5107(1).
 - ii. On multiple occasions, the Licensee interacted with children in a negative manner. The Licensee also treated several children unfairly based on her own negative personal feelings towards the child, in violation of R 400.8125.
 - iii. On January 30, 2014, the Licensee failed to maintain the rule-required, caregiver-to-child ratio of one caregiver per four children, in violation of R 400.8182(8).
- d. On May 11, 2014, the Licensee submitted a written corrective action plan to address the rule violations cited during Ms. Purdom's special investigation. In this corrective action plan, the Licensee stated, in part, "Ms. Poole will make sure that she doesn't interact with children in a negative manner. This will be achieved by a conscious choice by Ms. Poole. This emphasis will be implemented immediately." The Licensee also stated that she would attend counseling and reduce her work hours to decrease her stress level.

- e. Due to the severity of the rule violations cited during Ms. Purdom's special investigation the Licensee was issued a first provisional license on May 13, 2014. The Licensee's child care center license remains at a first provisional status.
9. The Licensee also holds a license to operate a children's foster home (License #CF700299808). The Bureau of Children and Adult Licensing (BCAL) issued the Licensee's foster home license on July 14, 2009. Due to the violations found regarding the Licensee's suitability to meet the needs of children, BCAL issued a *Notice of Intent to Revoke* the Licensee's foster home license on December 16, 2014.

COUNT I

The conduct of the Licensee, as set forth in paragraphs 2 through 6 and 8 above, evidences a violation of:

R 400.8110

Licensee.

- (1) The licensee shall do all of the following:
 - (b) Be suitable to meet the needs of children.

COUNT II

The conduct of the Licensee, as set forth in paragraphs 2 through 4 above, evidences a violation of:

R 400.8125

Staff and Volunteers.

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

[NOTE: This is a repeat violation as referenced in paragraph 8(c) of this Notice.]

COUNT III

The conduct of the Licensee, as set forth in paragraphs 2 and 3 above, evidences a violation of:

R 400.8140

Discipline.

(1) Positive methods of discipline that encourage self-control, self-direction, self-esteem, and cooperation shall be used.

[NOTE: This is a repeat violation as referenced in paragraphs 8(a) and 8(c) of this Notice.]

COUNT IV

The conduct of the Licensee, as set forth in paragraphs 2 and 3 above, evidences a violation of:

R 400.8140

Discipline.

- (2) All of the following means of punishment shall be prohibited:
- (a) Hitting, spanking, shaking, biting, pinching, or inflicting other forms of corporal punishment.
 - (b) Restricting a child's movement by binding or tying him or her.

- (c) Inflicting mental or emotional punishment, such as humiliating, shaming, or threatening a child.
- (e) Excluding a child from outdoor play or other gross motor activities.
- (f) Excluding a child from daily learning experiences.
- (g) Confining a child in an enclosed area, such as a closet, locked room, box, or similar cubicle.

[NOTE: This is a repeat violation as referenced in paragraphs 8(a) and 8(c) of this Notice.]

COUNT V

The conduct of the Licensee, as set forth in paragraph 4 above, evidences a violation of:

R 400.8182

Ratio and group size requirements.

(3) In each room or well-defined space, the maximum group size and ratio of caregivers to children, including children related to a staff member or the licensee, shall be the following:

- (a) For infants and toddlers, there shall be 1 caregiver for 4 children and a maximum group size of 12.

[NOTE: This is a repeat violation as referenced in paragraph 8(c) of this Notice.]

COUNT VI

The conduct of the Licensee, as set forth in paragraph 3 above, evidences a violation of:

R 400.8149

Parent permission for transportation.

(2) Parent's written permission for any transportation not considered routine shall be obtained before each trip.

COUNT VII

The conduct of the Licensee, as set forth in paragraph 7 above, evidences a violation of:

R 400.8143 Children's records.

(1) At the time of the child's initial attendance, the center shall obtain a child information card, using a form provided by the department or a comparable substitute, completed and signed by the parent, and the center shall keep it on file and accessible in the center.

