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Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Trib Ball "Free to Learn" Daycare	Provider Information	CLR 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): Hampton, Carltez Cornell

Inspection Type: Renewal Application	Inspection Information	Inspection No: 217823
Date Initiated: 12/05/2016 8:45 AM	Date Concluded: 12/05/2016 1:00 PM	
	No. of Children Present: 33	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
Director Requirements	Not In Compliance
260 - Staff Evaluation	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: (j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;	
Findings: General: Based on review of documentation and interview, a caregiver hired 10/04/10; a caregiver hired 08/08/12; a caregiver hired 12/10/12; a caregiver hired 09/30/13; a caregiver hired 04/29/14; a caregiver hired 05/15/14; a caregiver hired 01/19/15; a caregiver hired 04/13/15; a caregiver hired 06/03/15; a caregiver hired 04/13/15, and a caregiver hired 07/02/15, did not have an annual written performance evaluation on file.	
Employee Records	Not In Compliance
315 - Educational Requirements	Not 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;	
Findings: General: Based on review of documentation and interview, a caregiver hired 08/08/12, and a caregiver 06/30/15, did not have education verification on file.	

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 caregiver hired 11/15/08, had a TB skin test dated 07/24/14, and a caregiver hired 05/15/14, had a TB skin test dated 05/18/14. A caregiver hired 10/04/10, and a caregiver hired 08/08/12, did not have a TB skin test or a health professional statement on file.

325 - CPR/First Aid Coverage

Not In Compliance

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

(3) For a child-care center licensed for infant, toddler, or preschool-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:

- (a) Infant and child cardiopulmonary resuscitation; and**
- (b) Infant and child first aid.**

(4) For a child-care center licensed for school-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:

- (a) Adult cardiopulmonary resuscitation; and**
- (b) First aid.**

Findings:

General: Based on review of documentation, interview and observation, a caregiver hired 08/08/12, had infant/child CPR and first aid which expired on 02/18/15. Observation and interview determined she transported, alone, one (1) child from school to the center on 12/05/16.

340 - Training

Not 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.**

Findings:

General: Based on review of documentation and interview, a caregiver hired 02/10/14, did not complete one-half (1 1/2) hours of pediatric abusive head trauma training. A caregiver hired 06/30/15, did not complete required one-half (1 1/2) hours pediatric abusive head trauma training within her first year of employment. A caregiver hired 07/02/15, did not complete early care and education training within her first year of employment. A caregiver hired 06/30/15, completed one-half (1 1/2) hours of early care and education training within the first year of employment.

345 - Driver Requirements

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(18) A driver of a vehicle transporting a child for a center shall:

- (a) Be at least twenty-one (21) years old;**
- (b) Complete:**
 - 1. The background checks as described in 922 KAR 2:110; and**
 - 2. An annual check of the:**
 - a. Kentucky driver history records in accordance with KRS 186.018; or**
 - b. Driver history records through the state transportation agency that issued the driver's license;**
- (c) Hold a current driver's license which has not been suspended or revoked during the last five (5) years; and**
- (d) Not caused an accident which resulted in the death of a person.**

Findings:

General: Based on review of documentation, observation and interview, a caregiver hired 11/15/08; a caregiver hired 08/08/12; a caregiver hired 09/30/13, and a caregiver hired 04/29/14, did not have a current driving history record through the state transportation agency that issued their driver's license. A caregiver hired 08/08/12, transported one (1) child on 12/05/16.

Programming

In Compliance

Inspection Report**Premises****Not In Compliance****460 - Inaccessible Items****Not In Compliance****922 KAR 2:120. Section 3. General Requirements.**

(7) Except in accordance with subsection (8) of this section, the following shall be inaccessible to a child in care:

- (a) Toxic cleaning supplies, poisons, and insecticides;
- (b) Knives and sharp objects;
- (c) Matches, cigarettes, lighters, and flammable liquids;
- (d) Plastic bags;
- (e) Litter and rubbish;
- (f) Bar soap; and
- (g) Personal belongings and medications of staff.

