

STATE OF MICHIGAN  
DEPARTMENT OF LIFELONG EDUCATION, ADVANCEMENT, AND POTENTIAL  
CHILD CARE LICENSING BUREAU

**In the matter of**

License #: DC240415114  
SIR #: SI-00121456

Little Sunflower Daycare Center

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ORDER OF SUMMARY SUSPENSION  
AND NOTICE OF INTENT TO REVOKE LICENSE

The Michigan Department of Lifelong Education, Advancement, and Potential, by Division Director Scott Bettys and Central Support Division Director Courtney Adams, 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, Little Sunflower Daycare Center, 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 29, 2023, Licensee was issued a license to operate a child care center, Little Sunflower Daycare Center, with a licensed capacity of 27 at 7722 US-31 A, Alanson, Michigan 49706.
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 rules for child care centers, and the Child Protection Law. These rules and statutes are posted and available for download at [www.michigan.gov/mileap](http://www.michigan.gov/mileap).

3. The center is made up of three sections:
  - a. Section 1 has two classrooms, a bathroom, and a small furnace room.

This is the only section of the center that is approved for child care use.
  - b. Section 2 contains a bathroom, a storage room, a large area used for food preparation, and four classrooms. On April 14, 2024, Licensee removed two interior walls converting the four classrooms into two classrooms.

Section 2 is not approved for child care use.
  - c. Section 3 has a bathroom, a staff office, a storage room, a large area next to the bathroom, and a classroom. Section 3 is not approved for child care use.
4. Licensee failed to provide appropriate care and supervision of children at all times. Specifically:
  - a. Child C, age 3 years, has special needs, is non-verbal, and is prone to hitting his head repeatedly against the wall or floor. Child C wears a helmet when he starts banging his head to prevent head injuries. On more than one occasion, child care staff have placed Child C in a room by himself without supervision despite knowing of his tendency to self-harm.

Specifically:

    - i. Child C was sometimes placed in a room located in Section 2 of the center to allow him quiet time and space to calm down. During some of these times, Child C was left alone in the room without direct supervision or a child care staff member in the room. During

an interview with Licensing Consultant Codie Mayhew, Program Director (PD) 1 stated that Child C was placed in the room daily.

- ii. On November 28, 2023, Child C hit his head causing an injury to his left eye and forehead. The area was swollen, bruised, and had a red rash.
- iii. On April 22, 2024, Ms. Mayhew, accompanied by Michigan Department of Health and Human Services (MDHHS) Worker Alexandra Wandrie, conducted an on-site inspection at the center and interviewed PD 1. PD 1 acknowledged there were times that Child C was placed in the room without a staff member present. When asked about how long Child C would be left unsupervised in the room in Section 2, PD 1 replied, "Too much."
- iv. On April 22, 2024, Ms. Mayhew and Ms. Wandrie interviewed Licensee Designee Samantha Brown during which time she indicated the following:
  1. Child C was placed in a room in Section 2 of the center when he became overstimulated.
  2. Ms. Brown would normally be in her office with PD 1 when Child C was in his room alone, which was across the hall. When Child C started hitting his head on the wall or cement floor, she put his helmet on him.
  3. Ms. Brown told Ms. Mayhew that Child C never hit his head more than once before she placed his helmet on his head.

4. On April 22, 2024, Ms. Mayhew observed the room used by Child C and Ms. Brown's desk and office area. The entire room used by Child C is not visible from Ms. Brown's desk in the office area. The only way a person could see Child C in this room would be if he was standing directly in front of the entryway. Ms. Brown's office was across the hall from Child C's room and therefore would not be close enough to intervene if Child C were to repeatedly hit his head.
- b. On April 11, 2024, staff members placed 12 children, ages toddler to preschool, in two rooms located in Section 2 of the center while child care staff members were moving items in the food prep area to get ready for construction in the center. There were no child care staff members present in the rooms where children were playing during this time. Child C, age 3 years, was one of the children in this group. Section 2 of the center is not approved by the Bureau as child care use space. This occurred for about 30 to 45 minutes.
- c. Child H, age 1 year, has a known dairy allergy, and Child C and H's Mother informed Licensee that Child H could not have dairy products. According to child care records, Licensee gave food that contained dairy to Child H on six occasions between November 13, 2023, and April 10, 2024.
- d. On April 15, 2024, during an on-site inspection, Ms. Mayhew observed Child A and Child B, both age 7 months, sleeping in porta-cribs with

