

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CHILD CARE LICENSING BUREAU

In the matter of

License #: DG410411340
SIR #: 2023D0605056

Datasha Chapman

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ORDER OF SUMMARY SUSPENSION
AND NOTICE OF INTENT TO REVOKE LICENSE

The Michigan Department of Licensing and Regulatory Affairs, by Division Director Erika Bigelow and Bureau Director Emily Laidlaw, Child Care Licensing Bureau, hereafter referred to as “the Bureau,” orders the summary suspension and provides notice of the intent to revoke the license of Licensee, Datasha Chapman, 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 February 1, 2023, Licensee was issued a license to operate a group child care home with a licensed capacity of 12 at 1015 Benjamin Avenue SE, Grand Rapids, Michigan 49506.
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 family and group child care homes, and the Child Protection Law. These rules and statutes are posted and available for download at www.michigan.gov/lara.

3. MCL 722.111(1)(s) defines a member of the household as “any individual who resides in a...group child care home...on an ongoing basis, or who as a recurrent presence in the home, including, but not limited to, overnight stays.”
4. Licensee is not of responsible character, is not conducive to the welfare of children, and failed to ensure that that child care home was conducive to the welfare of children:
 - a. Licensee permitted numerous relatives to reside in the home without informing the Bureau and without ensuring that the adult household members completed criminal background checks. Many of the adult household members are not conducive to the welfare of children.

Specifically:

- i. On May 25, 2023, Ms. Hop conducted on-site inspection at the home. Licensee informed Ms. Hop that Adult Household Member (AHM) 1 owns the home, that family members consider it their home, and that she struggles to keep family out of the house. On May 26, 2023, Licensee told Ms. Hop, “I can’t help that everyone comes here, it’s granny house.”
- ii. On May 25, 2023, Licensee told Ms. Hop that she has a restraining order against two relatives that do not currently live in the home and that one of them assaulted someone at the home a few weeks ago.
- iii. AHM 3 has been residing in the child care home since or before February 2023. Licensee told Ms. Hop that AHM 3 is homeless and

goes between her house and AHM 4's mother's house in Illinois. Licensee told Ms. Hop that AHM 3 has a criminal sexual conduct conviction and is a registered sex offender. She also told Ms. Hop that AHM 3 and AHM 4 both "snort cocaine" and that AHM 3 and AHM 4 are "very violent" with other. She stated that she has had to call the police on AHM 3 and AHM 4. According to an injunctive order issued in 2012, AHM 3 was arrested for maintaining a drug house. Licensee did not notify the Bureau that AHM 3 was living in the home, and AHM 3 has not completed a criminal background check.

- iv. According to the AHM 4, AHM 4 has been staying in Licensee's home with AHM 3 on and off since 2022. Licensee told Ms. Hop that AHM 4 recently cut the tires on a car in the driveway. Licensee did not notify that Bureau that AHM 4 was living in the home, and AHM 4 has not completed a criminal background check.
- v. AHM 5 has been residing in the child care home since or before March 2023. Licensee told Ms. Hop that the police have been to the home twice for AHM 5. Licensee did not notify the Bureau that AHM 5 was living in the home, and AHM 5 has not completed a criminal background check.
- vi. According to Licensee, AHM 6 had been living in the home since May 2023. Licensee admitted to Ms. Hop that she did not report him as a household member since she knew he was going to be

going to prison and would no longer be residing in the home. AHM 6 did not complete a criminal background check.

- vii. According to Licensee, AHM 7 has been living in the home since April 2023. AHM 7 has not completed a criminal background check.
- viii. On May 26, 2023, Licensee told Ms. Hop that she has an aunt who visits the home and who is “on drugs and a thief.” That aunt was present in the home during Ms. Hop’s inspection on May 25, 2023.
- ix. On June 18, 2023, [REDACTED] was dispatched to Licensee’s home due to a report of domestic violence.
- x. On June 20, 2023, Ms. Hop located an online news article dated December 16, 2022. The article stated that the Federal Bureau of Investigation (FBI) was searching for AHM 6 who had been charged with “conspiracy to possess or transfer a machinegun.”
- xi. On June 21, 2023, Ms. Hop, accompanied [REDACTED]
[REDACTED], conducted an on-site inspection at Licensee’s home. AHM 6 was present in the home and was taken out in handcuffs due to an outstanding warrant. [REDACTED] provided no further information regarding the reason for AHM 6’s arrest.

b. Licensee failed to provide accurate and truthful information to the Bureau during an investigation. Specifically:

- i. On May 25, 2023, Licensee initially told Ms. Hop that AHM 3 and AHM 4 were only visiting the home. However, during later interviews, Licensee acknowledged that AHM 3 and AHM 4 have been living in the home and that she gave them an eviction notice on May 12, 2023.
 - ii. During on-site inspections, Licensee identified a man in the home as AHM 2. However, Ms. Hop later learned that the man Licensee was identifying as AHM 2 was actually AHM 6.
5. Licensee failed to maintain the child care home in a clean, safe, and comfortable condition. Specifically:
 - a. On May 25, 2023, Ms. Hop conducted an on-site inspection at Licensee's home and observed the following:
 - i. There was cluttered piled up throughout the home, including on the front porch and in the playroom, living room, kitchen, and dining room. The clutter contained stacks of totes, plastic bins, toys, plastic bags, empty boxes, and clothing.
 - ii. The playroom floor in the basement was dirty, cracked, and covered with debris, and there were pieces of the flooring missing. The stairs and the kitchen floor were also dirty.
 - iii. The entry door to the home was dirty. The walls, door, and stairway leading to the basement were dirty. The playroom walls were dirty. The door frame on the porch needed repair.
 - iv. There was a hole the ceiling due to a water leak.