NOTICE IS GIVEN that, Licensee is offered the opportunity to show compliance with all lawful requirements for retention of the license. If Licensee appeals the Notice of Intent and compliance is not shown, formal proceedings will be commenced pursuant to the Child Care Organizations Act, 1973 PA 116, as amended, MCL 722.111 et seq., rules promulgated thereunder, and the Administrative Procedures Act, 1969 PA 306, as amended; MCL 24.201 et seq. Should formal proceedings commence, you have the right to attorney representation at your own expense.

LICENSEE IS NOTIFIED that pursuant to MCL 722.121(2) of the Child Care Organizations Act, Licensee has 30 days from the date of receipt of the Notice of Intent to file a written appeal of the proposed action. The appeal shall be addressed to Kelly Maltby, Departmental Analyst, Bureau of Children and Adult Licensing, Michigan Department of Human Services. Your written appeal must include your name and license number, and must be submitted using one of the following methods:

- Mail your written appeal to the Bureau of Children and Adult Licensing, P.O. Box 30650, Lansing, MI 48909. You should obtain some type of delivery confirmation to verify delivery;
- Fax your written appeal to the Bureau of Children and Adult Licensing at (517) 284-9709. You should keep a copy of your fax confirmation as proof of submittal; or
- Email your written appeal to DAUappeals@Michigan.gov. You should keep a copy of the sent email as proof of submittal.

LICENSEE IS FURTHER NOTIFIED that failure to file a written appeal of this action within 30 days will result in revocation of the license.

DATED: 12/16/2014



Jerry Hendrick, Director
Child Care Licensing Division
Bureau of Children and Adult Licensing

This is the last and final page of a NOTICE OF INTENT in the matter of Debra Poole, DC700304611, consisting of 13 pages, this page included.

KMM

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

In the matter of

License #: DC700304611
SIR #: 2014D1073014

Debra Poole

NOTICE OF COMPLIANCE CONFERENCE

Date: Wednesday, February 11, 2015

Time: 1 p.m. to 3 p.m.

Location: BCAL Grand Rapids office, 350 Ottawa, NW, Unit #15, 7th floor, BCAL Kent East conference room, Grand Rapids, MI 49503

Pursuant to the Administrative Procedures Act, MCL 24.292(1), you are afforded the opportunity to attend an informal compliance conference. The purpose of the compliance conference is to allow you to show that you were in compliance with the Child Care Organizations Act and the licensing rules promulgated thereunder. You have the right, at your expense, to have an attorney represent you at the compliance conference. You may also bring **one** support person to the compliance conference.

To enable a thorough discussion of the Notice of Intent at the compliance conference, please bring any documents, pictures, etc. that you would like the Department to consider. You may also submit documents to the Department prior to the compliance conference by emailing them to DAUappeals@Michigan.gov.

If you are unable to attend the compliance conference at the scheduled date and time, you may request, in writing, that the Department change the date and/or time. The Department will make all reasonable attempts to accommodate your request, but will not reschedule the compliance conference to a date more than 10 days after the scheduled date. If you promptly notify the Department of your inability to attend the compliance conference as scheduled, the Department may be able to schedule the compliance conference to a date earlier than originally scheduled.

If you are unable to show that you were in compliance with the Child Care Organizations Act and licensing rules, and a resolution cannot be reached, the

Department will forward the matter to the Michigan Administrative Hearing System for the scheduling of a formal administrative hearing. The Michigan Administrative Hearing System will subsequently notify you of the date, time, and location of the administrative hearing.

All Department meetings and hearings are conducted in compliance with the Americans with Disabilities Act in buildings that accommodate mobility-impaired individuals and have accessible parking. If you require additional accommodations to participate in the compliance conference, please notify the Department at least one week in advance to make the necessary arrangements.

Please direct all written communications regarding the compliance conference or administrative hearing, including your license number, to the individual listed below:

