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GOVERNOR

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Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Kinder Care Learning Center #419	Provider Information	CLR No: L350185
Provider Address: 628 Wellington Way, Lexington, KY, 40503	Provider Type: LICENSED TYPE I	Capacity: 110
Owner(s): Kindercare Learning Centers LLC		Director(s): Alasoud, Brigitte Marie

Inspection Type: Renewal Application	Inspection Information	Inspection No: 293700
Date Initiated: 08/17/2020 10:05 AM	Date Concluded: 08/17/2020 12:52 PM	
	No. of Children Present: 40	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
255 - Notification of Changes	Not In Compliance
922 KAR 2:090. Section 12. Reports. (4)(a) Written notification of the following shall be: 1. Made to the cabinet, in writing, to allow for approval before implementation: a. Change of ownership; b. Change of location; c. Increase in capacity; d. Change in hours of operation; e. Change of services in the following categories: (i) Infant; (ii) Toddler; (iii) Preschool-age; (iv) School-age; (v) Nontraditional hours; or (vi) Transportation; or f. Addition to or reduction of the square footage of a child-care center's premises; Findings: General: Based on review of documentation and interview with the staff person in charge, it was found that the facility is no longer providing transportation and has removed all vehicles from the premises. Further interview with the staff person in charge found that they have not transported children since the summer of 2019. A review of DRCC files found that a written request to remove transportation had not been submitted.	
Director Requirements	In Compliance
Employee Records	In Compliance

Inspection Report**Programming****Not In Compliance****420 - Program of Activities Followed****Not In Compliance****922 KAR 2:120. Section 2. Child Care Services.****(4) The child-care center shall provide a daily planned program:**

- (a) Posted in writing in a conspicuous location with each age group and followed;**
- (b) Of activities that are individualized and developmentally appropriate for each child served;**
- (c) That provides experience to promote the individual child's physical, emotional, social, and intellectual growth and well-being; and**
- (d) Unless the child-care center is a before- or after-school program that operates part day or less, that offers a variety of creative activities including:**

- 1. Art or music;**
- 2. Math or numbers;**
- 3. Dramatic play;**
- 4. Stories and books;**
- 5. Science or nature;**
- 6. Block building or stacking;**
- 7. Tactile or sensory activity;**
- 8. Multi-cultural exposure;**
- 9. Indoor or outdoor play in which a child makes use of both small and large muscles;**
- 10. A balance of active and quiet play, including group and individual activity;**
- 11. An opportunity for a child to:**
 - a. Have some free choice of activities;**
 - b. If desired, play apart from the group at times;**

Findings:

General: Based on observation at the time of the survey conducted on 8/17/2020, there were eight children ages 3-7 years old in the Preschool Room. An interview with staff found that the child who was seven-years-old is the sibling of another child in the classroom. An interview with the staff person in charge found that the corporate office informed them it was acceptable to have the seven-year-old child in the Preschool Room in order to keep families together in one classrooms due to COVID19. It was further stated through interviews with staff that materials are printed off for the seven-year-old child to complete while in the classroom. The staff person in charge also stated the child was only to be at the facility for two weeks. An observation of materials in the classroom found that they were geared to preschool age children and not school age children. It is not developmentally appropriate to have a seven-year-old child in a room with children who are preschool age.

Premises**Not In Compliance****520 - 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 during a tour of Discovery Preschool, there was a cabinet with a sliding door under the sink. Inside the cabinet on a low shelf, an adult purse was observed. There was no lock on the cabinet making the purse accessible to the children.

Hygienic Practices**Not In Compliance****655 - Child Personal Care/Handwashing****Not In Compliance****922 KAR 2:120. Section 3. General Requirements.****(4) A child shall:**

- (a) Be helped with personal care and cleanliness based upon his or her developmental skills;**
- (b) Except as established in paragraph (c) of this subsection, wash his or her hands with liquid soap and warm running water:**

- 1. a. Upon arrival at the center; or**
- b. Within thirty (30) minutes of arrival for school-age children;**
- 2. Before and after eating or handling food;**
- 3. After toileting or diaper change;**
- 4. After handling animals;**
- 5. After touching an item or an area of the body soiled with body fluids or wastes; and**
- 6. After outdoor or indoor play time; and**

(c) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (b) of this subsection. The child shall wash the child's hands as soon as practicable once liquid soap and warm running water are available.

