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Inspection Report

Provider Name: Kinder Care Learning Center #936	Provider Information	CLR No: L353100
Provider Address: 2611 Wilhite Drive, Lexington, KY, 40503	Provider Type: LICENSED TYPE I	Capacity: 99
Owner(s): Kindercare Learning Centers LLC		Director(s): Smith, Susan Carol

Inspection Type: Renewal Application	Inspection Information	Inspection No: 293843
Date Initiated: 09/16/2020 9:25 AM	Date Concluded: 09/16/2020 11:50 AM	
	No. of Children Present: 34	

Inspection Report	
Background Checks	Not In Compliance
20 - Out of state background checks	Not In Compliance
922 KAR 2:280. Section 5. Checks of Other States. (1) In accordance with 45 C.F.R. 98.43(b)(3), a prospective child care staff member who resides in or has resided in another state within the last five (5) years shall: (a) Request from each state of current or prior residency, in accordance with the state's laws, policies, and procedures, with a courtesy notice to the cabinet: 1. An in-state criminal records check by: a. Means of fingerprints for the state of residence; or b. Any means accepted by a state of prior residency; 2. A check of the state's sex offender registry or repository; and 3. A check of the state-based child abuse and neglect registry and database; and (b) Direct results of the checks required in paragraph (a) of this subsection to the Department for Community Based Services, Division of Child Care, 275 East Main Street, 3C-F, Frankfort, Kentucky 40601.	
Findings: General: Based on observation, interview and review of documentation, it was found that a staff person hired 8/14/2020, had a copy of an Illinois driver's license on file. There was no evidence of a completed background check from the state of Illinois. In addition, there was no documentation to verify that an application requesting the results of a criminal records check from the state had been submitted. An interview with staff in charge found they did not realize they had not completed a background check from the state of Illinois on the staff person. It should be noted that the staff person in charge completed the records check and placed it on file at the time of the survey. It was determined through interview and observation that this staff person has not been left alone with children.	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
Director Requirements	In Compliance
Employee Records	In Compliance

Inspection Report	
Programming	Not In Compliance
495 - Bedding/Toys in Crib	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: (a) For an infant: 3. No loose bedding, such as a bumper or a blanket; and 4. No toys or other items except the infant's pacifier; Findings: General: Based on observation during a tour of Pod #1, an infant was sleeping in a crib with a pacifier in their mouth. A strap made of ribbon was attached to the end of the pacifier and then secured to the front of the infant's clothing with a clip. This regulation requires only an infant's pacifier may be used while in a crib. The strap is a strangulation hazard.	
Premises	Not In Compliance
520 - Inaccessible Items	Not In Compliance
922 KAR 2:120. Section 3. General Requirements. (7) The following shall be inaccessible to a child in care: (a) Toxic cleaning supplies, poisons, and insecticides; (b) Matches, cigarettes, lighters, and flammable liquids; and (c) Personal belongings and medications of staff. Findings: General: Based on observation in Pod #4, a step stool with two steps was observed positioned under an overhead cabinet in the second bathroom located at the end of the room. There were various cleaning solutions in plastic spray bottles on the shelf inside. There was no lock on the cabinet. The children in the room are ages three- to four- years-old. Due to the location of the step stool and the age of the children in the room, the cleaning solutions were accessible to the children.	
650 - Toilet	Not In Compliance
922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements. (4) Each toilet shall: (a) Be kept in clean condition; (b) Be kept in good repair; (c) Be in a lighted room; and (d) Have ventilation to outside air. Findings: General: Based on observation during a tour the bathroom located in Pod #5, it was found that one of the two toilets in the bathroom had not been flushed. Urine, feces and toilet paper were observed in the toilet.	
Hygienic Practices	Not In Compliance
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 Pods #1 and #2, the following was found. 1. Toys mouthed by the three- to eleven-month-old children in Pod #1 are placed in soapy water and scrubbed with a scrub brush. The toys are rinsed, left to air dry, and then sprayed with a sanitizing solution. 2. Toys that are mouthed by the one-year-old children in Pod #2 are cleaned with a scrub brush using a cleaning solution, rinsed, and left to air dry. Once the toys are dry, they are then sprayed with a sanitizing solution. The methods described for the sanitation of toys does not meet the requirements of this regulation.	
First Aid/Medication	In Compliance

Inspection Report**Outdoor Play Area****Not In Compliance****755 - 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, the following was found:

- 1) A tour of the toddler playground found that the mulch under the stationary climber was very sparse, exposing large areas of dirt. The climber has a slide and steps.
- 2) A tour of the large playground found there were numerous areas under the tall stationary climber where the mulch was sparse, and the dirt beneath was exposed. The climber had three slides and steps. In addition to the dirt being exposed, a black plastic water drain was visible near the end of one of the slides and near the edge of a wood plank used to contain the mulch in the area.

Equipment**In Compliance****Transportation****Not Applicable****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, it was found there was no documentation to verify that quarterly earthquake drills had been conducted for 2019. It was also determined through a review of documentation that the facility had not conducted an earthquake drill thus far for 2020. Therefore, the date, time and the names of the children who participated in the drill could not be verified as there were no drills documented.

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, it was found there was no documentation to verify that quarterly earthquake drills had been conducted for 2019. It was also determined through a review of documentation that the facility had not conducted an earthquake drill thus far for 2020.

Posted Documentation**Not In Compliance****1200 - Posting Requirements****Not In Compliance****922 KAR 2:090. Section 8. General.**

(6) In addition to the posting requirement of KRS 199.898(3), a child-care center shall post the following in a conspicuous place and make available for public inspection:

- (a) The provider's preliminary or regular license;**
- (b) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;**
- (c) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;**
- (d) Information on the Kentucky Consumer Product Safety Program and the program's Website as specified in KRS 199.897;**
- (e) A description of services provided by the child-care center, including:**
 - 1. Current rates for child care; and**
 - 2. Each service charged separately and in addition to the basic rate for child care;**
- (f) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and**
- (g) Daily planned program.**

Findings:

General: Based on observation, it was found that information regarding the Kentucky Consumer Product Safety program and the program's website was not posted.

Animals**Not Applicable**

Inspection Report**Emergency Regulation****Not In Compliance****1255 - Emergency Regulation****Not In Compliance****922 KAR 2:405E. 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 2:405E, to prevent the spread of COVID-19.

Findings:

General: Based on observation during a tour of Pod #4, three blankets were observed in the dramatic play area. The blankets appeared to be used for play and did not appear to be bedding items belonging to specific children. 922 KAR 2:405E, Section 6(3) and (5)(b) states, "(3) Machine washable toys shall not be used. (5)(b) Bedding (blankets, sheets, pillows, sleeping bags) shall be: Separated and stored in individual labeled bins without touching another child's bedding;"

Signature of Provider/Representative

Title

Date