



RICK SNYDER
GOVERNOR

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

MIKE ZIMMER
DIRECTOR

October 14, 2015

Sandra Curtis
3730 Portage Road
Kalamazoo, MI 49001

RE: DF390282760

Dear Ms. Curtis:

On or about August 24, 2015 you were certified mailed a copy of the Department's Notice of Intent to revoke your license to operate a family child care home. In accordance with that notice, and because you did not exercise your right of appeal, your license will not be renewed and is now revoked, effective September 30, 2015. It is further understood that you will not receive children for care, now or in the future, without being legally licensed

Sincerely,

A handwritten signature in cursive script that reads "Mark C. Jansen".

Mark Jansen, Director
Child Care Licensing Division

MJ: sb

Enclosure

cc: Yolanda Sims, Area Manager



RICK SNYDER
GOVERNOR

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

MIKE ZIMMER
DIRECTOR

August 24, 2015

Sandra Curtis
3730 Portage Street
Kalamazoo, MI 49001

License #: DF390282760
SIR #: 2015D0216018

Dear Ms. Curtis:

Enclosed is a copy of a NOTICE OF INTENT TO REVOKE YOUR CERTIFICATE OF REGISTRATION to operate a family child care home, 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,

A handwritten signature in black ink that reads "Mark C. Jansen".

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

Enclosures

Cc: Yolanda Sims, Area Manager

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

In the matter of
Sandra Curtis

License #: DF390282760
SIR #: 2015D0216018

NOTICE OF INTENT TO
REVOKE CERTIFICATE OF REGISTRATION

Attention: Profane language quoted throughout this NOI

The Michigan Department of Licensing and Regulatory Affairs, by Mark C. Jansen, Division Director, Child Care Licensing Division, Bureau of Community and Health Systems, provides notice of the intent to revoke the certificate of registration of Registrant, Sandra Curtis, to operate a family 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 May 3, 2006, Registrant was issued a certificate of registration to operate a family child care home, with a current registered capacity of 6, at 3730 Portage Street, Kalamazoo, MI 49001.

Previous Licensing Rule Violations

2. On June 26, 2009, Licensing Consultant Sarah Rathburn completed a licensing renewal inspection at Registrant's home and cited Registrant with nine licensing rule violations, including R 400.1907(1)(a) and R 400.1932(2). R 400.1907(1)(a) was cited when Ms. Rathburn reviewed all six child information cards and all six were

incomplete. R 400.1932(2) was cited when Ms. Rathburn observed cleanser, mouthwash, Raid, plastic garbage bags, gallon size plastic bags, nails, screws and other small items within reach of child care children. On July 9, 2009, Registrant submitted an acceptable Corrective Action Plan (CAP) to show compliance with the cited licensing rule violations.

3. On May 12, 2011, Ms. Rathburn completed Special Investigation Report (SIR) #2011D0268017 and cited Registrant with six licensing rule violations, including R 400.1907(1)(a). Ms. Rathburn observed that eight of ten child information cards were incomplete. On May 19, 2011, Registrant submitted an acceptable CAP to show compliance with the cited licensing rule violations.
4. On October 1, 2014, Licensing Consultant Rebecca Wagster completed SIR #2014D0401017 and cited Registrant with nine licensing rule violations, including R 400.1915(2) and R 400.1932(2). R 400.1915(2) was cited due to Registrant admitting on two separate occasions that she has allowed child care children to sleep on the second floor of her home. The second floor of her home is not approved for child care. R 400.1932(2) was cited due to an ashtray filled with cigarette butts and a lighter were found on the living room couch, a bag of loose tobacco on the living room floor and Registrant's admission that she rolls cigarettes in front of child care children. On October 20, 2014, Registrant submitted an acceptable CAP to show compliance with the cited licensing rule violations.
5. On December 17, 2014, Licensing Consultant Carrie Harris completed an on-site inspection of Registrant's home and cited Registrant with two licensing rule violations, including R 400.1932(2), which was cited due to Ms. Harris observing a bag of

menthol tobacco lying on the couch within reach of child care children. Registrant submitted an acceptable CAP to show compliance with the cited licensing rule violations.

