STATE OF MICHIGAN
DEPARTMENT OF
LIFELONG EDUCATION, ADVANCEMENT, AND POTENTIAL
LANSING

GRETCHEN WHITMER
GOVERNOR

BEVERLY WALKER-GRIFFEA
DIRECTOR

Thomas Graber
Grand Traverse Bay YMCA
3700 Silver Lake Drive
Traverse City, MI 49684

November 15, 2024

RE: License #: CD280290206
Investigation #: 2024C0129005
Grand Traverse Bay YMCA Day Camp

Dear Mr. Graber:

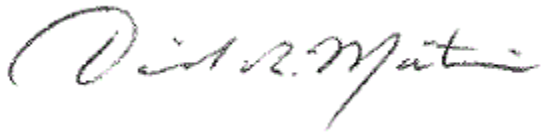
Attached is the Special Investigation Report for the above referenced facility. Due to the violations identified in the report, a written corrective action plan is required. The corrective action plan is due 15 days from the date of this letter and must include the following:

- 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,



David Martin, Camp Licensing Consultant
Bureau of Community and Health Systems
Unit 13, 7th Floor
350 Ottawa, N.W.
Grand Rapids, MI 49503
989-370-9334

enclosure

MICHIGAN DEPARTMENT OF
LIFELONG EDUCATION, ADVANCEMENT, AND POTENTIAL
CAMP LICENSING UNIT
SPECIAL INVESTIGATION REPORT

THIS REPORT CONTAINS SEXUALLY EXPLICIT LANGUAGE

I. IDENTIFYING INFORMATION

License #:	CD280290206
Investigation #:	2024C0129005
Complaint Receipt Date:	08/22/2024
Investigation Initiation Date:	08/26/2024
Report Due Date:	10/21/2024
Licensee Name:	Grand Traverse Bay YMCA
Licensee Address:	3700 Silver Lake Drive Traverse City, MI 49684
Licensee Telephone #:	231-933-9622
Administrator:	Thomas Graber
Name of Facility:	Grand Traverse Bay YMCA Day Camp
Facility Address:	3000 Racquet Club Dr. Traverse City, MI 49686
Facility Telephone #:	231-933-9622
Original Issuance Date:	06/13/2007
License Status:	REGULAR
Effective Date:	07/26/2024
Expiration Date:	07/25/2026
Capacity:	200
Program Type:	CHILD CAMP - DAY

II. ALLEGATION(S)

	Violation Established?
Camp staff were not trained in acceptable techniques of camper supervision and camper behavior.	**No**
Camp staff did not appropriately supervise and interact with campers while on a camp field trip.	**Yes**
Camp did not follow their child protection policy.	**No**

III. METHODOLOGY

08/22/2024	Special Investigation Intake 2024C0129005
08/26/2024	Special Investigation Initiated - Face to Face
08/26/2024	Contact - Telephone call made
08/30/2024	Contact - Telephone call received
09/03/2024	Contact - Telephone call received
09/16/2024	Contact - Telephone call received
09/19/2024	Contact - Telephone call received
11/08/2024	Inspection Completed-BCAL Sub. Compliance
11/15/2024	Exit Interview over phone
11/30/2024	Corrective Action Plan request and Due By 11/30/2024

ALLEGATION:

Camp staff were not trained in acceptable techniques of camper supervision and camper behavior.

INVESTIGATION:

On 8/22/24, Intake #202212 was created by the Lead Camp Consultant prompted by an Incident Report reported to centralized intake on 8/21/24. Children Protective Services – Maltreatment-In-Care Unit (CPS-MIC) investigated the complaint, CPS-MIC Log Number 14046161, which read in part:

> "*Camper A had reported these incidents to her parents (Relative A1 and Relative A2) on August 21, 2024. Relatives A1 and A2 contacted Cailin [Miller], the summer Camp Director. What is stated below is a recap of what was disclosed to CPS-MIC from [Camper A]'s parents.*
>
> *[Camper A] asked a counselor to go to the bathroom (porta-potty). The counselor said "yes". [Camper B] overheard her ask the counselor and said, "I'm coming with you so you can show me your private parts." [Camper B] followed [Camper A] to the porta potty. He put his hand in the door when [Camper A] tried to lock it. [Camper A] didn't want to smoosh his hand, he then pushed the door open. [Camper B] then pulled her pants down for her, when she was trying to go to the potty. He touched [Camper A]'s private parts by grabbing her crotch and attempted to shove his finger into her vagina. Then [Camper B] attempted to stick his finger between her butt cheeks.*
>
> *On the bus to the Grand Traverse Bay YMCA West facility to swim, [Camper B] sat next to [Camper A] on the bus. [Camper B] put a towel over [Camper A] and himself and was kissing her like they were married, on the lips.*
>
> *Then in the water at swim, [Camper B] grabbed her head under water and kissed her like a "marrying kiss and [Camper A] couldn't get away.""*

CPS-MIC led the investigation. They were assisted by the Grand Traverse County Sheriff's Department.

