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GOVERNOR

**CABINET FOR HEALTH AND FAMILY SERVICES
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Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Trib Ball "Free to Learn" Daycare	Provider Information	License No: L352579
Provider Address: 801 West 5th Street, Owensboro, KY, 42301	Provider Type: LICENSED TYPE I	Capacity: 175
Owner(s): H. L. Neblett Community Center, Inc.		Director(s): Ware, Carol Ann

Inspection Type: Investigation	Inspection Information	Inspection No: 107106
Visit Start Date: 08/20/2014 2:10 PM	Visit End Date: 08/20/2014 4:25 PM	
	No. of Children Present: 48	

Inspection Report

Supervision

5 - Children Supervised

In Compliance

922 KAR 2:120. Section 2. Child Care Services.

(3)(a) Each center shall maintain a child-care program that assures each child will be:

1. Provided with adequate supervision at all times by a qualified staff person who:
 - a. Ensures the child is within scope of vision and range of voice; or
 - b. For a school-age child, within scope of vision or range of voice;

Staffing Requirements

40 - Ratios and Group Size

In Compliance

922 KAR 2:120. Section 2. Child Care Services.

(2) Minimum staff-to-child ratios and group size for an operating child-care center shall be maintained as follows:

Age of Children Ratio Maximum Group Size*

Infant

1 staff for 5 children 10

Toddler

1 staff for 6 children 12

Preschool-age 2 to 3 years

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) 30

1 staff for 20 children

(full day of care) 30

*Maximum Group Size shall be applicable only to Type I child-care centers.

Inspection Report

Director Requirements

250 - Staff Management/Policy Development/Supervision

Not In Compliance

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.

- (1) Effective with the adoption of this administrative regulation, a director shall:
- (e) Manage the staff in their individual job descriptions;
 - (f) Develop child-care center plans, policies, and procedures;
 - (g) Supervise staff conduct to ensure implementation of program policies and procedures;

Findings:

General: Based on interview, a child swung his hand at a staff member approximately two (2) times then hit and kicked the staff member at approximately 3:15 pm on 08/20/14 in the cafeteria. The staff member grabbed a child's elbow and pressed the child's elbows into the child's body. The center's discipline policy stated physical punishment will not be used.

265 - Health, Safety, Comfort

In Compliance

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.

- (1) Effective with the adoption of this administrative regulation, a director shall:
- (i) Provide for the health, safety, and comfort of each child;

Employee Records

300 - Background checks/left alone

In Compliance

922 KAR 2:090. Section 6. License Issuance.

- (5) An individual described in subsection (4) of this section shall:
- (a) Submit to background checks described in paragraph (b) of this subsection;
 - (b) May be employed or work with a child on a probationary basis for up to ninety (90) calendar days, pending completion of a:
 - 1. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;
 - 2. Criminal records check required by KRS 199.896(19);
 - 3. Criminal records check for any previous state of residence if the person resided outside the state of Kentucky in the last five (5) years; and
 - 4. An address check of the Sex Offender Registry; and
 - (c) Not be left alone in the presence of a child until copies of the background checks in accordance with paragraph (b) of this subsection have been received by the licensee.

315 - Educational Requirements

In Compliance

922 KAR 2:110. Section 5. 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;

320 - TB Verification

Not In Compliance

922 KAR 2:110. Section 5. 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, a staff, hired on 08/13/14, did not have TB verification on file.

340 - Training

In Compliance

922 KAR 2:110. Section 5. Staff Requirements.

- (14) 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 within the first three (3) months of employment;
 - (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment, including one and one-half (1 ½) hours of pediatric abusive head trauma training; and
 - (c) Fifteen (15) hours of cabinet-approved early care and education training during each subsequent year of employment, including one and one-half (1 ½) hours of pediatric abusive head trauma training completed once every five (5) years.

Children's Records

1070 - Immunization

In Compliance

922 KAR 2:110. Section 3. 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;

1075 - Enrollment Information

In Compliance

922 KAR 2:110. Section 3. Records.

(1) A child-care center shall maintain:

(b) A written record for each child:

- 1. Completed and signed by the child's parent;**
- 2. Retained on file on the first day the child attends the child-care center; and**
- 3. To contain:**
 - a. Identifying information about the child, which includes, at minimum, the child's name, address, and date of birth;**
 - b. Contact information to enable a person in charge to contact the child's:**
 - (i) Parent at the parent's home or place of employment;**
 - (ii) Family physician; and**
 - (iii) Preferred hospital;**
 - c. The name of each person who is designated in writing to pick-up the child;**
 - d. The child's general health status and medical history including, if applicable:**
 - (i) Allergies;**
 - (ii) Restriction on the child's participation in activities with specific instructions from the child's parent or health professional; and**
 - (iii) Permission from the parent for third-party professional services in the child-care center;**
 - e. The name and phone number of each person to be contacted in an emergency situation involving or impacting the child;**
 - f. Authorization by the parent for the child-care center to seek emergency medical care for the child in the parent's absence;**

Signature of
Provider/Representative

Title

Date