

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

In the matter of

License #: DC110413823
SIR #: SI-00126285
SI-00121853

Tiny Tators Childcare LLC

ORDER OF SUMMARY SUSPENSION
AND NOTICE OF INTENT TO REVOKE LICENSE

The Michigan Department of Lifelong Education, Advancement, and Potential, by Division Director Erika Bigelow and Acting Bureau 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, Tiny Tators Childcare LLC, 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 March 8, 2023, Licensee was issued a license to operate child care center, Tiny Tators Childcare LLC, with a licensed capacity of 41 at 1036 Bell Road, Niles, Michigan 49120.
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/mileap.

Previous Licensing Violations

3. On August 4, 2023, Licensing Consultant Amy Steger initiated *Special Investigation #2023D0220017* after the Bureau received a licensing-related complaint and cited Licensee, in part, for the following violations:
 - a. Licensee failed to provide appropriate care and supervision of children at all times and use positive methods of discipline, as required by Rule 400.8125(1) and Rule 400.8140(1), respectively. Licensee Designee Alan Wiese “tapped” a child’s face with his hand as a means of discipline.
 - b. Licensee used a prohibited means of discipline, a violation of Rule 400.8140(2)(a). Alan Wiese “tapped” a child’s face with his hand as a means of discipline.
 - c. Licensee failed to maintain the premises in a clean and safe condition and in a manner that did not pose a threat to health or safety, as required by Rule 400.8380(1). The center was dirty and smelled like urine and other foul odors.
4. On September 22, 2023, Ms. Steger issued *Special Investigation Report #2023D0220017* recommending the issuance of a six-month, first provisional license upon receipt of an acceptable written corrective action plan. Licensee submitted an acceptable corrective action plan and accepted the issuance of a first provisional license, effective September 2, 2023.

5. On December 21, 2023, Ms. Steger initiated *Special Investigation #SI-00080984* after the Bureau received a licensing-related complaint and cited Licensee, in part, for failing to use positive methods of discipline, as required by Rule 400.8140(1). Alan Wiese aggressively picked up a child and put [REDACTED] on a cot.
6. On December 5, 2023, Ms. Steger conducted an increased monitoring on-site inspection at the center and cited Licensee, in part, for failing to have complete and accurate child information card at the center for all enrolled children, as required by Rule 400.8143(1). Of the five cards reviewed, four were missing information including date of admission, parent's employer name, and employer telephone number.
7. On February 12, 2024, Ms. Steger issued *Special Investigation Report #SI-00080984* recommending the issuance of a six-month, second provisional license with increased monitoring upon receipt of an acceptable written corrective action plan. Licensee submitted an acceptable corrective action plan and accepted the issuance of a second provisional license, effective February 20, 2024. The corrective action plan indicated that Alan Wiese would no longer be working with children at the center.
8. On March 12, 2024, Ms. Steger initiated *Special Investigation #SI-00120145* after the Bureau received a licensing-related complaint and cited Licensee, in part, for failing to act in a manner that is conducive to the welfare of children, a violation of Rule 400.8125(2). Former Program Director (PD) 1 did not display a disposition and temperament that is conducive to the welfare of children. [REDACTED] yelled, use profanity, and was aggressive with and around children in care.

9. On April 19, 2024, Ms. Steger issued *Special Investigation Report #SI-00120145* recommending the continuation of the second provisional license with increased monitoring upon receipt of an acceptable written corrective action plan. On June 25, 2024, Licensee submitted an acceptable corrective action plan that indicated that Former PD 1 would no longer be involved in the operation or present at the child care center.

Current Allegations

10. Licensee failed to provide appropriate care and supervision of children at all times and used prohibited means of discipline when caring for children.