On 8/26/24 CPS-MIC and I met with Licensee Designee, Thomas Graber, at the Grand Traverse Bay YMCA on Silver Lake Road. Mr. Graber stated that neither he or any member of his staff had any knowledge of the bathroom incident between Campers A and B. He confirmed that his knowledge had come from Relative A1 and A2's information that they shared with him. He also stated that summer day camp had ended for the season on 8/23/24. Mr. Graber said he spoke with Camper B's parents, Relative B1 and B2, on 8/22/24 to gain information. Mr. Graber was arranging for viewing of bus video footage and pool video footage to assist in the

discovery phase. Mr. Graber stated that the exterior of the YMCA Day Camp building, where all the porta-potties are located, does not have any cameras.

Mr. Graber provided CPS-MIC and me with the following statement from Camper A's counselor, Staff Member 1 (SM1).

> *"Last Tuesday [8/13/24] during group game, [Camper A] left the gaga pit and started crying under the tree nearby. I went over to her and asked why she was upset. She had said nobody cares about her birthday, so I started talking more to her to make her feel better. Shortly after, [Camper B] came over and the two were smirking at one another. When [Camper B] left I asked [Camper A] why there were acting so weird. She told me that [Camper B] had kissed her under the towel on her way to swimming previously that day. She also said that [Camper B] had kissed [Camper C] as well. [Camper A] had a smile on her face when she told me this and appeared giddy about the situation. After the group game I had confronted [sic] [Camper B] about the situation where he said it was true and [Camper A] had asked him to kiss her. I explained to [Camper B] that kissing is not appropriate at camp and also explained the same thing to [Camper A] as well. The two seemed to agree and did not tell me anything else."*

Mr. Graber also stated that Camper A informed him that Staff Member 2 (SM2) was present for the porta-potty incident while Camper B stated that it was SM1 who allowed him to use the bathroom inside the facility.

At the 8/26/24 meeting, CPS-MIC discussed and implemented a safety plan with Mr. Graber in regard to the allegations. The safety plan states: "We will ensure all staff is trained appropriately and that their trainings are current. We will ensure that all youth are appropriately supervised at all times. We will ensure youth go to the bathroom alone and that no one else is going into the porta potty, stall, etc. with them. If any incidences occur, we will notify parents and the state, as necessary."

On 8/27/24, I received and viewed the training materials used for staff training for the YMCA Day Camp. I viewed, "Preventing Abuse in Youth-Serving Organizations" by the Praesidium Academy, an industry leader in child abuse prevention training. The video emphasizes following the rules set up by the camp, proper reporting to your supervisors, and appropriate supervision of children. I examined the staff training materials provided for staff at the day camp. The Grand Traverse Bay YMCA Day Camp coordinates with the Traverse Bay Children's Advocacy Center (TBCAC) in teaching their staff about how to talk with campers, protect campers, and how both campers and adults should be on the lookout for people in their world who may wish to take advantage of them and/or abuse them. The TBCAC provided the YMCA with training materials and staff to teach training. Content also focuses on the many forms of electronic media that children see. Their training was conducted during the YMCA's staff training time. The training follows the best examples in the industry to protect children.

On 6/24/24, I inspected the Grand Traverse YMCA Day Camp as part of its annual camp licensing inspection. During this inspection, I examined the camp's staff training calendar and found that they exceeded the 30 hours of required staff training for a day camp of their length. I also found that the training was comprehensive and included all required areas of training such as: supervision, behavior management, child and adult protection plan, health and wellness, program activities, transportation, and site safety and emergency procedures.

The materials do not include specific reference regarding staff placement and supervision on the bus for field trips or action steps for counselors when observing inappropriate behaviors on the bus.

On 8/30/24, CPS-MIC met with the Grand Traverse Bay YMCA Chief Operating Officer to view video footage of the pool from the day of the allegation. In the video, Camper A and Camper B can be identified, but they are not seen together during their time at the pool. There is no video of Camper A and Camper B holding each other under water in any way.