blankets draped over them. After Ms. Mayhew left the center, PD 1 indicated that Child L, age 2 months, was left sleeping in an infant swing, and there were blankets draped over the top of porta-cribs. Infant swings are not approved as sleeping equipment under licensing rules. Blankets and other soft objects are prohibited for use with sleeping infants.

5. Licensee has been providing food service at the center despite not being licensed to provide food service and not requesting and receiving approval from the local health department. Specifically:
  - a. During the initial licensing process, License indicated that the center would not be providing food service to children. Despite not being approved for food service, Licensee has been preparing and serving food to children at the center since the center initially opened in August 2023. Licensee provides breakfast, a morning snack, lunch, and an afternoon snack to children. The center has been using a food preparation area located in Section 2 of the center. Section 2 has not been approved for child use space.
  - b. On April 15, 2024, Ms. Mayhew conducted an on-site inspection at the center and interviewed Ms. Brown. Ms. Brown told Ms. Mayhew that on that day, she provided the children tuna noodle casserole that she made at home and brought into the center. Ms. Mayhew informed Ms. Brown that under the licensing rules, she could not bring food she prepared from home and serve it to the children. Meals delivered to a center must be prepared in commercial kitchens.

6. Licensee failed to maintain a ratio of one child care staff member for every four children ages birth to 30 months with no more than 12 children in the group, as demonstrated by the following:
  - a. On March 14, 2024, during snack time, there were 13 children with CCSM 3 and CCSM 4 in the large area in Section 3. Two of the 13 children were under age 30 months. Licensing rules require three child care staff members to be present.
  - b. On March 14, 2024, during lunch time, there were 15 children with two child care staff members in the large area in Section 3. Three of the 15 children were under age 30 months. Licensing rules require three child care staff members to be present.
  - c. On April 10, 2024, CCSM 3 was the only child care staff member present with at least 15 children. One of the 15 children was age 29 months.
  - d. On April 11, 2024, there were 13 children in a toddler/preschool room in Section 3 of the center with two child care staff members. One of the 13 children was 27 months-old. Licensing rules require three child care staff members to be present.
  - e. During an interview with Ms. Mayhew, PD 1 stated that that center is out of ratio almost every day. She indicated that it normally occurs on Wednesdays and Fridays when children arrive after school.
7. Licensee failed to maintain the premises in a clean and safe condition and without a threat to health or safety. Specifically:

- a. Licensee regularly uses Section 2 and Section 3 of the center that are not identified and approved for child care use by the Bureau.
- b. On April 15, 2024, during Ms. Mayhew' s inspection, Section 2 of the center was under construction. In this section, there was an open can of paint and insulation stacked on the far end of the room next to the electrical boxes. There were broken pieces of drywall, wood, and wood trim in the room. There were piles of clothes, a large piece of wood, a box of hickory wood logs for a grill, containers of toys and other random items located in the hallway leading to Section 3 of the center.
- c. On April 15, 2024, Ms. Mayhew observed at least 10 spots where paint was peeling off the wall leading to Section 3 exposing the drywall beneath. Car seats were stacked on the floor beneath the areas of peeling paint. There were totes, boxes, a ladder, vacuums, towels, and various items piled up in the large room in Section 3. Ms. Mayhew observed the space being used as a classroom during her inspection.
- d. On April 15, 2024, there were ceiling tiles propped up against the furnace, and there was a plastic tote filled with plastic toys sitting at the base of the furnace.
- e. On April 16, 2024, Ms. Mayhew conducted an on-site inspection at the center and interviewed Ms. Brown who admitted she did not submit a plan review to the Bureau of Fire Services prior to starting construction on Sections 2 and 3. Ms. Brown admitted that she did not obtain a building

permit prior to removing the walls at the center and that one of the persons who removed the walls was not a licensed builder.

