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Inspection Report

Provider Name: Tots Landing Learning Center	Provider Information	CLR No: L355515
Provider Address: 2245 Gulfstream Drive, Lexington, KY, 40504	Provider Type: LICENSED TYPE I	Capacity: 97
Owner(s): Tots Landing Learning Centers, LLC		Director(s): Grieve, Carisia

Inspection Type: Renewal Application	Inspection Information	Inspection No: 320597
Date Initiated: 04/06/2022 9:54 AM	Date Concluded: 04/06/2022 1:14 PM	
	No. of Children Present: 86	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	Not In Compliance
125 - Ratios and Group Size	Not In Compliance

922 KAR 2:120. Section 2. Child Care Services.
(2) For an operating child-care center, minimum staff-to-child ratios and group size shall be maintained as established in the table established in this subsection.

Age of Children	Ratio	Maximum Group Size*
Infant	1 staff for 5 children	10
Toddler 12 to 24 months	1 staff for 6 children	12
Toddler 24 to 36 months	1 staff for 10 children	20
Preschool-age 3 to 4 years	1 staff for 12 children	24
Preschool-age 4 to 5 years	1 staff for 14 children	28
School-age 5 to 7 years	1 staff for 15 children	30
School-age 7 and older	1 staff for 25 children	
(for before and after school)	1 staff for 20 children	
(full day of care)		30

*Maximum Group Size shall be applicable only to Type I child-care centers.
(b) The age of the youngest child in the group shall determine the:
 1. Staff-to-child ratio; and
 2. Maximum group size.

Findings:

General: Based on observation, the surveyor entered the Dolphin classroom at 10:29AM, and observed 26 students. The staff person in charge stated that the youngest child in this group was three-years-old. At 10:32AM, an additional child joined this classroom, bringing the total number of students to 27, with two staff members. The staff-to-child ratio for a child age three is 1:12, not to exceed 24. The group size and staff-to-child ratio was exceeded by three children for an undetermined amount of time.

Inspection Report

General Administration

Not In Compliance

225 - Licensee Responsibility

Not In Compliance

922 KAR 2:090. Section 8. General.

(1) A licensee shall:

- (a) Be responsible for the operation of the child-care center pursuant to this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280; and**
- (b) Protect and assure the health, safety, and comfort of each child.**

Findings:

General: Based on observation, an extension cord was hanging down a wall in the Starfish classroom and Dolphin classroom. These cords were accessible to the children in the classrooms.

Director Requirements

In Compliance

Employee Records

Not In Compliance

400 - Educational Requirements

Not In Compliance

922 KAR 2:090. Section 11. Staff Requirements.

(1) Child-care center staff:

(a) Hired after January 1, 2009, who have supervisory power over a minor and are not enrolled in secondary education, shall have a:

- 1. High school diploma;**
- 2. GED or qualifying documentation from a comparable educational entity; or**
- 3. Commonwealth Child Care Credential as described in 922 KAR 2:250;**

Findings:

General: Based on review of documentation, staff members hired 10/27/2021, and 8/5/21, did not have proof of educational qualifications in their personnel file.

405 - TB Verification

Not In Compliance

922 KAR 2:090. Section 11. Staff Requirements.

(1) Child-care center staff:

(b) Shall provide, prior to employment and every two (2) years thereafter:

- 1. A statement from a health professional that the individual is free of active tuberculosis; or**
- 2. A copy of negative tuberculin results.**

Findings:

General: Based on review of documentation, staff members hired 04/07/2001, 01/11/2016, and 03/01/2018, had a negative tuberculin skin result on file that exceeded two years; therefore, the results were no longer current.

435 - Training

Not In Compliance

922 KAR 2:090. Section 11. Staff Requirements.

(16) In accordance with KRS 199.896(15) and (16), a staff person with supervisory authority over a child shall complete the following:

- (a) Six (6) hours of cabinet-approved orientation completed within the first three (3) months of employment in a child-care program;**
- (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment in a child care program, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training; and**
- (c) Fifteen (15) hours of cabinet-approved early care and education training completed between July 1 and the following June 30 of each subsequent year of employment in a child care program, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.**

(17) A staff person's compliance with training requirements of this section shall be verified through the cabinet-designated database maintained pursuant to 922 KAR 2:240.

Findings:

General: Based on review of documentation, staff members hired 8/22/19 and 3/16/2021, only completed eleven out of fifteen hours of cabinet-approved early care and education training for the July 1, 2020 to June 30, 2021, year of employment. A review of ECE-TRIS supports this finding.

