



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	License No: L353024
Provider Address: 401 Cumberland Avenue, Barbourville, KY, 40906	Provider Type: LICENSED TYPE I	Capacity: 29
Owner(s): Bingham, Heidi		Director(s): Bingham, Heidi

Inspection Type: Investigation	Inspection Information	Inspection No: 53754
Visit Start Date: 01/08/2014 12:10 PM	Visit End Date: 01/17/2014 4:00 PM	
	No. of Children Present: 27	

Inspection Report	
Supervision	
5 - Children Supervised	In Compliance
<p>922 KAR 2:120. Section 2. Child Care Services.</p> <p>(3)(a) Each center shall maintain a child-care program that assures each child will be:</p> <ol style="list-style-type: none"> 1. Provided with adequate supervision at all times by a qualified staff person who: <ol style="list-style-type: none"> a. Ensures the child is within scope of vision and range of voice; or b. For a school-age child, within scope of vision or range of voice; 	
10 - Children Protected	In Compliance
<p>922 KAR 2:120. Section 2. Child Care Services.</p> <p>(3)(a) Each center shall maintain a child-care program that assures each child will be:</p> <ol style="list-style-type: none"> 2. Protected from abuse or neglect. 	
Staffing Requirements	
30 - Cooking/Cleaning Staffing	In Compliance
<p>922 KAR 2:110. Section 4. Director Requirements and Responsibilities.</p> <p>(1) Effective with the adoption of this administrative regulation, a director shall:</p> <p>(k) Assure that additional staff are available during cooking and cleaning hours, if necessary, to maintain staff-to-child ratios pursuant to 922 KAR 2:120;</p>	
35 - Adequate Adults/Qualified Staff	In Compliance
<p>922 KAR 2:110. Section 5. Staff Requirements.</p> <p>(10) The minimum number of adult workers in a child-care center shall be sufficient to ensure that:</p> <ol style="list-style-type: none"> (a) Minimum staff-to-child ratios in accordance with 922 KAR 2:120 are followed; (b) Each staff person under eighteen (18) years of age and each student trainee are under the direct supervision of a qualified staff person who meets the requirements of this section; and (c) Unless providing care with a qualified staff person, a person under the age of eighteen (18) shall not be counted as staff for the staff-to-child ratio. 	



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	30
(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.

Findings:

General: Based on observation during a tour of the Preschool Room on 01/08/14, the surveyor found that twenty (20) preschool-age children were present along with five (5) school-age children. A staff person stated that she was providing care for eleven (11) of the children with the youngest child being two (2) years of age while another staff provided care for five (5) school-age children and nine (9) preschool-age children with the youngest child being four (4) years of age. The staff-to-child ratio was exceeded by one (1) child.

45 - Ratio/Group Size

In Compliance

922 KAR 2:120. Section 2. Child Care Services.
(2)(b) The age of the youngest child in the group shall determine the:

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

Employee Records

300 - Background checks/left alone

Not In Compliance

922 KAR 2:090. Section 6. License Issuance.
(5) An individual described in subsection (4) of this section shall:

- (a) Submit to background checks described in paragraph (b) of this subsection;**
- (b) May be employed or work with a child on a probationary basis for up to ninety (90) calendar days, pending completion of a:**
 - 1. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;**
 - 2. Criminal records check required by KRS 199.896(19);**
 - 3. Criminal records check for any previous state of residence if the person resided outside the state of Kentucky in the last five (5) years; and**
 - 4. An address check of the Sex Offender Registry; and**
- (c) Not be left alone in the presence of a child until copies of the background checks in accordance with paragraph (b) of this subsection have been received by the licensee.**

Findings:

General: Based on review of documentation, the surveyor found the following:

- 1) The files for two (2) staff (DOH: 09/26/13 and 10/01/13) contained criminal records background checks submitted on 10/09/13 and 10/24/13 respectively; therefore, the checks had not been submitted prior to or on the date of hire.
- 2) The surveyor found that the file for a staff (DOH: 10/01/13) contained a child abuse and neglect check dated 10/11/13; therefore, it had not been submitted prior to or within five days of hire.

Programming

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 interview with staff, the surveyor found that when the children misbehave they are instructed to sit down or lie on a mat with their face turned toward the wall. The surveyor found that this practice is used for disciplinary purposes; therefore, the discipline is associated with rest.



Inspection Report

Premises

505 - 35 Square Feet per Child

In Compliance

922 KAR 2:120. Section 4. Premises Requirements.

(6) Exclusive of the kitchen, bathroom, hallway, and storage area, there shall be a minimum of thirty-five (35) square feet of space per child.

Equipment

730 - Crib/Mattress/Sheet

In Compliance

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

(3) Rest time shall include adequate space specified by the child's age as follows:

(a) For an infant:

1. An individual non-tiered crib that meets Consumer Product Safety Commission standards established in 16 C.F.R. 1219-1220;

2. A firm crib mattress in good repair with a clean tight-fitted sheet that shall be changed:

a. Weekly; or

b. Immediately if it is soiled or wet;

735 - Individual Bed/Mat/Cot and Bedding

Not In Compliance

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

(3) Rest time shall include adequate space specified by the child's age as follows:

(b) For a toddler or preschool-age child:

1. An individual bed, a two (2) inch thick waterproof mat, or cot in good repair; and

2. Bedding that is in good repair and is changed:

a. Weekly; or

b. Immediately if it is soiled or wet.

Findings:

General: Based on observation, the surveyor found that there were not enough available mats to meet the needs of the preschool-age children at nap time.

Signature of
Provider/Representative

Title

Date