Current Licensing Rule Violations

6. On June 2, 2015, Ms. Harris and Department of Health and Human Services Worker Darrah Dorman made an unannounced inspection of Registrant's home. Upon their entrance Ms. Harris smelled a strong cigarette odor and observed a cigarette lighter on the couch within reach of child care children. Ms. Harris and Ms. Dorman observed Child A (DOB 12/29/13), Child B (DOB 01/04/12), Child C (DOB 04/04/13) and Child D (DOB 06/20/11) in a small room near the living room. There was a gate in the doorway which isolated the child care children to the room and the child care children were crying to be let out. Ms. Dorman asked Registrant if she should attend to the crying child care children and Registrant took the gate down and returned to the couch. Child A and Child C continued to cry and Ms. Dorman observed that Child C's diaper was urine soaked. Ms. Harris attempted to explain diapering procedures to Registrant and Registrant replied that the investigation is "bullshit."
7. Ms. Dorman asked Registrant if she could provide the names and contact information for child care children in care. Registrant, in the presence of child care children, raised her voice and stated "This is bullshit" and that she did not need to provide this information. Registrant was asked to provide child information cards but she was only able to retrieve the child information cards for some of the child care children. Ms. Harris took a photograph of the daily attendance record and she observed that the attendance record failed to list the last names of any of the child care children in

care. Also, only the nickname of Child A was listed. Ms. Harris requested to inspect the second floor of Registrant's home due to allegations that she uses the area, which is an unapproved child care space, for child care use. Registrant became angry and initially refused to cooperate, stating that she is entitled to her personal space. After Ms. Harris instructed her that licensing rules require that every area of the home needs to be maintained in a clean, safe environment Registrant allowed the second floor to be inspected but stated that she "shouldn't have to." Ms. Harris observed two pack-n-plays, a rocking chair and a few toys in one of the bedrooms. At the conclusion of their inspection Ms. Harris observed that two electrical outlets in the living room did not have safety covers and in the dining room she observed that three electric outlets were missing safety covers. Ms. Harris also observed a bottle of window cleaner within reach of the child care children in the dining room.

8. On June 3, 2015, Ms. Harris reviewed the June 2, 2015, attendance record more closely and observed that Child C was not listed on the attendance record and had not been signed in or out, despite the fact that Child C was present during the June 2, 2015, inspection. The attendance records for Child D and Child F (DOB 05/13/06) did not include the dates of care. Registrant did not provide Ms. Harris with a copy of Child F's child information card.
9. On June 23, 2015, Ms. Harris spoke to Child C's Aunt who said that she has arrived at Registrant's home and she would see Child F on the main level of the home watching television while Registrant was upstairs with Child C. Child C's Aunt admitted that she has seen Registrant smoking a cigarette in front of child care children and she has observed an ash tray on the table next to her in the living room.

Child C's Aunt stated that she is searching for a different child care provider due to the following concerns: Registrant keeps the child care children in the back room while Registrant sits on the couch and watches television; Child C has come home multiple times with bite marks on her; she has heard Registrant say to another parent in front of a child "That kid just gets on my nerves" after the child asked her a question.

10. On June 23, 2015, Ms. Harris spoke with Child D's Mother who stated that on several occasions she has brought Child D to Registrant's home and there would be child care children on the upper level of the home while other child care children were sleeping on the main level of the home. Additionally, Child D's Mother has observed a household member, who is not an approved assistant caregiver, supervising Child D while Registrant was on the upper level of the home sleeping. Child D's Mother confirmed that she has witnessed Registrant smoking cigarettes in the living room while child care children were in the back bedroom with the baby gate up to contain the child care children; she has seen Registrant smoking in her bedroom upstairs while the child care children were in another room watching television; she has seen an ashtray on the couch while Registrant rolls cigarettes while child care children were in the same room; Child D has come home frequently smelling like cigarette smoke. Child D has come home with urine soaked diapers and another time Child D's underwear was filled with dried feces.

11. On June 23, 2015, Ms. Harris spoke with Child A & B's Father who confirmed that he has witnessed Registrant place child care children in a room with the baby gate up

while she smokes cigarettes and rolls cigarettes in the living room. Child A & B's Father stated that Child A and Child B come home smelling like cigarette smoke.

12. On June 24, 2015, Ms. Harris spoke with Child E's Mother who stated that Registrant has taken child care children to the upstairs playroom. Child E's Mother has witnessed Registrant smoking cigarettes in front of the child care children and has witnessed child care children placed in the gated back room. Child E's Mother has also heard Registrant make the following comments about the child care children: "I can't stand them," "I hate them" and she referred to Child E, who has a developmental problem, as "really slow" a few times.

COUNT I

The conduct of Registrant, as set forth in paragraphs 6, 7, & 10 through 12 above, evidences a violation of:

- R400.1932(2) Home maintenance and safety.**
(2) All dangerous and hazardous materials or items shall be stored securely and out of the reach of children.