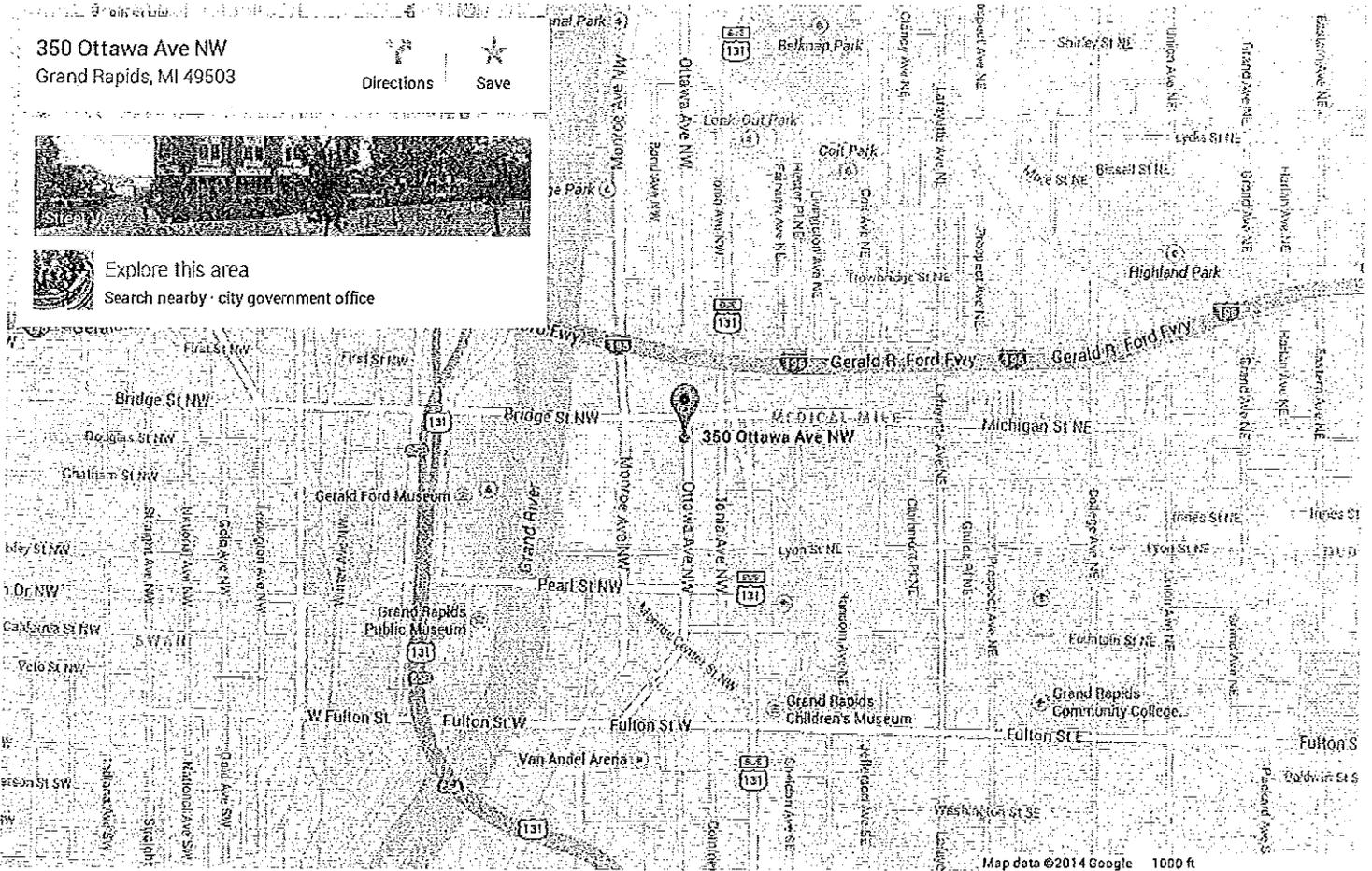
Kelly Maltby, Departmental Analyst
Disciplinary Action Unit
Bureau of Children and Adult Licensing
Michigan Department of Human Services
Victor Office Center
201 North Washington Square, 4th Floor
P.O. Box 30650
Lansing, MI 48909-8150

350 Ottawa Ave NW
Grand Rapids, MI 49503

Directions Save



Explore this area
Search nearby · city government office



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

In the matter of

License #: DC700304611
SIR #: 2014D1073014

Debra Poole

PROOF OF SERVICE

The undersigned certifies that a copy of a Notice of Intent to revoke the license in the above matter was served upon the following persons by mailing the same to them at their address of record by certified mail on January 6, 2015.

Debra Poole
610 Columbus
Grand Haven, MI 49417



Kristine Manion, Secretary
Bureau of Children and Adult Licensing