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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): Denny, Merry |

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|---|---|------------------------------|
| Inspection Type: Renewal Application | Inspection Information | Inspection No: 292756 |
| Date Initiated: 02/14/2020 10:42 AM | Date Concluded: 02/14/2020 2:13 PM | |
| | No. of Children Present: 32 | |

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|--------------------------|----------------------|
| Inspection Report | |
| Background Checks | In Compliance |
| Supervision | In Compliance |

Inspection Report

Staffing Requirements

Not In Compliance

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:

Based on observation, while lunch was being served, there were three staff and 18 children ages two- to four-years-old in the Toddler II Room. The surveyor was standing near the open door in the Toddler I Room when she observed one of the staff leave the Toddler II Room. A few seconds after the first staff person left the Toddler II Room, a second staff person who was the staff person in charge, left the Toddler II Room. This left one staff person in the Toddler II Room with 18 children ages two- to four-years-old. The first staff person left to room to get cups from another classroom and the staff person in charge left the classroom to get food items from the refrigerator located in the staff lounge. The amount of time the classroom was left out of ratio was approximately one to two minutes. The staff to child ratio with the age of the youngest child being two-years-old is one staff for 10 children. The classroom was over the staff to child ratio by eight children. During the exit conference the staff person in charge indicated she had not noticed the other staff person had left the room before she left the room.

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, 2/15/18 was the last documented visit from the Fire Marshal. In order to maintain a license, the facility must be able to provide documentation to verify the facility had been approved by the State Fire Marshal's Office.

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 presented for review at the time of the survey, the liability insurance was for the term of 7/1/18-7/1/2019. The document did not provide information to verify the facility is current in their liability coverage.

Director Requirements

In Compliance

Employee Records

Not In Compliance

385 - Personnel File

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

(e) A current personnel file for each child-care center staff person to include:

- 1. Name, address, date of birth, and date of employment;**
- 2. Proof of educational qualifications;**
- 3. Record of annual performance evaluation;**
- 4. Documentation of compliance with tuberculosis screening in accordance with Section 11(1)(b) of this administrative regulation; and**
- 5. The results of background checks conducted in accordance with 922 KAR 2:280;**

Findings:

General: Based on observation and review of documentation, out of nine staff files reviewed, there were two staff personnel files that did not include a date of hire.

390 - Educational Requirements

Not In Compliance

922 KAR 2:090. Section 11. 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 observation and review of documentation, out of nine staff files reviewed, there were two staff who did not have a copy of a high school diploma, GED or other qualifying documentation on file at the facility. One staff person's date of hire was 10/8/19. The other staff person did not have a documented date of hire.

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 review of documentation, out of nine staff files reviewed the following was found:

- 1) A staff person with a hire date of 9/7/17, had the results of a T.B. test read on 8/14/17. This exceeds the the two year time-frame for a T.B. test.
- 2) A staff person whose date of hire was not documented did not have evidence of the results of a negative T.B. test or a statement from a health professional indicating the individual is free from the symptoms of T.B.

Programming

Not In Compliance

420 - Program of Activities Followed

Not In Compliance

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

(4) The child-care center shall provide a daily planned program:

- (a) Posted in writing in a conspicuous location with each age group and followed;**
- (b) Of activities that are individualized and developmentally appropriate for each child served;**
- (c) That provides experience to promote the individual child's physical, emotional, social, and intellectual growth and well-being; and**
- (d) Unless the child-care center is a before- or after-school program that operates part day or less, that offers a variety of creative activities including:**

- 1. Art or music;**
- 2. Math or numbers;**
- 3. Dramatic play;**
- 4. Stories and books;**
- 5. Science or nature;**
- 6. Block building or stacking;**
- 7. Tactile or sensory activity;**
- 8. Multi-cultural exposure;**
- 9. Indoor or outdoor play in which a child makes use of both small and large muscles;**
- 10. A balance of active and quiet play, including group and individual activity;**
- 11. An opportunity for a child to:**
 - a. Have some free choice of activities;**
 - b. If desired, play apart from the group at times;**

Findings:

General: Based on observation and review of documentation, during a tour of the Toddler I Room, a planned program of activities was posted in the classroom. A review of the posted document found that the date on the plan was July 29-August 2, 2019. The posted planned program of activities posted was not current for the week.

