GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
ACTING DIRECTOR

Gayle Hurn
City of Ann Arbor Parks & Recreation
100 N. Fifth Ave
Ann Arbor, MI 48107

November 13, 2023

RE: License #: CD810265753
Investigation #: 2023C0434032
Fuller Park Pool

Dear Gayle Hurn:

Attached is the Special Investigation Report for the above referenced facility. Due to the violations identified in the report, a written corrective action plan is required. The corrective action plan is due 15 days from the date of this letter and must include the following:

- How compliance with each rule will be achieved.
- Who is directly responsible for implementing the corrective action for each violation.
- Specific time frames for each violation as to when the correction will be completed or implemented.
- How continuing compliance will be maintained once compliance is achieved.
- The signature of the responsible party and a date.

If you desire technical assistance in addressing these issues, please feel free to contact me. In any event, the corrective action plan is due within 15 days. Failure to submit an acceptable corrective action plan will result in disciplinary action. Please review the enclosed documentation for accuracy and contact me with any questions. In the event that I am not available, and you need to speak to someone immediately, please contact the Grand Rapids licensing unit at (616) 356-0100.

Sincerely,

James VandenHeuvel

James P. VandenHeuvel, Licensing Consultant
Bureau of Community and Health Systems
Unit 13, 7th Floor
350 Ottawa, N.W.
Grand Rapids, MI 49503
(616) 901-3730
enclosure

MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF COMMUNITY AND HEALTH SYSTEMS
SPECIAL INVESTIGATION REPORT

I. IDENTIFYING INFORMATION

License #:	CD810265753
Investigation #:	2023C0434032
Complaint Receipt Date:	08/30/2023
Investigation Initiation Date:	09/07/2023
Report Due Date:	10/29/2023
Licensee Name:	City of Ann Arbor Parks & Recreation
Licensee Address:	100 N. Fifth Ave Ann Arbor, MI 48107
Licensee Telephone #:	(734) 794-6230
Administrator:	Gayle Hurn
Name of Facility:	Fuller Park Pool
Facility Address:	1519 Fuller Rd. Ann Arbor, MI 48105
Facility Telephone #:	(734) 794-6237
Original Issuance Date:	05/24/2004
License Status:	REGULAR
Effective Date:	06/16/2023
Expiration Date:	06/15/2025
Capacity:	100
Program Type:	CHILD CAMP - DAY

II. ALLEGATION(S)

	Violation Established?
The camp did not provide adequate supervision of campers.	Yes

III. METHODOLOGY

08/30/2023	Special Investigation Intake 2023C0434032
09/07/2023	Special Investigation Initiated - Telephone
09/08/2023	Contact - Telephone call received
09/20/2023	Inspection Completed On-site
11/09/2023	Inspection in Sub Compliance
11/13/2023	Corrective Action Plan requested and due by 11/28/2023
11/13/2023	Exit Conference by telephone with Ms. Hurn

ALLEGATION:

The camp did not provide adequate supervision of campers.

INVESTIGATION:

On 8/30/23, the department received a telephone call from Camp Director Gayle Hurn about camper to camper possible sexual touching. Ms. Hurn stated a police report was filed with Ann Arbor Police Department and centralized intake.

On 9/7/23, I interviewed Ms. Hurn by telephone. Ms. Hurn stated on 8/24 she was made aware of an incident involving campers possible sexual touching. She stated initially she became aware three campers went to their assigned cabana for changing out of swim suits and peed in a cup while in their cabin. She stated she had talked with the campers who all admitted to changing and peeing in the cup. Ms. Hurn stated later in that evening she received notice from Parent 1A reported the boys may have touched each other in the cabin while changing. Ms. Hurn stated she talked with each of the parents the following morning and created a plan to separate the boys from each other for the remainder of the last day of camp. Ms. Hurn stated the campers were in the 5-6 year old age group. Ms. Hurn described the cabana structure and area. She stated the cabanas are small painted sheds where the day campers keep their personal belongings and are considered home base.

Ms. Hurn stated based on this incident, the camp will be modifying the cabanas by removing the fronts of the cabins to create more open/visible space for campers to use. In addition, Ms. Hurn stated the purple group had a ratio of 1 adult to 10 campers. She stated the campers were in small groups getting "their clothes from their cabin".