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

- a. On August 21, 2023, during the original licensing process, Ms. Brown sent an email to Licensing Consultant Sharon Riebel indicating that she had a urinal installed in the bathroom, allowing the center's capacity to increase from 15 children to 27 children. A photo was attached to the email depicting a urinal on the wall of the bathroom.
- b. During an interview with Ms. Mayhew on April 15, 2024, Ms. Brown initially denied that children were using classrooms located in Section 2 on April 11, 2024. However, during follow-up interviews, Ms. Brown admitted to knowing the children were utilizing classrooms in Section 2.
- c. On April 15, 2024, Ms. Brown initially told Ms. Mayhew that she did not start using Section 3 for children until March 2024. However, Ms. Brown later acknowledged that she has been using Section 3 for child use since November 2023.
- d. On April 16, 2024, Ms. Mayhew conducted an on-site inspection at the center and asked PD 1 about the bathroom urinal. PD 1 told Ms. Mayhew that urinal was not connected to plumbing and never functional. She stated that Ms. Brown photoshopped a picture of the urinal to a photo of the bathroom and submitted it to Ms. Riebel.



- e. On April 16, 2024, Ms. Brown admitted to Ms. Mayhew that she photoshopped a picture of a urinal in the bathroom and sent it to Ms. Riebel so she could increase her capacity to 27 children.
- f. During the investigation, Ms. Brown told Ms. Mayhew that she did not know that she needed a plan review from the Bureau of Fire Services prior to starting construction in Section 2 of the center. However, [REDACTED], a qualified fire inspector with the Bureau of Fire Services, told Ms. Mayhew that he informed Ms. Brown that she needed to submit a plan review prior to removing interior walls in the center. Licensing Consultant Sharon Riebel discussed the need for plan reviews with Ms. Brown in March 2024.
- g. On April 16, 2024, Ms. Brown denied providing overnight care to children at the center. However, Child G's Mother told Ms. Mayhew that Child G attended overnight care at the center on October 28, 2023, indicating that she dropped him off at 8:00 p.m. on October 28, 2023, and picked him up between 6:00 a.m. and 7:00 a.m. on October 29, 2023. Licensee is not licensed to provide overnight care for children at the center.
- h. On April 22, 2024, PD 1 initially told Ms. Mayhew that she was not aware of Child C sustaining an injury at the center and denied that child care staff informed her of any injury to Child C. However, on November 28, 2023, PD 1 took a photo of Child C and sent it to Child C's Mother. The photo showed Child C with a swollen area above and around his left eye, and a spotted red rash near the same eye. The photo included the following message: "Hi there. Please next time will you bring his helmet. We won't

be able to take him if he don't have it. He bashed his head because he was mad, and this is what happened." PD 1 also completed an incident report regarding the injury and placed it in Child C's file.

9. Licensee failed to act in a manner that is conducive to the welfare of children and does not have the administrative capability to operate a center in a manner that is conducive to the welfare of children. Specifically:
  - a. On numerous occasions, Licensee failed to provide appropriate care and supervision of children, including leaving children in rooms without child care staff members present.
  - b. Licensee frequently fails to maintain ratio of child care staff members to children as required under licensing rules.
  - c. Licensee uses areas in the center that are unsafe and not approved for child care use.
  - d. Licensee serves food to children at the center even though she is not licensed to operate a food program. Ms. Brown brings in food that she prepares at her home, which is prohibited under licensing rules.
  - e. Licensee Designee Ms. Brown has repeatedly provided inaccurate and untruthful information to the Bureau during the entire licensing process.
  - f. Licensee continues to use areas in the center that are under construction and unsafe for children.