485 - Infant Sleep Position

Not In Compliance

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

(1) An infant shall sleep or nap on the infant's back unless the infant's health professional signs a waiver that states the infant requires an alternate sleeping position.

Findings:

General: Based on observation and interview during a tour of the Infant Room, there was one infant asleep in a swing and two infants sleeping in a piece of equipment called a Toddler Rocker. An interview with the staff person in the room found that the infants do not like to sleep in their cribs. The staff person also indicated that the infants had been asleep for approximately 30 minutes. Further interviews with staff found that there was no documentation on file from the children's physician stating they must sleep in a reclined position and not on their backs in a crib.

Inspection Report

Premises

Not In Compliance

525 - Items Accessible Only During Activity

Not In Compliance

922 KAR 2:120. Section 3. General Requirements.

- (8) The following shall be inaccessible to a child in care unless under direct supervision and part of planned program of instruction:**
- (a) Knives and sharp objects;**
 - (b) Litter and rubbish;**
 - (c) Bar soap; and**
 - (d) Plastic bags not used for personal belongings.**

Findings:

General: Based on observation during a tour of the Preschool Room, there was a pair of adult scissors in an unlocked drawer in one of the cabinets. A pair of adult scissors was also found in an unlocked drawer in one of the cabinets in the Toddler II Room. The scissors were accessible to the children.

Hygienic Practices

Not In Compliance

655 - 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 his or her developmental skills;**
 - (b) Except as established in paragraph (c) of this subsection, 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 touching an item or an area of the body soiled with body fluids or wastes; and**
 - 6. After outdoor or indoor play time; and**
 - (c) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (b) of this subsection. The child shall wash the child's hands as soon as practicable once liquid soap and warm running water are available.**

Findings:

General: Based on observation while in the Toddler I Room, both staff changed a child's diaper and did not have the child wash their hands after the diaper change. One of the diaper changes took place while the children were eating lunch. After the staff person changed the child's diaper, the child was placed back in her chair at the table and the child continued to eat.

660 - 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;**
 - (c) Except as established in paragraph (d) of this subsection, 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;**
 - 9. After smoking or vaping; and**
 - 10. If possible, before administering first aid; and**
 - (d) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (c) of this subsection. The staff shall wash the staff's hands as soon as practicable once liquid soap and warm running water are available.**

Findings:

General: Based on observation, a staff person in the Toddler I Room changed a child's diaper and then placed the child on the floor and the child continued to play. The staff person then opened a cabinet and retrieved a spray bottle of solution and sprayed the contents on the changing mat. The staff person then walked over and placed her hand on the top of the half door as she spoke to the staff person in charge. The staff person then went back to the cabinet and picked up an ink pen and wrote something down on a piece of paper. After the staff person finished writing, she removed a plastic glove from her hand, threw it away and then went to the sink to wash her hands. Because the staff person waited to wash her hands, several areas of the classroom were contaminated as she completed various tasks.

685 - 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 during a tour of the infant room a small tear was observed on the inside edge of the diaper changing mat. This does not allow for the changing mat to be adequately sanitized after each diaper change.

710 - Toy Sanitation Procedure

Not In Compliance

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

- (4) A toy or another item that is considered a mouth contact surface by a child not toilet trained shall be sanitized daily by:**
- (a) 1. Scrubbing in warm, soapy water using a brush to reach into crevices;**
 - 2. Rinsing in clean water;**
 - 3. Submerging in a sanitizing solution for at least two (2) minutes; and**
 - 4. Air dried; or**
 - (b) Cleaning in a dishwasher if the toy or other item is dishwasher safe.**

Findings:

General: Based on interview with staff in the infant room, it was found that toys that are mouthed by children not toilet trained are sanitized daily. The staff person stated further that the toys are placed in soapy water and scrubbed with a brush or a rag and then rinsed. After the toys are rinsed off they are sprayed with bleach water and then rinsed and allowed to air dry. The process described by the staff person does not meet the requirement for the sanitation of toys mouthed by children not toilet trained as required by this regulation.

First Aid/Medication

Not In Compliance

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 during a tour of the Toddler I Room, a box of Salonpas Pain Relief patches was observed in an unlocked drawer in the cabinet where the sink is located. Drug facts were listed on the back of the box along with the instructions to keep out of the reach of children. The box of medication was not labeled for an individual and was not stored in a locked container or area. The medication was accessible to the children.