Findings:

General: Based on observation, an oversized plastic bag hung down the side of the garbage can. This bag was accessible to the children in the three-year-olds' room.

480 - Premises Requirements**Not In Compliance****922 KAR 2:120. Section 4. Premises Requirements.**

(1) The premises shall be:

- (a) Suitable for the purpose intended;
- (b) Kept clean and in good repair;

Findings:

General: Based on observation and interview, a strong odor of soiled diapers was in the infants' room.

585 - Sink**Not In Compliance****922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.**

(3) A sink shall be:

- (a) Located in or immediately adjacent to toilet rooms;
- (b) Equipped with hot and cold running water that allows for hand washing;
- (c) Equipped with hot water at a minimum temperature of ninety (90) degrees Fahrenheit and a maximum of 120 degrees Fahrenheit;
- (d) Equipped with liquid soap;
- (e) Equipped with hand-drying blower or single use disposable hand drying material;
- (f) Equipped with an easily cleanable waste receptacle; and
- (g) Immediately adjacent to a changing area used for infants and toddlers.

Findings:

General: Based on observation, the water temperature registered 125 degrees Fahrenheit at the two-year-olds' handwashing sink and the toddlers' handwashing sink.

Hygienic Practices**Not In Compliance****595 - 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 their developmental skills; and
- (b) 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 wiping or blowing nose;
 - 6. After touching items soiled with body fluids or wastes; and
 - 7. After outdoor or indoor play time.

Findings:

General: Based on observation, a toddler child did not wash his hands when he arrived. Surveyor observed a crying infant on the floor. The child had a yellowish/brown substance coming from his nose, on his cheek and down to the child's mouth from 9:17 a.m. until 9:31 a.m. The infants' caregiver looked and observed the substance on the child's face but continued to feed another child a bottle; therefore, the infant was not helped with personnel care needs.

600 - 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; and
- (c) 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; and
 - 9. If possible, before administering first aid.

Findings:

General: Based on observation, the toddlers' caregiver and a two-year-olds' caregiver each did not wash their hands after wiping a child's nose.

620 - 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 and interview, a dirty diaper was stored in an uncovered waste receptacle in the three-year-olds' room.

625 - Diaper Changing Area/Surface

Not In Compliance

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

(10) When a child is diapered, the child shall:

(b) Be placed on a surface that is:

- 1. Clean;
- 2. Padded;
- 3. Free of holes, rips, tears, or other damage;
- 4. Nonabsorbent;
- 5. Easily cleaned; and
- 6. Free of any items not used for diaper changing.

Findings:

General: Based on observation and interview, the top of the diapering mat was torn in three (3) different places in the infant room.

First Aid/Medication

In Compliance

Outdoor Play Area

In Compliance

Equipment

Not In Compliance

730 - Crib/Mattress/Sheet

Not In Compliance

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

(3) Rest time shall include adequate space specified by the child's age as follows:

(a) For an infant:

- 1. An individual non-tiered crib that meets Consumer Product Safety Commission standards established in 16 C.F.R. 1219-1220;
- 2. A firm crib mattress in good repair with a clean tight-fitted sheet that shall be changed:
 - a. Weekly; or
 - b. Immediately if it is soiled or wet;

Findings:

General: Based on observation and interview, two (2) crib mattresses were torn and had exposed foam.

755 - Toys/Equipment/Furniture

Not In Compliance

922 KAR 2:120. Section 11. Toys and Furnishings.

(1) All toys, equipment, and furniture contacted by a child shall be:

- (a) Kept clean and in good repair; and
- (b) Free of peeling, flaking, or chalking paint.

Findings:

General: Based on observation, a blue chair, a blue stool and a black chair were torn and had exposed foam and wood in the three-year-olds' room. A child's cot was bent and bowed inward in the preschool room.

760 - Indoor/Outdoor Equipment

Not In Compliance

922 KAR 2:120. Section 11. 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 ABC rug and a car rug were dirty with brown spots and crumbs in the four-year-olds' room. A burgundy padding, which covered the concrete post in the gym, was torn approximately twelve (12) inches and had exposed foam. The over-head lining hung down in the center's 2002 Dodge van. There were crumbs, candy wrappers, and straw paper throughout the 2015 Ford van. There was crumbs and paper throughout the second Ford van.