On 9/8/23, I reviewed the *City of Ann Arbor Parks & Recreation Day Camp Staff Manual 2023.* On page 15 within section titled Camp Guidelines, the staff/child ratio and supervision policies are written. The staff/ratio policy reads "No less than 1 staff per 10 children in large group activities. At no time, will there be less than 2 staff on site. At no time should an adult be alone with less than 4 children." The supervision policy reads "At all times, campers will need to be within sight and sound of at least three other campers and one adult."

On 9/20/23, I conducted an onsite inspection at the camp facility. Ms. Hurn took me on a tour of the camp. The facility includes a municipal park with playgrounds, swimming pool, locker rooms, sport courts, and an area of cabanas. I observed the purple cabana to be a small painted garden shed approximately 50 sq./ feet. The cabana has a double hung window and standard door. The interior of the garden shed is open floor plan. Ms. Hurn restated they plan to remove the front of the garden sheds during the school year making them more open for easier supervision during summer camp.

On 11/8/23, I received an email by Ms. Hurn including the written statements by Camp Counselors Alexa McDonald and Kyle Messer as well as camp leader Catherine Nicoli. I also reviewed the submitted DHHS 3200 forms for Camper A, Camper B, and Camper C. Ms. Hurn also provided the DHS log #103699083 and police report #23-36800.

I reviewed camp counselor Alexa McDonald's written statement. Ms. McDonald wrote she was called over to the cabin area during the adult swim, and said that Camper A, Camper B, and Camper C were in the cabin naked, trying to put their clothes on. She wrote that Kyle Messer relayed to her the three boys had tried to pee in a cup but had missed. Upon seeing the mess, Ms. McDonald reported the incident to Ms. Hurn and she took over talking to the boys.

I reviewed camp counselor Kyle Messer's written statement. Mr. Messer wrote he was approached by a "purple camper" who told him "they have their pants off in the purple cabin." He wrote he opened the door finding the boys with their pants off in the cabin. Mr. Messer wrote the boys ignored his request to put their pants back on and he contacted their counselor Ms. McDonald. He wrote "when we walked back the campers inside were all in there (with their pants off)."Mr. Messer wrote both he and Ms. McDonald were then able to get the children to put their pants back on and leave the cabin.

In reviewed camp staff Catherine Nicoli's written statement. Ms. Nicoli wrote she was tasked with talking to the parents of the boys involved. She stated she talked with each of the parents about the peeing incident during pick up time on 8/24. Ms. Nicoli provided a narrative how each parent received the information about their child peeing in the cabin. Ms. Nicoli wrote later in the evening she received notice from Ms. Hurn about the possibility of the boys touching each other when in the cabin area.

On 11/8/23, I requested a copy of the police report from Ann Arbor Police Department. As of the writing of this report, I have not received a copy of the police report.

APPLICABLE RULE	
R 400.11113	**Behavior management.**
	(1) A camp shall have and follow a written camper behavior management policy.
For Reference	**(3) A camp shall include in the policy a statement that a camper shall not be deprived of food or sleep; shall not be placed alone without staff supervision, observation, and interaction; or shall not be subjected to hazing, ridicule, threat, corporal punishment, excessive physical exercise, or excessive restraint.**
ANALYSIS:	A review of written statements and records reveal the camp has a written supervision policy however instances of camper prohibited behaviors occurred and the level of supervision at any one time was not reasonably implemented. Therefore, the camp did not comply with this rule.
CONCLUSION:	**VIOLATION ESTABLISHED**

On 11/13/23, I conducted an exit conference by telephone with Ms. Hurn. I reviewed the findings of the report. Ms. Hurn stated she understood the findings and she will be submitting a written corrective action plan within the timelines.

IV. RECOMMENDATION

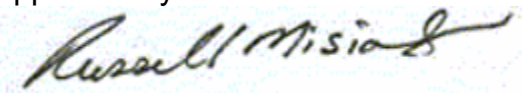
Upon receipt of an acceptable corrective action plan, I recommend no change in license status.



11/13/23

James P. VandenHeuvel Date
Licensing Consultant

Approved By:



11/13/23

Russell B. Misiak Date
Area Manager