Outdoor Play Area

In Compliance

Equipment

Not In Compliance

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 at the time of the survey, lunch was observed in the Toddler I Room. It was observed that the chairs the children were seated in at the table were tall and did not allow for the children to sit in a manner in which their feet could touch the floor or were in close proximity to the floor. Some of the children were observed turning around in their seats and facing the table in a backward position. One child was observed sitting with her back against the chair back and her legs sticking straight out with her feet barely hanging over the edge. This same child was observed turning around in her seat almost toppling over the sides of the chair onto the floor.

Transportation

Not Applicable

Inspection Report

Food Service/Food Program

Not In Compliance

975 - Milk Requirements

Not In Compliance

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

(3) A serving of milk shall consist of:

(a) Breast milk or iron-fortified formula for a child:

- 1. Age birth to twelve (12) months; or**
- 2. Beyond twelve (12) months of age as documented by the parent or the child's physician;**

(b) Pasteurized whole milk for children ages twelve (12) months to twenty-four (24) months; or

(c) Pasteurized low fat one (1) percent or fat-free skim milk for children ages twenty-four (24) months to school-age.

Findings:

General: Based on observation, four, 1/2 gallons of whole milk were observed in the refrigerator at the facility. Some of the children who were ages two or older that were served milk for lunch were served whole milk and not 1% or fat free skim milk.

995 - Lunch/Dinner Requirements

Not In Compliance

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

(19) Lunch and dinner shall include:

(a) Milk;

(b) Protein;

(c) Bread; and

(d) 1. Two (2) vegetables;

2. Two (2) fruits; or

3. One (1) fruit and one (1) vegetable.

Findings:

General: Based on observation and interview with the staff person in charge, it was found that the facility normally receives their meals from one of the local elementary schools. However, the school was closed on 2/13/2020 and 2/14/2020. Further interview with the staff person in charge found that they had been notified in advance of the closing and parents were informed they would be responsible for providing lunch for their children both of these days. At the time of the survey, lunch was observed in the Toddler I Room and the Toddler II Room. It should be noted that the children in the Toddler II Room consisted of children ages two- to four-years-old. Several of the lunches provided by the parents in both classrooms did not have all of the components required for lunch and not all of the meals were supplemented with additional components by the facility. Whole milk, bananas and carrot slices were supplemented by the facility for some of the lunches but not all.

Examples of lunches observed are as follows:

- 1) Ham and cheese lunchable with crackers and applesauce.
- 2) Pringles potato chips, a ham and cheese lunchable and a banana.
- 3) Vienna Sausages, potato chips, carrots slices and a banana.
- 4) Green beans, grapes, Vienna Sausages, and a banana.
- 5) Macaroni and cheese and an unidentified meat.

Some of the children's lunches contained a Kool-Jammer, or other type of juice box. Milk was not supplemented for those children's lunches that did not have milk provided by the parent. Some of the children were served water instead of milk.

Food Service

Not In Compliance

1075 - Bottle Preparation by Parent

Not In Compliance

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

(4) Formula or breast milk provided by the parent shall be prepared and labeled.

Findings:

General: Based on interview with staff, it was found that the facility does not provide the formula for children enrolled in the infant room. Further interview with staff found that some of the parents bring their child's bottle pre-made. However, staff indicated for some children they must prepare the child's bottle by measuring the powder formula and water.

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 observation and review of documentation presented for review at the time of the survey, 10/11/2018 was the last documented date verifying that a written evacuation plan in the event of fire, or natural disaster or other threatening situation that may pose a threat to the health and safety of the children had been submitted for approval to the local emergency preparedness agency. This written plan is required to be updated and submitted each year to the local emergency preparedness agency for the following year by 12/31.

Inspection Report

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 review of documentation presented for review at the time of the survey, there was no documentation to verify a monthly fire drill had been conducted that included the date, time and names of children who participated for December 2019 and January 2020.

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 review of documentation presented for review at the time of the survey, there was no documentation to verify a monthly fire drill had been conducted for December 2019 and January 2020.

Posted Documentation

In Compliance

Animals

Not Applicable

Signature of Provider/Representative

Title

Date