On 9/3/24, I spoke on the phone with SM1. She reported that both Camper A and Camper B were in her group at Day Camp. She confirmed that she had ten campers in her group. She stated that she was not informed in any way by Camper A that Camper B had followed her into the porta potty nor about touching her in any way. SM1 was never informed of this by Camper A. She also stated that she had not heard about the incident from any other staff.

SM1 identified the camp's policies and procedures on bathroom use at day camp stating that the group of ten campers and one leader will go to the bathroom area together with one camper allowed use at a time, if the group is far from the porta potties. If they are in the tent area, which is close to the porta potties, a camper may ask for permission to go, one at a time, with the counselor observing the single camper use of the porta potty. For indoor bathrooms, there are single gender bathrooms with counselors allowing only one camper at a time to use the bathroom after they have asked permission from the counselor.

SM1 also stated that she did not recall any inappropriate incidents on the bus ride to the pool or at the pool. SM1 stated that their training was not to allow campers to place blankets over the heads on the bus ride. SM1 stated that Camper B was rude to other campers and was appropriately disciplined at camp when he would push or shove another camper during soccer. He also called other campers by bad names and was caught swearing at camp. These behaviors led to "time out" at camp.

On 9/5/24, The Children's Advocacy Center in Traverse City, MI conducted a Forensic Interview of Camper A. Relative A1, Law Enforcement (LE), and CPS-MIC viewed the interview. In the interview, Camper A stated: "he kissed me underwater, and he touched my private parts, and that was it." Camper A said that Camper B had touched her on her private parts under her clothes with his hand inside the porta

potty. The porta potty was green and near the woods. Camper A also said that Camper B had entered the porta potty first. Camper A reported that she went to the porta potty because she “had to go potty.” At the pool, she said that Camper B had used his mouth to kiss her, and she did not believe anyone saw them do that. Camper A was able to identify for the interviewer the parts of the body that Camper B had touched by pointing to her own body.

Camper A then stated: “That was it. That is it with my story. Nothing else happened, nothing else happened. Everything was just normal.” The interviewer was able to get Camper A to talk about the bus ride. Camper A reported that Camper B sat with her on the bus. Camper A said that Camper B “wanted to sit with me and he is good. He isn’t as bad as she thought he was going to be.” Additional questions were answered with: “I just don’t want to tell you. No nothing different happened. That’s all I’m going to tell you. You know the whole story. Can you get out of here? K, goodbye.”

An attempt was made to bring Camper A back to conclude the interview. This proved unsuccessful. Relative A1 inquired of CPS-MIC and LE about having Camper A participate in another forensic interview as Camper A had not disclosed everything. CPS-MIC advised Relative A1 that Camper A had made it clear that she was done being interviewed.

The 9/18/24 Forensic Interview for Camper B never occurred though Relative B1 and B2 initially agreed to it. On 9/13/24, Relative B1 and B2 requested of LE that the interview not occur after consulting with Camper B’s counselor he sees in therapy sessions. On 9/13/24, LE reported to CPS-MIC that they are not pursuing any criminal charges due to the involved individuals being 6-year-olds. On 9/19, the therapist stated to CPS-MIC that there is no evidence to support the allegations at this time, therefore they had recommended Camper B not participate. Additional requests from CPS-MIC to Relative B1 and B2 to interview Camper B were not granted.

On 9/6/24, CPS-MIC spoke with SM2. SM2 was present on the bus on the day of the bus incident. SM2 reported that the campers to staff ratio was 10:1. SM2 identified the YMCA Day Camp’s system for bathroom use either at the porta potty or inside the building. Her description matched that of SM1 and staff training information/guidelines. SM2 denied Camper A telling her about anything that occurred at either the outside or inside bathrooms. SM2 denied having any knowledge of the bus or pool incidents and denied knowing if any other staff were told my Camper A of the incidents. SM2 stated that the behaviors described would not be tolerated by any staff member.

On 9/16/24, CPS-MIC and I interviewed, by phone, four Grand Traverse YMCA Day Camp parents of five current campers in the same age bracket as Camper A and Camper B. In the four interviews, zero concerns were expressed about the care their children received at the camp. The parents said that all their children had happy,

positive experiences, and the children enjoyed the staff. No parent expressed any reservations about the day camp.