Specifically:

- a. Child care staff members use time outs as a method of discipline for children under 3 years of age.
- b. Licensee Designee Alex Wiese and Licensee Designee Doran Stockton Jr. yell at children in care on a regular basis.
- c. On one occasion, Alex Wiese threatened to spank Child AA, age 8 years, because he thought it would be “funny.”
- d. On July 19, 2023, Child AA was standing on top of a picnic table playing with another child. Alex Wiese grabbed Child AA by the arm and dragged ■■■ off the picnic table and onto the ground, injuring ■■■ arm. Child AA began crying, and Doran Stockton Jr. later took ■■■ to the emergency room, as there was concern that Child A’s arm may have been broken. The arm was not broken.

- e. Licensee allowed a supervised volunteer to yell at Child AA and call [REDACTED] names while [REDACTED] was at the center. Specifically:
 - i. On August 7, 2024, Supervised Volunteer 1 was at the center helping Alex Wiese, Doran Stockton Jr., and Former PD 1 remove a hot water heater, freezer, refrigerator, and toys from the center. While Supervised Volunteer 1 was present, he yelled at Child AA, called [REDACTED] a snitch and a liar, told Child AA that he does not want Child AA near him, and threatened to spank [REDACTED]. Supervised Volunteer 1 was mad at Child AA because Child AA told on him for teaching Child A how to swear.
 - ii. On August 7, 2024, CCSM 1 sent a text to Child A and AA's Mother informing her what Supervised Volunteer 1 was stating to Child AA. Child A and AA's Mother shared this information with her fiancé, who then contacted Former PD 1. Her fiancé asked Former PD 1 why Supervised Volunteer 1 was allowed to talk to Child AA in that manner. Former PD 1 responded by telling her fiancé that Child A and AA's Mother had 30 minutes to pick up Child A and Child AA from the center.

11. Licensee failed to maintain children information cards for enrolled children. On August 8, 2024, during the on-site inspection, Licensing Consultant Beth Gonding asked Doran Stockton Jr. for the child information cards. He could not locate any of the cards for the four children present at the time of the inspection, and he stated he did not know where they were located.

12. Licensee does not have an approved qualified program director for the center.

There has not been a qualified program director at the center since approximately October 2023.

13. Licensee failed to maintain the premises in a clean and safe condition and in a manner that does not pose a threat to health and safety. Specifically:

- a. During the investigation, Child A and AA's Mother told Ms. Gonding that the overall premises at the center are "terrible" and provided photos that she took at the center on August 7, 2024. The photos depicted piles of dirt, food, and garbage on the floors. There was dirty laundry in the kitchen area, with stacks and piles of water bottles, empty cardboard boxes, toys, and open garbage bins.
- b. On August 8, 2024, Ms. Gonding, accompanied by Michigan Department of Health and Human Services Worker [REDACTED], conducted an on-site inspection at the center and observed the following:
 - i. The floors in the kitchen were stained and dirty with deteriorating walls and baseboards. The counter around the kitchen sink was covered with an unmarked opened bag of food and other food items, empty pop cans and water bottles, an open can of paint, and other miscellaneous items. There was a pile of drywall dust, empty food bags, and electrical cords on the kitchen floor.
 - ii. The storage room contained a broken swing chair, dirty children's underwear, food particles, and a stack of wood beams.

- iii. There was a hole in the bathroom wall exposing a water pipe with flaking paint and drywall on the floor. The counter around the bathroom sink was broken with a jagged wooden edge.
- iv. The baseboards, walls, and floors in all the adjacent rooms were dirty and stained with areas of peeling/chipped paint and exposed drywall.
- v. The infant and toddler room areas are partially separated by low shelving units. The shelving units were broken, splintered, and missing shelves. The four cribs in the infant area did not have mattresses. The top railing on one of the cribs was broken, and the other cribs had peeling and flaking paint. There were dirty sheets on the floor and a large open garbage bag filled with what appeared to be dirty cloths. The walls in the infant and toddler areas had chipping and peeling paint, and the ceiling tiles were stained.
- vi. The kitchen space adjacent to the toddler space was dirty, and there was a laundry basket filled with various dirty items, empty water jugs, piles of cardboard boxes, a tent canopy, cushions, dirty clothing, and food debris. There were foldable chairs on the freezer.
- vii. The changing table in the back bathroom was stained with food crumbs on the pad. The floors in the back bathroom and hallway were stained and covered with debris.