Programming

In Compliance

Premises

Not In Compliance

565 - Inaccessible Items

Not In Compliance

922 KAR 2:120. Section 3. General Requirements.

(7) The following shall be inaccessible to a child in care:

- (a) Toxic cleaning supplies, poisons, and insecticides;**
- (b) Matches, cigarettes, lighters, and flammable liquids; and**
- (c) Personal belongings and medications of staff.**

Findings:

General: Based on observation, the following was found:

- 1.) The aerosol cleaning containers were stored on a low shelf within the Sunfish classroom bathroom, these items were accessible to the children in care and had warning labels that read, "Keep out of reach of children".
- 2.) Staff purses were stored on napping cots and in an unlocked storage cabinet within the Sunfish classroom.
- 3.) A purse was stored on the floor by the sensory table within the Sailboat classroom. Additionally, the storage cabinet within this classroom was not locked, a purse was stored on a low shelf.

625 - Floors, Walls, Ceilings

Not In Compliance

922 KAR 2:120. Section 4. Premises Requirements.

(9) Floors, walls, and ceilings shall be smooth, in good repair, and constructed to be easily cleaned.

Findings:

General: Based on observation, the following was found:

- 1.) The baseboard was separating from the wall within the Starfish classroom.
- 2.) A ceiling vent in the Sailboat classroom had dust build-up around the plastic covering.
- 3.) A portion of the wall in the Sailboat classroom had peeling paint and exposed drywall.
- 4.) A plastic wall covering was cracked within the Sunfish classroom.
- 5.) The corner portion of the wall in the Dolphin classroom was chipping.
- 6.) The baseboard was separating from the wall within the Dolphin classroom.

695 - Toilet

Not In Compliance

922 KAR 2:120. Section 12. Toilet, Diapering, and Toiletry Requirements.

(4) Each toilet shall:

- (a) Be kept in clean condition;**
- (b) Be kept in good repair;**
- (c) Be in a lighted room; and**
- (d) Have ventilation to outside air.**

Findings:

General: Based on observation, the toilet seat in the Dolphin classroom was covered with urine, and the toilet had a significant amount of grime around the base.

Hygienic Practices

Not In Compliance

705 - Staff Hygiene/Handwashing

Not In Compliance

922 KAR 2:120. Section 3. General Requirements.

(5) Staff shall:

- (a) Maintain personal cleanliness;**
- (b) Conform to hygienic practices while on duty;**
- (c) Except as established in paragraph (d) of this subsection, wash their hands with liquid soap and running water:**
 - 1. Upon arrival at the center;**
 - 2. After toileting or assisting a child in toileting;**
 - 3. Before and after diapering each child;**
 - 4. After wiping or blowing a child's or own nose;**
 - 5. After handling animals;**
 - 6. After caring for a sick child;**
 - 7. Before and after feeding a child or eating;**
 - 8. Before dispensing medication;**
 - 9. After smoking or vaping; and**
 - 10. If possible, before administering first aid; and**
- (d) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (c) of this subsection. The staff shall wash the staff's hands as soon as practicable once liquid soap and warm running water are available.**

Findings:

General: Based on observation, at 10:15AM, a staff member within the Minnows classroom completed a diaper change. The staff member placed the child down and proceeded to pat another child on their head. The staff member did not wash their hands after completing the diaper change.

Inspection Report

First Aid/Medication

Not In Compliance

775 - Medication

Not In Compliance

922 KAR 2:120. Section 7. First Aid and Medicine.

(6) Medication, including refrigerated medication, shall be:

- (a) Stored in a separate and locked place, out of the reach of a child unless the medication is:
 - 1. A first aid supply and is maintained in accordance with subsection (1) of this section;
 - 2. Diaper cream, sunscreen, or toothpaste. Diaper cream, sunscreen, or toothpaste shall be inaccessible to a child;
 - 3. An epinephrine auto-injector. A licensed child-care center shall comply with KRS 199.8951 and 311.646, including:
 - a. An epinephrine auto-injector shall be inaccessible to a child;
 - b. A child-care center shall have at least one (1) person onsite who has received training on the administration of an epinephrine auto-injector if the child-care center maintains an epinephrine auto-injector;
 - c. A child-care center shall seek emergency medical care for a child if an auto-injector is administered to the child; and
 - d. A child-care center shall report to the child's parent and the cabinet in accordance with 922 KAR 2:090, Section 13(1)(b) if an epinephrine auto-injector is administered to a child; or
 - 4. An emergency or rescue medication for a child in care, such as medication to respond to diabetic or asthmatic condition, as prescribed by the child's physician. Emergency or rescue medication shall be inaccessible to a child in care;
 - (b) Kept in the original bottle; and
 - (c) Properly labeled.
- (7) Medication shall not be given to a child if the medication's expiration date has passed.

Findings:

General: Based on observation, one child's diaper cream was not labeled with their name in the Minnow's classroom.

Outdoor Play Area

Not In Compliance

800 - Protective Surface

Not In Compliance

922 KAR 2:120. Section 4. Premises Requirements.

(21) A protective surface shall:

- (a) Be provided for outdoor play equipment used to:
 - 1. Climb;
 - 2. Swing; and
 - 3. Slide; and
- (b) Have a fall zone equal to the height of the equipment.

Findings:

General: Based on observation, an airplane teeter-totter was located within one foot of a large climbing structure; the fall zone around the climbing structure did not equal the height of the equipment.