On 9/19/24, CPS-MIC viewed bus video footage from the day of the allegation. The video was provided by Traverse City Area Public Schools (TCAPS) bus garage and viewed at the garage's facility. The video is 15 minutes in length. The video showed Camper B getting on the bus before Camper A and sitting in the window seat in the second row of the school bus on the opposite side of the school bus driver. Camper A chose to sit next to Camper B on the aisle side. The closest counselor is a male sitting three seats behind the campers. The other counselors were observed sitting in the back of the school bus.

As the bus was moving, Camper B placed his swimming towel over Camper A's head. Camper A would grab the towel and assist in getting it over her head. Camper A and Camper B took the towel off their heads periodically throughout the bus ride and then would put it back over their heads. They would also peak out from underneath the towel to see if they were being watched.

The male counselor moved up two rows and on the opposite side of Campers A and B. The male counselor spoke to Camper A who removed the towel from her head. Campers A and B did not put the towel over their heads following the talk by the counselor. Due to all the children on the bus talking, the conversation on the video could not be understood between the male counselor and Camper A.

As the bus approached the swim facility, its final destination, Camper B placed the towel back over Camper A's head, placed his hands on her face – over the towel – and brought his face closer to hers under the towel. It is unclear if Campers A and B kissed each other due to the towel obstructing the view. Camper A does not appear to be in distress at any point during the bus ride. The video shows that neither Camper A or B standing up or attempting to stand up during the bus ride.

On 9/19/24, CPS-MIC was called by a nurse from the Traverse Area Pediatric and Adolescent Clinic. Camper A had her well child physical on 8/20/24. The nurse reported that Camper A had "a full vaginal exam completed…including the doctor opening up her labia and viewing the inside of the vaginal area." She reported "there were no signs of trauma to the vagina." The nurse also commented that Camper A and Relative A1, at the exam, did not mention anything related to the incident at the day camp which had occurred exactly one week earlier. The following day, 8/21/24, Relative A1 contacted the clinic reporting the information Camper A had shared with her to the clinic.

On 9/20/24, CPS-MIC received a phone call from Relative C1. She reported that in her conversations with Camper C, they have made no mention of any physical contact with Camper B nor any attempt by Camper B to be in contact with Camper C. In a follow-up direct conversation with Camper C by CPS-MIC, she confirmed this

information and added that Camper B was “mean” and called her names in her school classroom such as “loser.”

On 9/25/24, Camper D and Relative D1 had a forensic interview with CPS-MIC. Camper D reported that Camper B tried to kiss Camper D, but Camper D would not let him because that “wasn’t allowed.” Camper D reiterated camp policy about camper use of porta potties and bathrooms. Camper D also reported that many campers would “make forts” with their towels on the bus ride, but that was not allowed. The offending campers would be talked to by the counselors.

On 10/7/24, I received the CPS-MIC report. The report details the findings of “Neglectful Behavior” and “Caused Identifiable Harm” were not met.

APPLICABLE RULE	
R 400.11109	**Staff.**
	(9) A camp shall establish and provide a pre-camp training program for staff members. A camp shall ensure that the overall training time, including pre-camp training, shall be not less than 3 hours for each week a person works for the first 10 weeks of the camp's operation.
FOR REFERENCE:	**(10) A camp shall ensure that the program content for the pre-camp training is in writing and includes all of the following information:** **(a) The camp's philosophy, objectives, policies, and operating procedures.** **(b) Procedures and requirements of these rules related to each staff member's duties.** **(c) Camper behavior management.** **(d) Developmental needs of the population that is served.** **(e) Acceptable techniques of camper supervision.**
ANALYSIS:	The camp has a comprehensive staff training regime involving industry standard materials for educating the staff on best practices for counselors. The time period for training is being met and staff are able to articulate specific techniques learned from training when asked in interviews. All required areas of training are taught during training. The camp meets the standard for this rule.
CONCLUSION:	**VIOLATION NOT ESTABLISHED**

ALLEGATION:

Camp staff did not appropriately supervise and interact with campers while on a camp field trip.

INVESTIGATION:

The camp maintained the 10:1 camper to staff ratio during the bus ride. This is verified by TCAPS video viewed by CPS-MIC. I viewed camper and staff attendance records for the bus ride on 8/13/24 provided by YMCA administration which also verified this information.

On 8/27/24, I examined the written camp staff training for bus rides/field trips. It identifies all appropriate steps to be taken in case of bus mechanical breakdown. The training also identifies the child protection law. The written training does not offer “inside the bus” specifics on how to place counselors and supervise the children. In interviews with staff, the staff can appropriately address what the best practice should be for behavior inside the bus, but execution of the verbal training/instructions was inconsistent among multiple staff.

