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Inspection Report

Provider Name: Kinder Care Learning Center #963	Provider Information	CLR No: L353073
Provider Address: 3199 Custer Drive, Lexington, KY, 40517	Provider Type: LICENSED TYPE I	Capacity: 157
Owner(s): Kindercare Learning Centers LLC		Director(s): Dotson, Ashley Nicole

Inspection Type: Renewal Application	Inspection Information	Inspection No: 219590
Date Initiated: 05/31/2017 9:25 AM	Date Concluded: 05/31/2017 12:45 PM	
	No. of Children Present: 80	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
125 - Confidential Information	Not In Compliance
922 KAR 2:110. Section 2. General. (3) Information concerning a child or the child's parent shall be kept in strict confidence by child-care center staff, except as otherwise required by law.	
Findings: General: Based on Observation, there were numerous children's allergy lists with a picture of the child and his/her name posted on the side of a shelf in the preschool classroom.	
Director Requirements	Not In Compliance
235 - Operation instruction/Regulation copy	Not In Compliance
922 KAR 2:110. Section 2. 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 2:090, and 922 KAR 2:120.	
Findings: General: Based on Review of Documentation, there were no current licensing regulations on file for the staff. The licensing regulations on file were dated 2012.	
265 - Health, Safety, Comfort	Not In Compliance
922 KAR 2:110. Section 4. Director Requirements and Responsibilities. (1) Effective with the adoption of this administrative regulation, a director shall: (I) Provide for the health, safety, and comfort of each child;	
Findings: General: Based on Observation, the kitchen door was propped open at the time of the survey making it accessible to the children. Both ovens were on in preparation for lunch and there were knives located in one (1) of the drawers.	

Inspection Report**Employee Records****Not In Compliance****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, staff hired on 01/23/17 did not have the results of a criminal records check on file. This staff person was not present the day of the survey. Staff person hired on 04/26/17 listed on her child abuse and neglect check that she lived in New York. There was no documentation on file showing that an out of state check had been submitted on her. She was not working alone the day of the survey.

310 - Personnel File**Not In Compliance****922 KAR 2:110. Section 3. 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. Written record of training participation to include:****a. The training source;****b. Location;****c. Date; and****d. Number of clock hours completed;****5. Every two (2) years, a:****a. Statement from a health professional that the individual is free of active tuberculosis; or****b. Copy of negative tuberculin results; and****6. For a director, employee, volunteer, or any person with supervisory or disciplinary control over, or having unsupervised contact with, a child in care, the results of a:****a. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;****b. Criminal records check required by KRS 199.896(19);****c. Criminal records check from any previous state of residence completed once if:****(i) The individual resided outside the state of Kentucky in the last five (5) years; and****(ii) No criminal records check has been completed for the individual's previous state of residence; and****d. An address check of the Sex Offender Registry;****Findings:**

General: Based on Review of Documentation, staff hired on 04/24/12 did not have education documentation on file.

315 - Educational Requirements**Not In Compliance****922 KAR 2:110. Section 5. 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 Review of Documentation, staff hired on 02/28/17, 03/31/17, 4/26/17, 05/01/17, 10/07/16 and 11/29/16 did not have education documentation on file.

320 - TB Verification**Not In Compliance****922 KAR 2:110. Section 5. 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 Review of Documentation, staff hired on 02/28/17, 09/26/16, 03/31/17, 10/26/16, 11/29/16, 04/24/12, 09/07/10 and 04/28/15 did not have documentation from a health care professional stating that they were free of active tuberculosis.

340 - Training

Not In Compliance

922 KAR 2:110. Section 5. Staff Requirements.

- (14) 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 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 pediatric abusive head trauma training completed once every five (5) years.

Findings:

General: Based on Review of Documentation, staff hired on 10/07/16, 04/27/16, 02/28/17 and 11/29/16 have not completed the required Orientation I and II within ninety (90) days of hire date. Staff hired on 04/24/12 and 12/16/02 did not have the required fifteen (15) hours of cabinet approved training on file. Staff hired on 04/27/16 and 04/28/15 have not completed the required pediatric abusive head trauma class within the first year of employment. This information was verified through ECE-TRIS.