- viii. CCSM 1 and CCSM 2 told Ms. Gonding that Licensee is no longer repairing or replacing broken equipment. They also stated on one occasion, water flooded the center and Licensee refused to allow them to send the children home while things were being repaired and cleaned.

14. Licensee, Licensee Designee Alan Wiese, and Licensee Designee Doran

Stockton Jr. are not conducive to the welfare of children in care and do not have the administrative capability to operate the center in a manner that is conducive to the welfare of children. Specifically:

- a. Alan Wiese has a history of spanking and threatening to spank relative children enrolled in the center. Licensee submitted a corrective action plan in February 2024 indicating that Alan Wiese would no longer care for children. However, he continues to care for children at the center.
- b. In April 2024, the Bureau found Former PD 1 to not be conducive to the welfare of children. Licensee submitted a corrective action plan in June 2024 indicating that Former PD 1 would no longer be present at the center or involved in the operation of the center. However, Licensee Designees Alan Wisse and Doran Stockton Jr. continue to allow Former PD 1 to be present at the center and involved in the center operation. Former PD 1 handles most of the communication with CCSM 1, CCSM 2, and the child care parents.
- c. Licensee has very little equipment and toys at the center for children's use. Specifically:

- i. During the on-site inspection on August 8, 2024, the preschool and school age room were nearly empty and contained no usable books, toys or other play equipment. The kitchen play area did not contain any play accessories.
 - ii. There were large bags containing usable preschool and school age items and toys in the loft space, but the bags were tied and sealed making the items inaccessible to children.
 - iii. Doran Stockton Jr. admitted to Ms. Gonding that they have removed equipment from the center but denied that it was going to a new center. When Ms. Gonding asked him why usable equipment was being moved from an operating child care with enrolled children to an unused space, he had no response.
- d. The center has had a temporary “C” environmental health rating since October 26, 2023.
- e. The center does not have qualified lead caregivers.
- f. Licensee has failed to have sufficient food at the center for the children, has served expired food, and has served food prepared outside the center in non-commercial kitchens, which is a violation of licensing rules.
- g. In July 2024, there was an outbreak of hand, foot, and mouth disease at the center, and several children were infected. Licensee did not provide enough cleaning supplies for staff to sanitize all the items at the center, did not send infected or ill children home, and continued to operate as usual.

- h. Licensee did not have any child care staff employee files at the center containing information such as name, address, phone number, proof of tuberculosis testing, and other trainings that are required before caring for children. Doran Stockton Jr. told Ms. Gonding that he did know where the staff files were located and did not know if CCSM 1 and CCSM 2 completed any training hours as required by licensing rules. Doran Stockton Jr. admitted that he has not completed any of the health and safety trainings and has not completed CPR and first aid training.
- i. Child care staff members have not completed the required hours of child-care related training.
- j. During the on-site inspection, child care staff failed to have children wash their hands after using the bathroom and before meals.
- k. There is no operable phone line at the center as required by the licensing rules. Parents are unable to contact Alex Wiese and Doran Stockton Jr. via phone; they are only able to contact them through Facebook and Former PD 1 generally responds. During the investigation, Doran Stockton Jr. told Ms. Gonding that he did have an operable phone and that CCSM 1 and CCSM 2 have his number. However, he then opened his phone and showed Ms. Gonding his Facebook account as the means of contact. He could not provide a phone number for the center. There is a phone number listed on the center's Facebook page, but it is not a working number.