Transportation

Not In Compliance

785 - Requirements for Transportation Services

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(2) A center providing or arranging transportation service shall:

- (a) Be licensed and approved by the cabinet or its designee prior to transporting a child;**
- (b) Have a written plan that details the type of transportation, staff schedule, transportation schedule, and transportation route; and**
- (c) Have written policies and procedures, including emergency procedures practiced monthly by staff who transports children.**

Findings:

General: Based on review of documentation and interview, there were no transportation routes for June 2016, July 2016 and August 2016.

820 - Vehicle Equipment

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(4) A vehicle used to transport children shall be equipped with:

- (a) A fire extinguisher;**
- (b) First aid supplies as described in Section 7 of this administrative regulation;**
- (c) Emergency reflective triangles; and**
- (d) A device to cut the restraint system, if necessary.**

Findings:

General: Based on observation and interview, there was no first aid kit on the 2015 Ford van and no CPR mouth piece on the second Ford van. These vehicles were used to transport children.

900 - Children's Transportation Records

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(17) Transportation services provided shall:

- (a) Be recorded in writing and include:**
 - 1. The first and last name of the child transported; and**
 - 2. The time each child gets on and the time each child gets off;**
- (b) Be completed by a staff member other than the driver; and**
- (c) Be kept for five (5) years.**

Findings:

General: Based on interview, the first and last names of children transported and the times each child got on and off the vehicles were not documented for field trips conducted in June 2016 and July 2016.

Food Service

Not In Compliance

960 - Bottles

Not In Compliance

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

(9) Bottles shall be:

- (a) Individually labeled;**
- (b) Promptly refrigerated;**
- (c) Covered when not in use; and**
- (d) Consumed within one (1) hour of being heated or removed from the refrigerator.**

Findings:

General: Based on observation and interview, seven (7) baby bottles with water were not covered. These bottles were on a shelf in the infants' room. Three (3) baby bottles of milk were not covered in the refrigerator in the room adjacent to the infants' room.

Inspection Report

1050 - Menu

Not In Compliance

922 KAR 2:120. Section 9. Food and Meal Requirements.

(16) A weekly menu shall be:

- (a) Prepared;
- (b) Dated;
- (c) Posted in advance in a conspicuous place;
- (d) Kept on file for thirty (30) days; and
- (e) Amended in writing with any substitutions on the day the meal is served.

Findings:

General: Based on review of documentation and interview, the posted menus were no dated in the infants' room, the two year olds' room and the four year olds' room.

Children's Records

In Compliance

Written Documentation

Not In Compliance

1095 - Daily Attendance Records

Not In Compliance

922 KAR 2:110. Section 3. Records.

(1) A child-care center shall maintain:

- (c) Daily attendance records documenting the arrival and departure time of each child, including records that are required in accordance with 922 KAR 2:160, Section 13, if a child receives services from the child-care center through the Child Care Assistance Program;

Findings:

General: Based on review of documentation, five (5) children did not have a documented departure time on 12/02/16.

1105 - Professional Development

Not In Compliance

922 KAR 2:110. Section 3. Records.

(1) A child-care center shall maintain:

- (f) A written annual plan for child-care staff professional development;

Findings:

General: Based on review of documentation and interview, a caregiver hired 11/15/08; a caregiver hired 10/04/10; a caregiver hired 01/25/12; a caregiver hired 08/08/12; a caregiver hired 09/30/13; a caregiver hired 02/10/14; a caregiver hired 04/29/14; a caregiver hired 01/19/15; a caregiver hired 04/13/15, and a caregiver hired 07/02/15, did not have a written annual staff professional development on file.

Posted Documentation

Not In Compliance

1165 - Daily Activities

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:

- (h) Post a schedule of daily activities, to include dates and times of activities to be conducted with the children in each classroom;

Findings:

General: Based on review of documentation and interview, there was no daily schedule posted in the two-year-old room.

Animals

In Compliance

Signature of Provider/Representative

Title

Date