COUNT I

The conduct of Licensee, as set forth in paragraphs 4(a) through 4(d) 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 II

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

**R 400.8380**

(1) The premises must be maintained in a clean and safe condition and must not pose a threat to health or safety.

COUNT III

The conduct of Licensee, as set forth in paragraphs 6(a) through 6(e) above, evidences a willful and substantial violation of:

**R 400.8182**

(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:  
R 400.8182**

(7) If there are children of mixed ages in the same room or well-defined space, then the ratio and group size is determined by the age of the youngest child, unless each group of children is clearly separated and the appropriate child care staff member-to-child ratios and group sizes, if applicable, for each age group are maintained.

**COUNT IV**

The conduct of Licensee, as set forth in paragraphs 5(a) and 5(b) above, evidences a willful and substantial violation of:

**R 400.8305**

(2) An inspection must be conducted by the local health department, and an approval granted indicating compliance with all of the rules in this part, except R 400.8330, 400.8335, and 400.8340, at all of the following times:

(d) Prior to adding a food service program.

**COUNT V**

The conduct of Licensee, as set forth in paragraphs 4 through 9 above, evidences a willful and substantial violation of:

**R 400.8167**

(3) A center shall provide a floor plan of all child use areas to the department at initial licensure and before making structural changes or adding any child use space. Only space that has received prior approval for child use by the department may be used for child care.

COUNT VI

The conduct of Licensee, as set forth in paragraphs 8(a) through 8(h) 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 VII

The conduct of Licensee, as set forth in paragraphs 3 through 9 above, evidences a willful and substantial violation of:

**R 400.8110**

(1) The licensee or licensee designee shall do all of the following:

(a) 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 VIII

The conduct of Licensee, as set forth in paragraphs 3 through 9 above, evidences a willful and substantial violation of:

**R 400.8110**

(2) The applicant, licensee, and licensee designee shall have the administrative capability to operate the center in order to provide the services and facilities that are conducive to the welfare of children.

#### COUNT IX

The conduct of Licensee, as set forth in paragraphs 3 through 9 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.

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.

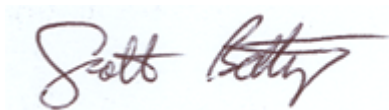
EFFECTIVE 6:00 p.m., on April 26, 2024, Licensee is ordered not to operate a child care center at 7722 US-31 A, Alanson, Michigan 49706, or at any other location or address. Licensee is not to receive children for care after that time or date. Licensee is responsible for informing parents or guardians 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, 2<sup>nd</sup> Floor  
P.O. Box 30695  
Lansing, Michigan 48909-2484  
Phone: 517-335-7519  
FAX: 517-763-0155  
[MOAHR-BSD-Support@michigan.gov](mailto: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: 4/26/2024

A handwritten signature in dark ink, appearing to read "Scott Bettys", written in a cursive style.

Scott Bettys, Division Director  
Child Care Licensing Bureau

DATED: 4/26/2024

A handwritten signature in dark ink, appearing to read "Courtney Adams", written in a cursive style.

Courtney Adams, Central Support Division 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 Little Sunflower Daycare Center, DC240415114, consisting of 16 pages, this page included.

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**STATE OF MICHIGAN  
DEPARTMENT OF LIFELONG EDUCATION, ADVANCEMENT, AND POTENTIAL  
CHILD CARE LICENSING BUREAU**

**In the matter of**

License #: DC240415114  
SIR #: SI-00121456

Little Sunflower Daycare Center

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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.

Samantha Brown, Licensee Designee  
Little Sunflower Daycare Center  
7722 US-31 A  
Alanson, Michigan 49706

Served by:

\_\_\_\_\_  
Child Care Licensing Consultant  
Child Care Licensing Bureau