345 - 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 2:110; 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 Review of Documentation, the two (2) van drivers listed for the facility did not have current Kentucky driving history records on file.

Programming

In Compliance

Premises

Not In Compliance

460 - Inaccessible Items

Not In Compliance

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

- (7) Except in accordance with subsection (8) of this section, the following shall be inaccessible to a child in care:
- (a) Toxic cleaning supplies, poisons, and insecticides;
 - (b) Knives and sharp objects;
 - (c) Matches, cigarettes, lighters, and flammable liquids;
 - (d) Plastic bags;
 - (e) Litter and rubbish;
 - (f) Bar soap; and
 - (g) Personal belongings and medications of staff.

Findings:

General: Based on Observation, there was a staff purse hanging on a low shelf in the School Age classroom. The purse was accessible to the children.

480 - 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, there is a small enclosed outdoor play area next to the Infant B classroom that is accessible from the facility hallway. The surveyor observed two (2) holes in the aluminum siding wall of this enclosed space. These holes had sharp edges and were accessible to the children.

520 - Floors, Walls, Ceilings

Not In Compliance

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

- (9) Floors, walls, and ceilings shall be smooth, in good repair, and constructed to be easily cleaned.

Findings:

General: Based on Observation, there was an area of peeling paint along the wall next to the ceiling in the Pre K classroom. There were several areas of chipping paint on the baseboards in the School Age classroom.

Inspection Report		
Hygienic Practices		Not In Compliance
625 - 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, there was a set of car keys, a clipboard and some papers sitting on top of the changing pad in the two (2) year old classroom.		
First Aid/Medication		In Compliance
Outdoor Play Area		Not In Compliance
695 - Protective Surface		Not In Compliance
922 KAR 2:120. Section 4. Premises Requirements. (21) A protective surface shall: (a) Be provided for outdoor play equipment used to: 1. Climb; 2. Swing; and 3. Slide; and (b) Have a fall zone equal to the height of the equipment.		
Findings: General: Based on Observation, there were two (2) slides sitting on grass on the smaller outdoor playground.		
Equipment		Not In Compliance
755 - Toys/Equipment/Furniture		Not In Compliance
922 KAR 2:120. Section 11. Toys and Furnishings. (1) All toys, equipment, 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, there were several torn books in the two (2) year old classroom. There was a large blue rug in the Toddler room with several frayed edges. The cloth fabric on the rocking chair in the Infant B room had numerous dirt spots.		
Transportation		Not In Compliance
820 - Vehicle Equipment		Not In Compliance
922 KAR 2:120. Section 12. Transportation. (4) A vehicle used to transport children shall be equipped with: (a) A fire extinguisher; (b) First aid supplies as described in Section 7 of this administrative regulation; (c) Emergency reflective triangles; and (d) A device to cut the restraint system, if necessary.		
Findings: General: Based on Observation, there was no CPR mouthpiece on one (1) of the vans used by the facility.		
830 - Vehicle Inspection Documentation		Not In Compliance
922 KAR 2:120. Section 12. Transportation. (6) A vehicle used to transport children shall meet the following requirements: (a) A twelve (12) or more passenger vehicle shall display a current certification of inspection from the Transportation Cabinet on the designated window.		
Findings: General: Based on Review of Documentation, the two (2) vans used by the facility did not have current certification inspections completed from the Transportation Cabinet on file.		
Food Service		In Compliance
Children's Records		In Compliance

Inspection Report		
Written Documentation		Not In Compliance
1115 - Earthquake/Tornado Drills		Not In Compliance
922 KAR 2:110. Section 3. 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; Findings: General: Based on Review of Documentation, there were no listed times when the quarterly earthquake/tornado drills were conducted by the facility.		
1120 - Fire Drills		Not In Compliance
922 KAR 2:110. Section 3. Records. (1) A child-care center shall maintain: (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, there were no listed times when the monthly fire drills were conducted by the facility.		
Posted Documentation		In Compliance
Animals		Not Applicable