

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

In the matter of

License #: DC630248482
SIR #: 2019D0499008

Brown Investment Group

_____ /

**Pursuant to the Child Protection Law, MCL 722.627(2),
the information contained in this Notice of Intent is CONFIDENTIAL.**

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, Brown Investment Group, 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 5, 2002, Licensee was issued a license to operate a child care center with a licensed capacity of 60 at 29829 Telegraph Road, L-109, Southfield, Michigan 48034.
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.

3. Licensee Designee and Program Director Rhonda Draper-Brown and Lead Caregiver Lauren Brown are not conducive to the welfare of children and did not provide appropriate care and supervision of children as demonstrated by the following:

- a. On or about November 15, 2018, Lauren Brown hid a thumbtack between her fingers and intentionally grabbed Child B's [age [REDACTED] years] arm, sticking the thumbtack into his skin.
- b. On or about November 20, 2018, Ms. Brown hid a thumbtack between her fingers and called Child A [age [REDACTED] years] over for a hug. When she hugged Child A, she placed her palm on his back, pressing the thumbtack into his shoulder. Child A yelled, "Ouch!" and quickly pulled away. Caregiver Angelique Turner witnessed the incident and recorded a video of the incident using her cellphone.
- c. On or about November 20, 2018, Ms. Turner reported the incident with Ms. Brown and Child A to Ms. Draper-Brown. On November 21, 2018, Ms. Turner again spoke to Ms. Draper-Brown about her concerns and showed her the video of the incident. Neither Ms. Turner nor Ms. Draper-Brown reported the suspected child abuse to Children's Protective Services. Ms. Draper-Brown did not inform Child A's parents of the incident.
- d. On November 30, 2018, Licensing Consultant Jennifer Koluch,
[REDACTED]

[REDACTED] conducted an on-site inspection at the center. At the time of the inspection, Lauren Brown was present and caring for children.

e.

[REDACTED]

f. On December 3, 2018, Ms. Koluch, [REDACTED] conducted a second on-site inspection at the center, and Lauren Brown was present and caring for children. When confronted with the video recording, Ms. Draper-Brown told Ms. Koluch that she was aware of the incident and that she had disciplined Lauren Brown and Ms. Williams by not allowing them to work together in same classroom.

g.

[REDACTED]

h. As of March 5, 2019, Caregiver Lauren Brown is ineligible to be a child care staff member [REDACTED]

[REDACTED]

i.



4. Licensee failed to provide accurate and truthful information to the Bureau during the investigation as evidenced by the following:

- a. On or about November 20, 2018, Ms. Turner reported the incident involving Child A to Ms. Draper-Brown. That same day, Lauren Brown admitted what she did to Ms. Draper-Brown.
- b. On November 21, 2018, Ms. Turner spoke to Ms. Draper-Brown again about her concerns and showed her the video of the incident.
- c. On November 30, 2018, Ms. Koluch, [REDACTED] conducted an on-site inspection at the center and Ms. Draper-Brown. When asked about the thumbtack incident, Ms. Draper-Brown denied having any knowledge regarding a child being stabbed with a thumbtack by a caregiver.
- d. On December 3, 2018, after receiving the video recording from Ms. Turner, Ms. Koluch [REDACTED] conducted an on-site inspection at the center and interviewed Ms. Draper-Brown. After showing her the recording, Ms. Draper-Brown admitted that she lied during her first interview because she did not believe that Lauren Brown had acted maliciously. Ms. Draper-Brown told Ms. Koluch that she did not view the video until Ms. Koluch presented it to her on December 3, 2018. However,

Ms. Turner told Ms. Koluch that she showed the video to Ms. Draper-Brown on November 21, 2018.

5. Licensee failed to make a verbal and written report of the incident involving Child A to the Bureau. On December 3, 2018, Ms. Draper-Brown told Ms. Koluch that she did not report the incident to the Bureau because she did not want it to become an "issue."
6. Licensee failed to implement the center's policy to comply with the Child Protection Law, 1975 PA 238, MCL 722.623. Licensee's policy requires all staff persons to report suspected child abuse or neglect observed during the course of employment [REDACTED]

COUNT I

The conduct of Licensee Designee and Program Director Rhonda Draper-Brown, as set forth in paragraph 3(h) above, respectively, provides grounds for revocation of licensure pursuant to:

[REDACTED]

[REDACTED]



[Note: MCL 722.111(1)(b) defines a “child care organization” to include “child care centers.”]

COUNT II

The conduct of Lead Caregiver Lauren Brown and Licensee Designee and Program Director Rhonda Draper-Brown, as set forth in paragraphs 3(a) through 3(h) above, evidences a willful and substantial violation of:

MCL 722.115m

(2) ...If the department determines that a service, facility, applicant, licensee, child care staff member, or member of the household is not conducive to the welfare of the children, the department shall deny that application or revoke that licensee's license according to section 11.

NOTE:

MCL 722.115m

(13) As used in this section:

(b) "Conducive to the welfare of the children" means:

(i) The service and facility comply with this act and the administrative rules promulgated under this act.

(ii) The disposition, temperament, condition, and action of the applicant, licensee, licensee designee, program director, child care staff member, and member of the household promote the safety and well-being of the children served.

COUNT III

The conduct of Licensee, as set forth in paragraphs 4(a) through 4(d) above, evidences a willful and substantial violation of:

MCL 722.120

(1) The department may investigate, inspect, and examine conditions of a child care organization and may investigate and examine the books and records of the licensee. The licensee shall cooperate with the department's investigation, inspection, and examination by doing all of the following:

(c) Providing accurate and truthful information to the department, and encouraging witnesses, such as staff and household members, to provide accurate and truthful information to the department.

COUNT IV

The conduct of Licensee, as set forth in paragraphs 3(a) through 3(h) 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.

COUNT V

The conduct of Licensee, as set forth in paragraph 5 above, evidences a willful and substantial violation of:

R 400.8158

(1) A center shall make a verbal report to the department within 24 hours of the occurrence of any of the following:

(b) An incident involving an allegation of inappropriate contact.

(3) A center shall submit a written report to the department of the occurrences outlined in subrule (1) and (2) of this rule in a format provided by the department within 72 hours of the verbal report to the department.

COUNT VI

The conduct of Licensee, as set forth in paragraph 6 above, evidences a willful and substantial violation of:

R 400.8125

(11) A written plan to assure compliance with section 3 of the child protection law, 1975 PA 238, MCL 722.623, shall be developed and implemented.

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 March 6, 2019, Licensee is ordered not to operate a child care center at 29829 Telegraph Road, L-109, Southfield, Michigan 48034, or at

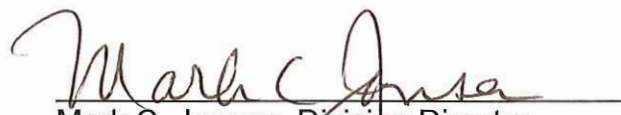
any other location or address. Licensee is not to receive children for care after that time or date. Licensee is responsible for informing parents or guardians of children in care that license has been suspended and that Licensee can no longer provide care.

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: 3/6/19



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 Brown Investment Group, DC630248482, consisting of nine pages, this page included.

JEK