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Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Granny's Childcare & Learning Center	Provider Information	CLR No: L356649
Provider Address: 3278 Nashville Road, Bowling Green, KY, 42101	Provider Type: LICENSED TYPE I	Capacity: 100
Owner(s): Granny's Child Care & Learning Center, Inc.		Director(s): Cartmill, Vivian Elaine

Inspection Type: Investigation	Inspection Information	Inspection No: 243326
Date Initiated: 01/05/2018 1:45 PM	Date Concluded: 01/05/2018 3:05 PM	
	No. of Children Present: 65	

Inspection Report		
	Supervision	In Compliance
	Staffing Requirements	Not In Compliance
40 - Ratios and Group Size		Not 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.		
Findings: General: Based on Observation, a caregiver supervised for twenty (20) children in the three-year-olds' room. The age of the youngest child was three-years-old. Interview determined a second caregiver left the room to obtain a hair tie.		

Inspection Report**General Administration****Not In Compliance****115 - Reports to Cabinet****Not In Compliance****922 KAR 2:110. Section 6. Reports.**

- (1) The following shall be reported to the cabinet or designee and other agencies specified in this section within twenty-four (24) hours from the time of discovery:
- (a) Communicable disease, which shall also be reported to the local health department pursuant to KRS 214.010;
 - (b) An accident or injury to a child that requires medical care;
 - (c) An incident that results in legal action by or against the child-care center that:
 - 1. Affects a child or staff person; or
 - 2. Includes the center's discontinuation or disqualification from a governmental assistance program due to fraud or abuse;
 - (d) An incident involving fire or other emergency, including a vehicular accident when the center is transporting a child receiving child care services; or
 - (e) A report of child abuse or neglect that:
 - 1. Has been accepted by the cabinet in accordance with 922 KAR 1:330; and
 - 2. Names a director, employee, volunteer, or person with supervisory or disciplinary control over, or having unsupervised contact with a child in care as the alleged perpetrator.

Findings:

General: Based on Review of Documentation, a van driver hired on 3/12/14, was named as an alleged perpetrator in a report accepted by the cabinet. The director was made aware of the report on 10/31/17. The director notified the Division of Regulated Child Care on 1/3/18.

220 - Person Under Investigation by DCBS**Not In Compliance****922 KAR 2:110. Section 2. General.**

- (8) If a director, employee, volunteer, or any person with supervisory or disciplinary control over, or having unsupervised contact with a child in care is named as the alleged perpetrator in a child abuse or neglect report accepted by the cabinet in accordance with 922 KAR 1:330, the individual shall be removed from direct contact with a child in care:
- (a) For the duration of the family-in-need-of-services assessment or investigation; and
 - (b) Pending completion of the administrative appeal process for a cabinet substantiation of child abuse or neglect in accordance with 922 KAR 1:320 or 922 KAR 1:480.

Findings:

General: Based on Observation, a van driver hired on 3/12/14, was named as an alleged perpetrator in an investigation accepted by the cabinet. The director was made aware of the report on 10/31/17. The director read a notification letter from the cabinet on 12/11/17, which stated the allegation of physical abuse against the van driver was substantiated. Interviews determined the driver continued to transport children and care for children in the three-year-olds' classroom from 10/31/17 until 12/19/17.

Director Requirements**Not In Compliance****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 Observation and review of documentation, a van driver hired on 3/12/14, yelled shut up and humiliating words to a five (5) year old child while driving the center's van on 10/30/17. The center's disciplinary policy stated, "Granny's will not subject children to harsh or physical discipline nor shall any methods of discipline be used that is humiliating, threatening, shaming, or frightening. Loud, profane, or abusive language shall not be used."

In addition, two (2) caregivers used their personal cell phones while in the infants' room and not all of the children were asleep on 1/5/18. The center's cell phone policy stated, "Child care staff are allowed to use cell phones during naptime, providing all children are asleep."

265 - Health, Safety, Comfort**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:
- (l) Provide for the health, safety, and comfort of each child;

Findings:

General: Based on Interview, a van driver instructed an upset five-year-old child to move from the last row of the van to the front row of the van while at a stoplight on 10/26/17. While driving the van on 10/26/17, the van driver recorded the upset child with her personal cell phone. In addition, the child remained not belted until the driver pulled over into a parking lot to secure the child in a seatbelt. Interview with the van driver determined the child was not in a seatbelt for less than a mile.

Inspection Report		
	Employee Records	Not In Compliance
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, a driver hired on 3/12/14, had a driver's history record on file dated 9/20/16 and renewed on 1/3/18. Interview with director determined the driver last drove the center's van on 11/21/17; therefore, the driver did not have a current driver's history record for two (2) months.		
	Programming	Not In Compliance
385 - Discipline		Not In Compliance
922 KAR 2:120. Section 2. Child Care Services. (10) A child shall not be subjected to: (a) Corporal physical discipline pursuant to KRS 199.896(18); (b) Loud, profane, threatening, frightening, or abusive language; or (c) Discipline that is associated with: 1. Rest; 2. Toileting; or 3. Food.		
Findings: General: Based on Observation and interview, a van driver hired on 3/12/14, yelled and told a five-year-old child to shut up and used humiliating words to the child while driving the center's van on 10/30/17.		
	Transportation	Not In Compliance
865 - Seating		Not In Compliance
922 KAR 2:120. Section 12. Transportation. (10) Each child shall: (a) Have a seat; (b) Be individually belted or harnessed in the seat; and (c) Remain seated while the vehicle is in motion.		
Findings: General: Based on Interview and observation, a five-year-old boy was upset and unbuckled his seatbelt while being transported on the center's van on 10/30/17. The child refused to put the seatbelt on. The van driver asked the child to move from the last row of the van to the first row of the van while the van was at a stop light. The child remained not belted until the driver pulled over into a parking lot to secure the child in a seatbelt. Interview with the van driver determined the child was not in a seatbelt for less than a mile.		
895 - Driver Not In Seat		Not In Compliance
922 KAR 2:120. Section 12. Transportation. (16) If the driver is not in the driver's seat, the: (a) Engine shall be turned off; (b) Keys shall be removed; and (c) Emergency brake shall be set.		
Findings: General: Based on Interview, a van driver pulled over into a parking lot, left the driver's seat to secure an upset five-year-old child in his seatbelt on 10/30/17. Interview determined the van driver did not turn off the van, remove the keys from the ignition, and set the emergency brake when she left the driver's seat to attend to the upset child.		

Signature of Provider/Representative

Title

Date