Findings:

General: Based on observation while in the Infant A Room, a staff person wiped an infant's nose. The staff person had on gloves when she wiped the child's nose. She removed her gloves afterward, disposed of them, then proceeded to pick up toys off of the floor to put them away. The staff person then washed her hands and picked up a child and took them to the diaper changing table. The staff person did not wash the child's hands after having their nose wiped.

660 - 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 while in the Infant A Room, a staff person wiped an infant's nose. The staff person had on gloves when she wiped the child's nose. After wiping the child's nose, she removed her gloves, disposed of them, and then proceeded to pick up toys off of the floor to put them away. The staff person then washed her hands and picked up a child and took them to the diaper changing table. The staff person did not wash her hands after removing her gloves.

680 - Soiled Diapers/Clothing

Not In Compliance

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.

(8) Diapers or clothing shall be:

- (a) Changed when soiled or wet;**
- (b) Stored in a covered container temporarily; and**
- (c) Washed or disposed of at least once a day.**

Findings:

General: Based on observation during a tour of the Toddler B Room, an uncovered trash can that contained soiled diapers and rubber gloves was observed in the bathroom located within the classroom. Rubber gloves were also observed on the floor by the trashcan.

First Aid/Medication

In Compliance

Outdoor Play Area

In Compliance

Equipment

In Compliance

Transportation

Not Applicable

Food Service/Food Program

In Compliance

Food Service

In Compliance

Children's Records

In Compliance

Written Documentation

Not In Compliance

1175 - Earthquake/Tornado/Fire Drills

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

- (h) A written record of quarterly practiced earthquake drills and tornado drills detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;**
- (i) A written record of practiced fire drills conducted monthly detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;**

Findings:

General: Based on observation and review of documentation, it was found that the time of day the fire drill was conducted was not documented for fire drills conducted on 6/26/2020 and 7/10/2020. The time the drill was conducted is required to be documented for each drill. Furthermore, it was found that there was no documentation to verify that a fire drill had been conducted for November and December 2019. A fire drill is required to be conducted and documented monthly including the date, time and names of children who participated.

1185 - Confidentiality/Maintenance/Access

Not In Compliance

922 KAR 2:090. Section 9. Records.

(2) A child-care center shall:

- (a) Maintain the confidentiality of a child's record and information concerning a child or the child's parent;**
- (b) Maintain all records for five (5) years; and**
- (c) Provide the cabinet access and information in the completion of the investigation pursuant to KRS 620.030(4) and (5).**

Findings:

General: Based on observation and interview, it was found that dietary restrictions and allergies of the children enrolled were posted in public view in most of the classrooms. The document posted contained the child's name, a picture of the child and any allergies and dietary restrictions. An interview with the staff person in charge found that they had not obtained parental permission to post this confidential information.

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1195 - Fire Drills

Not In Compliance

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

(12) A fire drill shall be:

- (a) Conducted during hours of operation at least monthly; and
- (b) Documented.

(13) An earthquake drill and a tornado drill shall be:

- (a) Conducted during hours of operation at least quarterly; and
- (b) Documented.

Findings:

General: Based on review of documentation, it was found that there was no documentation to verify that a fire drill had been conducted for November and December 2019. A fire drill is required to be conducted monthly.

Posted Documentation

Not In Compliance

1200 - 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 Website 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 observation, during a tour of the facility it was found that information regarding the Kentucky Consumer Product Program and the program's website was not posted.

Animals

Not Applicable

Emergency Regulation

Not In Compliance

1250 - Emergency Regulation

Not In Compliance

922 KAR 2:400E. Emergency Regulation.

Due to the current declared public health emergency caused by the Novel Coronavirus Disease (COVID-19), licensed child care centers must operate under Centers for Disease Control and Prevention and public health guidelines, as mandated by 922 KAR 2:400E, to prevent the spread of COVID-19.

Findings:

General: Based on observation, during a tour of the facility the following was found:

- 1) In the Infant A room, there were numerous soft toys that included dolls, puppets, soft books and vegetable shaped stuffed cloth toys.
 - 2) In the Preschool Room, there were numerous stuffed animals, soft cloth puppets and dress-up clothes.
 - 3) In the Toddler A and the Toddler B rooms, there were stuffed animals, soft cloth puppets and dress up clothes.
- The emergency regulation does not allow for washable toys and materials to be present in the classrooms.

Signature of Provider/Representative

Title

Date