[**Note:** By this reference paragraphs 2, 4 & 5 are included in this count for the purpose of demonstrating a willful and substantial violation of the above cited rule.]

COUNT II

The conduct of Registrant, as set forth in paragraphs 7, 9, 10 & 12 above, evidences a violation of:

- R400.1915(2) Indoor space; play equipment and materials.**
(2) Only space that has received prior approval for child use by the department may be used for child care.

[**Note:** By this reference paragraph 4 is included in this count for the purpose of demonstrating a willful and substantial violation of the above cited rule.]

COUNT III

The conduct of Registrant, as set forth in paragraphs 7 & 8 above, evidences a violation of:

R400.1907(1)(a) Children's records.

- (1) Prior to initial attendance, the caregiver shall obtain the following documents:
 - (a) A completed child information card on a form provide by the department or a comparable substitute approved by the department.

[**Note:** By this reference paragraphs 2 & 3 are included in this count for the purpose of demonstrating a willful and substantial violation of the above cited rule.]

COUNT IV

The conduct of Registrant, as set forth in paragraphs 6 & 9 through 12 above, evidences a violation of:

R400.1913(3)(e) Discipline and child handling.

- (3) Caregiving staff shall not do any of the following:
 - (e) Confine a child in an enclosed area such as a closet, locked room, box, or similar cubicle.

COUNT V

The conduct of Registrant, as set forth in paragraph 6 above, evidences a violation of:

R400.1914(1)(b) Daily activity program.

- (1) Caregiving staff shall engage in positive interactions with children. For infants and toddler, interactions may include, but not be limited to, the following:
 - (b) Promptly responding to a child's cries and other signs of distress.

COUNT VI

The conduct of Registrant, as set forth in paragraphs 6, 8 & 10 through 12 above, evidences a violation of:

- R400.1903(8)(a) Caregiver responsibilities.**
(8) The caregiver shall do both of the following:
(a) Assure that smoking does not occur in the child care home and on the premises while children are in care.

COUNT VII

The conduct of Registrant, as set forth in paragraphs 6, 7, 9 & 12 above, evidences a violation of:

- R400.1913(3)(c) Discipline and child handling.**
(3) Caregiving staff shall not do any of the following:
(c) Inflict mental or emotional stress, such as humiliating, shaming, threatening a child, or using derogatory remarks.

COUNT VIII

The conduct of Registrant, as set forth in paragraphs 6 through 12 above, evidences a violation of:

- R400.1911(1) Supervision.**
(1) The caregiver shall assure appropriate care and supervision of children at all times.

NOTICE IS GIVEN that, Registrant is offered the opportunity to show compliance with all lawful requirements for retention of the certificate of registration. If Registrant 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.

REGISTRANT IS NOTIFIED that pursuant to MCL 722.121(2) of the Child Care Organizations Act, Registrant 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 Joshua Hargrove, Departmental Analyst, Bureau of Community and Health Systems, Michigan Department of Licensing and Regulatory Affairs. 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 Community and Health Systems, P.O. Box 30664, Lansing, MI 48909. You should obtain some type of delivery confirmation to verify delivery;
- Fax your written appeal to the Bureau of Community and Health Systems at (517) 284-9709. You should keep a copy of your fax confirmation as proof of submittal;
or
- Email your written appeal to DAappeals@Michigan.gov. You should keep a copy of the sent email as proof of submittal.

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

In the matter of

License #: DF390282760
SIR #: 2015D0216018

Sandra Curtis

NOTICE OF COMPLIANCE CONFERENCE

Date: October 13, 2015

Time: 11:00 a.m.

Location: 322 East Stockbridge Avenue, Conference Room G, Kalamazoo, MI 49001.

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 DAappeals@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:

Joshua Hargrove, Departmental Analyst
Bureau of Community and Health Systems
Michigan Department of Licensing and Regulatory Affairs
Victor Office Center
201 North Washington Square, 4th Floor
P.O. Box 30664
Lansing, MI 48909-8150

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

In the matter of

License #: DF390282760
SIR #: 2015D0216018

Sandra Curtis

_____ /

PROOF OF SERVICE

The undersigned certifies that a copy of a Notice of Intent to revoke the certificate of registration 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 August 26, 2015.

Sandra Curtis
3730 Portage Street
Kalamazoo, MI 49001



Child Care Licensing Division
Bureau of Community and Health Systems