There was only the one staff member in the front half of the bus. In time, the male counselor appropriately reacted to campers breaking the bus rules by repositioning himself in order to effectively supervise the campers. The counselor conversation with the campers is not known. After the counselor moved forward on the bus, only one additional incident involving placing a towel over the two campers’ heads took place, and this occurred as the bus drove into the driveway of the YMCA pool.

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:	All staff had been trained in bus/field trip procedures. However, much of this training is verbal in nature and implementation varied with each staff member interviewed. On the day of the incident, the staff on the bus did not sit in an appropriate manner to properly supervise the campers during the bus ride. Campers A and B initially placed towels over their heads which was against the verbal training rules. They did not engage in covering their heads with towels after the counselor spoke with them except for one last violation as the bus approached its destination. Had staff interacted with the campers earlier in the bus ride, the camper's behaviors may have been different. The staff did not position themselves on the bus in such a manner to provide appropriate supervision and timely interaction.
CONCLUSION:	**VIOLATION ESTABLISHED**

ALLEGATION:

Camp did not follow their child protection policy.

INVESTIGATION:

On 8/20/24, Camper A informed Relatives A1 and A2 of the 8/13/24 incident. On 8/21/24, camp director Cailin Miller received a message to contact Relatives A1 and A2 as soon as possible. After a conversation with them that same day, on 8/21/24 Grand Traverse Bay YMCA Day Camp properly notified centralized intake of an incident involving children in their care. On 8/26/24, using form BCAL-4605, the camp provided written notification to Camp Licensing Unit.

On 8/22/24, CPS-MIC visited the home of Camper A in the afternoon to check on the health and well-being of Camper A and begin the interview process. The YMCA Day Camp ended for the summer season on 8/23/24. As there was confusion in the first days of the investigation as to exactly what counselors and campers were involved, it wasn't until the afternoon of 8/23/24 (a Friday), and the morning of 8/26/24 (a Monday) that it could be determined who the alleged perpetrator(s) were. By the time CPS-MIC, camp licensing, and the camp itself determined this, camp had ended for the summer season.

During my 6/24/24 annual licensing inspection of the camp, I read the camp's Child Protection Law protocols in place. I also viewed their staff training showing an appropriate time period for the training of staff on this law. The camp provides appropriate teaching to its staff on the Child Protection Law. Upon learning of this

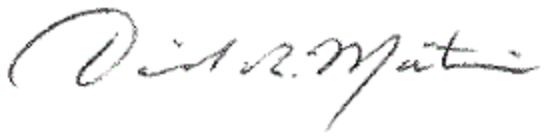
incident, the camp exercised due diligence to inform the proper personnel and protect the children in their care as expeditiously as possible.

APPLICABLE RULE	
R 400.11115	**Child and adult protection plan.**
	(1) A camp shall develop and follow a written plan to assure compliance with 1975 PA 238, MCL 722.621, and known as the child protection law, and sections 11 to 11f and 14 of 1939 PA 280, MCL 400.11 to 400.11f and 400.14, and known as the adult protection law.
FOR REFERENCE:	**(2) The plan shall cover all of the following areas:** **(a) Reporting responsibilities.** **(b) Confidentiality.** **(c) Separation of an alleged perpetrator from campers until the incident is resolved, until the threat is removed, or as long as necessary to protect the safety and welfare of the campers.**
ANALYSIS:	The camp has a child protection policy. The camp followed the child protection policy by immediately reporting the incident to centralized intake once becoming aware. The camp fully cooperated with CPS-MIC, LE, parents, and camp licensing during the investigative process. Separation of an alleged perpetrator could not happen as the camp had already ended for the summer season.
CONCLUSION:	**VIOLATION NOT ESTABLISHED**

On 11/15/24 an Exit Interview was conducted with Thomas Graber and Cailin Miller. Their comments were: “This is a chance to enhance our program and an opportunity to improve our program. We do everything possible to protect the children in our care. The safety and well-being of our campers has been, will continue to be, and will always be the number one priority of our program.”

IV. RECOMMENDATION

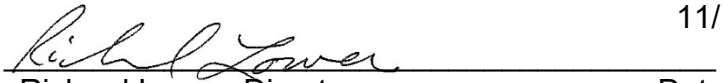
Upon receipt of an acceptable Corrective Action Plan within the timeframe allowed, I recommend no change to the status of the license.



11/15/2024

David Martin — Date
Camp Licensing Consultant

Approved By:



11/15/2024

Richard Lower, Director — Date
Out-of-School Time Learning and Camp Licensing