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Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Kindercollege	Provider Information	CLR No: L356858
Provider Address: 1402 Ramey Street., Ashland, KY, 41101	Provider Type: LICENSED TYPE I	Capacity: 125
Owner(s): Boyd County Board Of Education		Director(s): Malik, Jewell Ann

Inspection Type: Investigation	Inspection Information	Inspection No: 278341
Date Initiated: 01/28/2019 11:00 AM	Date Concluded: 02/22/2019 3:30 PM	
	No. of Children Present: 19	

125 - Ratios and Group Size

Not In Compliance

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

(2) For an operating child-care center, minimum staff-to-child ratios and group size shall be maintained as established in the table established in this subsection.

Age of Children Ratio Maximum Group Size*

Infant

1 staff for 5 children 10

Toddler 12 to 24 months

1 staff for 6 children 12

Toddler 24 to 36 months

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.**

(b) The age of the youngest child in the group shall determine the:

- 1. Staff-to-child ratio; and**
- 2. Maximum group size.**

Findings:

General: Based on interview the child-care center failed to maintain staff-to-child ratios and group size in accordance with the regulations. The surveyor and a Department for Community Based Services representative conducted an investigation on 1/28/19. During staff interviews, the surveyor found that on 1/24/19 the director telephoned the child-care center and directed the infant staff person to go work at another child-care facility because Boyd county public schools had closed due to weather. A second staff person arrived at 8:00 a.m. and took over the infant classroom when the infant staff person left. It was reported that this staff person had sixteen (16) children by herself, four (4) of which were infants and the rest were ages one-to-four (1-4) years old. This staff person was the only staff in the building from 8:00 a.m. until sometime after 8:30 a.m. when another staff person arrived. There were twenty-three (23) children present. Staff stated the director told them to stay together until a third staff person arrived at 11:00 a.m. Interviews found the children were divided into two groups, eight (8) children ages two-four on one side of the room and sixteen (16) children ages (1) month to one (1) year on the other side of the room.

Interviews found the infant staff person who opens the building at 7:00 a.m. is often over ratio before another staff person arrives at 8:00 a.m. This staff person is alone in the building from 7:00 a.m. until 8:00 a.m. Interviews found this staff person has had up to nine (9) children infants through preschool age by herself until 8:00 a.m.

Director Requirements

Not In Compliance

350 - Health, Safety, Comfort

Not In Compliance

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.

(1) A director shall:

(l) Assure the health, safety, and comfort of each child;

Findings:

General: Based on interview and review of documentation, the director failed to provide for the health, safety, and comfort of children in care. A report received by the Cabinet on 1/24/19 found a four (4) month old male child received a bite directly on top of his head while in care at the child-care center. It was reported that the child-care center staff was unaware the child had been bitten and were unaware what had happened. Medical documentation provided by the parent found the pediatrician prescribed an antibiotic. The surveyor and a Department for Community Based Services representative conducted an onsite investigation on 1/28/19. During staff interviews, the surveyor found that on 1/24/19 the director telephoned the child-care center and told the infant staff person to go work at another child-care facility because Boyd county public schools had closed due to weather. A second staff person arrived at 8:00 a.m. and took over the infant classroom when the infant staff person left. It was found that this staff person had sixteen (16) children by herself, four (4) of which were infants and the rest were ages one-to-four (1-4) years old. This person reported that she was the only person in the building from 8:00 a.m. until sometime after 8:30 a.m. when another staff person arrived. At that time there were twenty-three (23) children present. Staff stated the director told them to stay together until a third staff person arrived at 11:00 a.m. Interviews found the children were divided into two groups, eight (8) children ages two-to-four (2-4) on one side of the room and sixteen (16) children ages (1) month to one (1) year on the other side of the room. A review of video footage found the four-month old child was bitten directly on top of his head by another toddler seconds before the second staff person entered the classroom at 8:48 a.m. The bite mark was not noticed until approximately 11:52 a.m. when the third staff person who arrived at 11:00 a.m. and got the child out of his crib.

Interviews also found the staff person who opens the building at 7:00 a.m. is often over ratio before another staff person arrives at 8:00 a.m. This staff person is alone in the building from 7:00 a.m. until 8:00 a.m. Interviews found this staff person has had up to nine (9) children ages infant through preschool by herself until 8:00 a.m.

Inspection Report

Employee Records

Not In Compliance

405 - Adequate Substitute(s)

Not In Compliance

922 KAR 2:090. Section 11. Staff Requirements.

(6) Child-care centers shall have available in case of need:

- (a) One (1) qualified substitute staff person for a Type II child-care center; or**
- (b) Two (2) qualified substitute staff persons for a Type I child-care center.**

(7) Each qualified substitute staff person shall:

- (a) Meet the staff requirements of this administrative regulation; and**
- (b) Provide the required documentation to verify compliance with this administrative regulation.**

Findings:

General: Based on interview, the child-care center did not have any substitutes available to meet the staffing issues that occurred on 1/24/19. Interviews found the infant staff person left to work at another child-care center because Boyd County schools had closed. This resulted in one staff person being alone in the building with at least fifteen (15) infants, toddlers, and preschool children from 8:00 a.m. until approximately 8:30 a.m. A second staff person arrived sometime after 8:30 a.m. and a third staff person arrived at 11:00 a.m. By this time, it was reported that the infant classroom had fifteen (15) children ages one (1) month to one (1) year old and the other side of the infant classroom had eight (8) children ages two-to-four (2-4) years old. Interviews found the director told the two (2) staff to remain together until the third staff person arrived.

Written Documentation

In Compliance

Signature of Provider/Representative

Title

Date