Equipment

Not In Compliance

845 - Twelve Inch Spacing

Not In Compliance

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.

(6) Cots, equipment, and furnishings used for sleeping and napping shall be spaced twelve (12) inches apart to allow free and safe movement by a person.

Findings:

General: Based on observation, cribs were spaced less than 12 inches apart in the Minnow's classroom, two children were observed sleeping in the cribs during the inspection process.

865 - Indoor/Outdoor Equipment

Not In Compliance

922 KAR 2:120. Section 13. Toys and Furnishings.

(2) Indoor and outdoor equipment shall:

- (a) Be clean, safe, and in good repair;
- (b) Meet the physical, developmental needs, and interests of children of different age groups;
- (c) Be free from sharp points or corners, splinters, protruding nails or bolts, loose or rusty parts, hazardous small parts, lead-based paint, poisonous material, and flaking or chalking paint; and
- (d) Be designed to guard against entrapment or situations that may cause strangulation.

Findings:

General: Based on observation, the following was found:

- 1.) Napping cots were stacked high within the Sailboat and Dolphin classrooms and presented a tipping hazard.
- 2.) Twelve chairs were stacked upon one another in the Tugboat classroom. This creates a tipping hazard and is a safety risk to the children in care.

Inspection Report

870 - Toys

Not In Compliance

922 KAR 2:120. Section 13. Toys and Furnishings.

- (3) Toys shall be:
 - (a) Used according to the manufacturer's safety specifications;
 - (b) Durable; and
 - (c) Without sharp points or edges.

Findings:

General: Based on observation, a tablet was charging on a low shelf within the Sailboat classroom; the glass covering was cracked and chipping.

Transportation

In Compliance

Kitchen Requirements

Not In Compliance

1065 - Bottles

Not In Compliance

922 KAR 2:120. Section 8. Kitchen Requirements.

- (9) Bottles shall be:
 - (a) Individually labeled;
 - (b) Promptly refrigerated;
 - (c) Covered while not in use; and
 - (d) Consumed within one (1) hour of being heated or removed from the refrigerator.

Findings:

General: Based on observation, there were two bottles in the Minnow's room refrigerator that were not labeled with a child's name. In addition, one bottle was not capped or covered.

Food Service

In Compliance

Meal Planning/Center Provides Meals

In Compliance

Meal Planning/Center Does Not Provide Meals

In Compliance

Children's Records

Not In Compliance

1245 - Immunization

Not In Compliance

922 KAR 2:090. Section 9. Records.

- (1) A child-care center shall maintain:
 - (a) A current immunization certificate for each child in care within thirty (30) days of the child's enrollment, unless an attending physician or the child's parent objects to the immunization of the child pursuant to KRS 214.036;

Findings:

General: Based on review of documentation, three children who had been enrolled for more than 30 days, had immunization records in their files that had expired.

Written Documentation

Not In Compliance

1260 - Evacuation Plan

Not In Compliance

922 KAR 2:090. Section 5. Evacuation Plan.

- (1) A licensed child-care center shall have a written evacuation plan in the event of a fire, natural disaster, or other threatening situation that may pose a health or safety hazard for a child in care in accordance with KRS 199.895 and 42 U.S.C. 9858c(c)(2)(U).

Findings:

General: Based on review of documentation, there was no evidence documenting that the emergency preparedness plan had been submitted to the proper emergency management authorities in 2021.

Posted Documentation

Not In Compliance

1310 - Posting Requirements

Not In Compliance

922 KAR 2:090. Section 8. General.

- (6) In addition to the posting requirement of KRS 199.898(3), a child-care center shall post the following in a conspicuous place and make available for public inspection:
 - (a) The provider's preliminary or regular license;
 - (b) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;
 - (c) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;
 - (d) Information on the Kentucky Consumer Product Safety Program and the program's Web site as specified in KRS 199.897;
 - (e) A description of services provided by the child-care center, including:
 - 1. Current rates for child care; and
 - 2. Each service charged separately and in addition to the basic rate for child care;
 - (f) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and
 - (g) Daily planned program.

Findings:

General: Based on review of documentation, the following was found:

- 1.) The lesson plans posted within the Dolphin Classroom, Sunfish classroom, Tugboat classroom, and Sailboat classroom did not contain a date; the surveyor could not verify if the posted plans were current.
- 2.) The lesson plan posted in the Starfish classroom was not current, the posted plan was dated 3/7/22-3/11/2022.

Inspection Report

1330 - Diapering/Handwashing

Not In Compliance

922 KAR 2:120. Section 12. Toilet, Diapering, and Toiletry Requirements.

(9) The proper methods of diapering and hand-washing shall be posted at each diaper changing area.

Findings:

General: Based on observation, it was found that the proper methods of hand washing were not posted at or near the hand washing station in the Minnows classroom.

Animals

In Compliance

Signature of Provider/Representative

Title

Date