- I. Licensee has failed to provide the children with outdoor play, as required by licensing rules, for over a month due to the grass being too high. During the on-site inspection, there were areas of the outdoor play yard that had grass and weeds three to four feet high, including near the sandbox. Doran Stockton Jr. admitted that children had not been able to play outside for over a month and indicated that he a chemical grass killer in the yard so that children could use it.
- m. During the on-site inspection, the emergency exit door was obstructed with various items such as a camping chair, a highchair, an unused baby gate, filled garbage bags, and a ladder.
- n. During the most recent investigation completed by Ms. Goding, the Bureau found 65 violations with 21 being repeat violations. Of the 65 violations, 38 were related to the health and safety of the children in care.
- o. As of the date of this Order and Notice, there are no children currently enrolled at the center. However, Licensee continues to seek new enrollments through its Facebook page.

COUNT I

The conduct of Licensee, as set forth in paragraph 10(d) above, evidences a willful and substantial violation of:

R 400.8140

- (2) All of the following means of punishment are prohibited:
 - (a) Hitting, spanking, shaking, biting, pinching, or inflicting other forms of corporal punishment.

[NOTE: By this reference, paragraph 3(b) is incorporated into this Count for the purpose of demonstrating willful and substantial violation of the above rule.]

COUNT II

The conduct of Licensee, as set forth in paragraphs 10(a) through 10(e) above, evidences a willful and substantial violation of:

R 400.8140

- (2) All of the following means of punishment are prohibited:
 - (d) Inflicting mental or emotional punishment, such as humiliating, shaming, or threatening a child.

[NOTE: By this reference, paragraph 3(a) is incorporated into this Count for the purpose of demonstrating willful and substantial violation of the above rule.]

COUNT III

The conduct of Licensee, as set forth in paragraphs 10(a) through 10(e) 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.

[NOTE: By this reference, paragraphs 3(a) and 5 are incorporated into this Count for the purpose of demonstrating willful and substantial violation of the above rule.]

COUNT IV

The conduct of Licensee, as set forth in paragraphs 13(a) and 13(b) 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.

[NOTE: By this reference, paragraph 3(c) is incorporated into this Count for the purpose of demonstrating willful and substantial violation of the above rule.]

COUNT V

The conduct of Licensee, as set forth in paragraph 11 above, evidences a willful and substantial violation of:

R 400.8143

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

[NOTE: By this reference, paragraph 6 is incorporated into this Count for the purpose of demonstrating willful and substantial violation of the above rule.]

COUNT VI

The conduct of Licensee, as set forth in paragraph 12 above, evidences a willful and substantial violation of:

R 400.8113(7)

(7) Early childhood program directors shall meet 1 of the following qualifications shown in Table 1:

TABLE 1 Early Childhood Program Director Qualifications			
	Education	Coursework in Early Childhood Education or Child Development	Hours of Experience
(a)	Bachelor’s degree or higher in early childhood education or child development		

(b)	Bachelor's degree or higher in a child-related field including	18 semester hours and	480 hours
(c)	Montessori credential	18 semester hours and	480 hours
(d)	Associate's degree in early childhood education or child development including	18 semester hours and	480 hours
(e)	Valid child development associate credential with	18 semester hours and	960 hours
(f)	Sixty semester hours with	18 semester hours and	1,920 hours

COUNT VII

The conduct of Licensee, as set forth in paragraph 14 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.

MCL 722.115m

- (14) 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.

[NOTE: By this reference, paragraph 8 is incorporated into this Count for the purpose of demonstrating willful and substantial violation of the above rule.]

COUNT VIII

The conduct of Licensee, as set forth in paragraph 14 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.

**NOTE:
MCL 722.115m**

(14) 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 IX

The conduct of Licensee, as set forth in paragraph 14 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**

(14) 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 child care center is summarily suspended.

EFFECTIVE 6:00 p.m., on August 23, 2024, Licensee is ordered not to operate a child care center at 1036 Bell Road, Niles, Michigan 49120, 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: 08/22/2024



Erika Bigelow, Division Director
Child Care Licensing Bureau

DATED: 8/22/2024



Courtney Adams, Acting Bureau 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 Tiny Tators Childcare LLC, DC110413823, consisting of 17 pages, this page included.

JEK