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Inspection Report

Provider Name: Educare After School Adventure Club	Provider Information	CLR No: L352627
Provider Address: 560 Eureka Springs Drive, Lexington, KY, 40517	Provider Type: LICENSED TYPE I	Capacity: 90
Owner(s): Educare Learning Center Of Lexington, Inc.		Director(s): Kirk, Claudia

Inspection Type: Renewal Application	Inspection Information	Inspection No: 292198
Date Initiated: 02/11/2020 2:38 PM	Date Concluded: 02/11/2020 5:00 PM	
	No. of Children Present: 27	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
145 - Fire Marshal	Not In Compliance
922 KAR 2:090. Section 6. License Issuance. (8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall: (b) Be approved by the Office of the State Fire Marshal or designee;	
Findings:	
General: Based on observation and review of documentation, the most current documentation from the state fire marshal's office was from February, 2018. During an interview with the staff person in charge, it was stated that the fire marshal had recently inspected the facility. It was stated further that the owner's of the property maintain a copy of each inspection and usually give them a copy of the report. However, a copy of the most current inspection was not available at the time of the survey.	
155 - Liability Insurance	Not In Compliance
922 KAR 2:090. Section 6. License Issuance. (8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall: (d) Provide written proof of liability insurance coverage of at least \$100,000 per occurrence;	
Findings:	
General: Based on review of documentation, the most current copy of liability insurance provided for review was good until 7/2017.	
Director Requirements	Not In Compliance
320 - Operation instruction/Regulation copy	Not In Compliance
922 KAR 2:090. Section 8. General. (2) Child-care center staff shall be: (a) Instructed by the child-care center's director regarding requirements for operation; and (b) Provided with a copy of this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280.	
Findings:	
General: Based on observation and review of documentation, it was found that the most current copy of the regulations available were dated for 2016. Therefore, there was not a current copy of the regulations available for staff.	

Inspection Report

Employee Records

Not In Compliance

395 - 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 observation and a review of documentation, a staff person hired 8/15/79 had the results of a T.B. skin test dated, 12/8/17. This exceeds the two-year timeframe for a T.B. skin test. There was no other qualifying documentation on file to verify the staff person is free from the signs and symptoms of T.B.

410 - 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 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 cabinet-approved 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 cabinet-approved pediatric abusive head trauma training completed once every five (5) years.**

Findings:

General: Based on observation and review of documentation, out of seven employee personnel records reviewed, there were four staff who had not completed 15 hours of cabinet-approved annual training. All four staff had been employed for one or more years. A review of ECE-Tris records supports this finding.

415 - 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 2:280; 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 observation and review of documentation, a staff person with a hire date of, 8/15/79 did not have a current driving record through the state transportation agency that issued the driver's license on file at the facility. This staff person transported children from school to the facility on the day of the survey. The document on file for the staff person was dated, 8/13/18.

Programming

In Compliance

Premises

Not In Compliance

540 - 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, during an inspection of boys' bathroom, a toilet brush and toilet plunger had been placed on the floor beside the toilet. The toilet brush and plunger were accessible to the children. This is an unsanitary method for storing these items.

Hygienic Practices

In Compliance

715 - First Aid Supplies

Not In Compliance

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

- (1) First aid supplies shall:**
- (a) Be available to provide prompt and proper first aid treatment;**
 - (b) Be stored out of reach of a child;**
 - (c) Be periodically inventoried to ensure the supplies have not expired;**
 - (d) If reusable, be:**
 - 1. Sanitized; and**
 - 2. Maintained in a sanitary manner; and**
 - (e) Include:**
 - 1. Liquid soap;**
 - 2. Adhesive bandages;**
 - 3. Sterile gauze;**
 - 4. Medical tape;**
 - 5. Scissors;**
 - 6. A thermometer;**
 - 7. Flashlight;**
 - 8. Cold pack;**
 - 9. First aid book;**
 - 10. Disposable gloves; and**
 - 11. A cardiopulmonary resuscitation mouthpiece protector.**

Findings:

General: Based on observation, it was found that the first aid supplies presented for review at the time of the survey did not include sterile gauze and a first aid book as required as part of the first aid supplies. First aid supplies must be available to provide prompt and proper first aid treatment. Not all of the required first aid supplies were available to provide prompt and proper first aid treatment.

730 - 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 12(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, in an unlocked box located on top of the refrigerator in the space labeled as the kitchen, a bottle of ibuprofen was found. The bottle of medication was not labeled for an individual and was not in a locked container or area. During the exit conference the staff person in charge indicated the bottle of ibuprofen was for staff use only.

Outdoor Play Area

Not Applicable

Equipment

Not In Compliance

815 - Toys/Furniture

Not In Compliance

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

- (1) All toys 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,

- 1) In the first classroom located on the right, there was a couch covered in red fabric. There were several areas on the seat of the couch that was soiled and stained.
- 2) The children's cubbies located in the room at the end of the hallway had areas where the trim had come loose and was missing. There were also areas inside the cubbies that had debris and dirt.
- 3) A Little Tikes brand pink and white table and chair were observed in the room located at the end of the hallway. The surface of the table and chairs were soiled and stained.

Inspection Report

820 - 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, during an inspection of the gray van used to transport children, an excessive amount of dirt and debris was found on the floor under the seats of the vehicle.

Transportation

In Compliance

Food Service/Food Program

In Compliance

Food Service

In Compliance

Children's Records

In Compliance

Written Documentation

Not In Compliance

1150 - 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 presented for review, it was noted that the emergency evacuation plan was signed on 12/9/19, by the named director of the program. However, a date was not noted as to when the plan was submitted for review by local emergency management personnel.

1155 - Policies and Procedures

Not In Compliance

922 KAR 2:090. Section 8. General.

(4) Program policies and procedures shall:

- (a) Be in writing; and
- (b) Include:
 1. Staff policies;
 2. Job descriptions;
 3. An organization chart;
 4. Chain of command; and
 5. Other procedures necessary to ensure implementation of:
 - a. KRS 199.898, Rights for children in child-care programs and their parents, custodians, or guardians - posting and distribution requirements;
 - b. 922 KAR 2:120, Child-care center health and safety standards;
 - c. 922 KAR 2:280, Background checks for child care staff members, reporting requirements, and appeals; and
 - d. This administrative regulation.

Findings:

General: Based on observation and review of documentation, it was found that the chain of command was posted on a wall located at the front of the facility. A review of the document found that the chain of command listed the previous director as in charge along with that person's picture. The posted chain of command did not reflect the current staff in charge.

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, there was no documentation to verify that a monthly fire drill had been conducted in January 2020 and recorded with the date, time and names of children that participated.

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 observation and review of documentation, there was no documentation to verify that a monthly fire drill had been conducted in January 2020.

Inspection Report

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 and review of documentation, it was found that the most current statement of deficiencies issued by the cabinet and the facility's plan of correction was dated, 12/14/17. The most recent inspection was a renewal survey conducted on, 3/6/19. However, the statement of deficiencies and plan of correction from the renewal survey conducted on 3/6/19 was not posted.

Animals

Not Applicable

Signature of Provider/Representative

Title

Date