- b. Licensee told Ms. Hop that there were mice in the home. She indicated that she had caught a mouse a few days ago and that she has traps set around the house.
6. Licensee failed to keep dangerous items inaccessible to children in care.

Specifically:

- a. On May 26, 2023, Ms. Hop observed a large jar of marijuana in living room. The jar was stored in a manner that was accessible to children.
- b. On June 21, 2023, [REDACTED] conducted an on-site inspection at Licensee's home and observed a small jar of marijuana on the floor in the living room.

COUNT I

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

R 400.1902

- (3) All persons, including minors, residing in the child care home shall meet all of the following requirements:
 - (b) Be able to ensure that services and facilities are conducive to the welfare of children.

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 II

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

R 400.1902

(3) All persons, including minors, residing in the child care home shall meet all of the following requirements:

(c) Act in a manner that is conducive to the welfare of children.

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)(iii), 4(a)(iv), 4(a)(v), 4(a)(vi), and 4(a)(vii) above, evidences a willful and substantial violation of:

R 400.1903

(7) The licensee shall cooperate with the department by ensuring that all individuals requiring a comprehensive background check are entered into the child care background check system and processed for eligibility as required by section 5n of the act, MCL 722.115n, and R 400.1925.

NOTE: **Application for or renewal of license to operate**
MCL 722.115n **child care center, group child care home, or**

family child care home; household member or
child care staff member; criminal history
check; requirements; duties of department.

(1) Except as otherwise provided in subsection (13), ... before a group child care home or family child care home allows an individual to be a member of the household, or a child care center, group child care home, or family child care home allows an individual to become a child care staff member, the department shall do all of the following:

(a) Review its database of individuals with previous disciplinary action within a child care center, group child care home, or family child care home or an adult foster care facility.

(b) Conduct a search of the individual through the national sex offender registry.

(c) Request a search of the individual through all state criminal registries or repositories for any states of residence in the past 5 years.

(d) Request that the department of state police perform a criminal history check on the individual, child care staff member, or adult member of the household.

COUNT IV

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

R 400.1932

(1) The structure, premises, and furnishings of a child care home must be in good repair and maintained in a clean, safe, and comfortable condition.

COUNT V

The conduct of Licensee, as set forth in paragraph 4(b) 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 VI

The conduct of Licensee, as set forth in paragraphs 4(a)(iii), 4(a)(iv), 4(a)(v), 4(a)(vi), and 4(a)(vii) above, evidences a willful and substantial violation of:

R 400.1903

(1) A licensee shall be responsible for all of the following:

(g) Report to the department within, 3 business days, any changes in the household composition or when any new or existing member of the household or child care personnel has any of the following:

(i) An arrest.

(ii) A conviction.

(iii) An arraignment for an offense that if convicted would lead to that individual's ineligibility to be connected with a child care home.

(iv) Is being investigated by the state department of health and human services for an allegation of child abuse or neglect.

(v) Is under court supervised parole or probation.

(vi) Has been admitted to, or released from, a correctional facility.

(vii) Has been admitted to or released from a health facility or agency that was providing mental health or substance use disorder treatment services to the individual.

COUNT VII

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

R 400.1902

(3) All persons, including minors, residing in the child care home shall meet all of the following requirements:

(d) Demonstrate a willingness and ability to comply with the act and these rules.

COUNT VIII

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

R 400.1932

(2) All dangerous and hazardous materials or items must be stored securely and out of the reach of children.

COUNT IX

The conduct of Licensee, as set forth in paragraphs 4(a) and 4(b) above, provides grounds for revocation pursuant to:

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.

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 group child care home is summarily suspended.

EFFECTIVE 6:00 p.m., on June 23, 2023, Licensee is ordered not to operate a group child care home at 1015 Benjamin Avenue SE, Grand Rapids, Michigan 49506, 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 Office of Administrative Hearings and Rules 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 email, fax, or mail to:

Michigan Office of Administrative Hearings and Rules
611 West Ottawa Street, 2nd Floor
P.O. Box 30695
Lansing, Michigan 48909-2484
Phone: 517-335-7519
FAX: 517-763-0155
MOAHR-BSD-Support@michigan.gov

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: 06/23/2023



Erika Bigelow, Division Director
Child Care Licensing Bureau

DATED: 6/23/2023



Emily Laidlaw, Director
Child Care Licensing Bureau

This is the last and final page of the ORDER OF SUMMARY SUSPENSION AND NOTICE OF INTENT in the matter of Datasha Chapman, DG410411340, consisting of 13 pages, this page included.

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