



Andy Beshear
GOVERNOR

CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL

Eric Friedlander
SECRETARY

Melissa A. Moore, Director
Division of Regulated Child Care
Southern Branch
116 Commerce Ave
London, KY 40744

Adam Mather
INSPECTOR GENERAL

Phone: (606) 330-2030 Fax: (606) 330-2056
<https://chfs.ky.gov/agencies/os/oig>

Inspection Report

Provider Name: Jack-N-Jill Daycare	Provider Information	CLR No: L353024
Provider Address: 401 Cumberland Avenue, Barbourville, KY, 40906	Provider Type: LICENSED TYPE I	Capacity: 24
Owner(s): Bingham, Heidi Jo		Director(s): Bingham, Heidi Jo

Inspection Type: Renewal Application	Inspection Information	Inspection No: 306682
Date Initiated: 04/13/2021 1:40 PM	Date Concluded: 04/13/2021 2:50 PM	
	No. of Children Present: 11	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
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)	1 staff for 20 children	30
(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 observation, the surveyor found one (1) staff providing care for eleven (11) children. During interview with the staff member, the surveyor learned that the youngest child was nine (9) months old; therefore, the staff-to-child ratio was not maintained and was exceeded by six (6) children.

Inspection Report

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 review of documentation, the surveyor found the State Fire Marshal report to be dated 1/28/2016. Upon interview, staff stated that the State Fire Marshal had not been back since that date. Staff attempted to call the State Fire Marshal's office while surveyor was present and reached a recording with no option to transfer call to an actual person. Staff stated that she would try to locate an email address and request that they come do an inspection. Staff was unable to provide a current Fire Marshal Report for the surveyor to review during the visit; therefore, the child-care center failed to provide documentation of compliance.

Director Requirements

In Compliance

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, staff stated that she has been having a difficult time finding staff to work and currently does not have any substitutes employed; therefore the child-care center failed to have available in case of need two (2) qualified substitute staff persons who meet the staff requirements.

Programming

Not In Compliance

480 - Infant/Toddler Combined with Older Children

Not In Compliance

922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.

- (2) Except in accordance with subsection (3) of this section or Section 2(2)(c) of this administrative regulation, an infant or toddler under twenty-four (24) months of age shall not participate in an activity with an older child for no more than one (1) hour per day.**
- (3) If a toddler is developmentally appropriate for a transition to a preschool age group, a toddler may participate in an activity with an older child for more than one (1) hour per day if:**
- (a) Space for the toddler is available in the preschool-age group;**
- (b) The staff-to-child ratios and group sizes are maintained based on the age of the youngest child;**
- (c) The center has a procedure for listing a transitioning toddler on attendance records, including a specific day and time the toddler is with either age group; and**
- (d) The child care center has obtained the signature and approval of the toddler's parent on the toddler's transition plan.**

Findings:

General: Based on interview, the surveyor found one (1) staff providing care for eleven (11) children. During interview with the staff member, the surveyor learned that the youngest child was nine (9) month old and the oldest child was seven (7) years old. During interview with staff, the surveyor learned that the child-care center was short staffed and that the staff member had been working alone all day; therefore, the children had been in mixed age groups for longer than one (1) hour.

Premises

In Compliance

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Outdoor Play Area

In Compliance

Equipment

In Compliance

Transportation

In Compliance

Food Service/Food Program

In Compliance

Food Service

In Compliance

Children's Records

In Compliance

Written Documentation

Not In Compliance

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, the surveyor found that the child-care center did not have monthly fire drills recorded. During interview, staff stated that she was training someone new and that it appeared that she failed to document the monthly fire drills; therefore, the child-care center failed to maintain a written record of practiced fire drills.

Inspection Report

Posted Documentation

In Compliance

Animals

In Compliance

Emergency Regulation

Not In Compliance

1265 - Emergency Regulation

Not In Compliance

922 KAR 2:415E. Emergency Regulation.

Due to the current declared public health emergency caused by the Novel Coronavirus Disease (COVID-19), licensed child care centers must operate under Centers for Disease Control and Prevention and public health guidelines, as mandated by 922 KAR 2:415E, to prevent the spread of COVID-19.

Findings:

General: Based on observation, the surveyor observed a seven (7) year old child not wearing a face mask. During interview, staff did not indicate to the surveyor any reason that would prohibit the child from wearing a mask. The staff member instructed the child to get his mask from his cubby and put it on. Therefore, the proper Personal Protective Equipment was not being utilized.

This deficiency was cited due to the following E-Reg: 922 KAR 2:415E Section 8. Personal Protective Equipment (PPE) Requirements. (3)(d) A child who is in first grade or above shall wear a face mask if temperament and developmental ability allow, unless the child meets any of the exemption criteria established in subsection (5) of this section.

Signature of Provider/Representative

Title

Date