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Inspection Report

Provider Name: Lilly Pad Child Care, LLC	Provider Information	License No: L358252
Provider Address: 159 John's Lane, Shepherdsville, KY, 40165	Provider Type: LICENSED TYPE I	Capacity: 125
Owner(s): LILLY PAD CHILD CARE, LLC		Director(s): Harlan, Sherry Elaine; Hovious, Paula

Inspection Type: Investigation	Inspection Information	Inspection No: 53300
Visit Start Date: 12/09/2013 11:00 AM	Visit End Date: 12/09/2013 1:30 PM	
No. of Children Present: 44		

Inspection Report	
Supervision	
5 - Children Supervised	In Compliance
922 KAR 2:120. Section 2. Child Care Services. (3)(a) Each center shall maintain a child-care program that assures each child will be: 1. Provided with adequate supervision at all times by a qualified staff person who: 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;	
Staffing Requirements	
40 - Ratios and Group Size	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 (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.	

Inspection Report

General Administration

80 - Comply with regulations

In Compliance

922 KAR 2:090. Section 6. License Issuance.

- (11) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:
- (e) Comply with provisions of this administrative regulation, 922 KAR 2:110, and 922 KAR 2:120;

Director Requirements

250 - Staff Management/Policy Development/Supervision

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:
- (e) Manage the staff in their individual job descriptions;
- (f) Develop child-care center plans, policies, and procedures;
- (g) Supervise staff conduct to ensure implementation of program policies and procedures;

Findings:

Based on review of documentation, Lilly Pad Child Care LLC failed to enforce or maintain policies stating: 1. No cell phone use during work hours. 2. No cell phones allowed in center at anytime., which were signed and dated by staff members. In addition, interviews with staff members also revealed that staff members were aware of cell phone policies and were witnesses to other staff members using phones for talking, texting and picture taking, during business hours both on the playground and inside the center. An additional review of documents revealed that Lilly Pad Child Care Center LLC also failed to enforce and implement their stated policy in regard to photographing enrolled children. The policy states that: "Lilly Pad Child Care LLC uses webcams in the classroom and pictures are used on the website of Lillypadchildcare.com for the sole purpose of parent viewing". The policy continues in saying that "the undersigned (parent) hereby grants permission of the Lilly Pad Child Care, LLC to photograph their child while at the center for the sole purpose of scrapbooking or sharing with parents". A further review of documentation revealed pictures of children enrolled in the center discovered on a non-secure personal websites of employees, and were not taken with the webcam in the classroom. Interviews with staff members revealed that staff admitted to posting pictures without parental consent.

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:
- (l) Provide for the health, safety, and comfort of each child;

Findings:

The director failed to secure the health, safety and comfort of multiple children as pictures taken with staff members' cell phones, of two and three year old children, were posted on a non-secure social networking website. Review of the photographs and tag lines in on the website revealed that the staff members photographed children who were sleeping and who had shaving cream applied to their faces. Additional review revealed staff comments associated with the photographs including "day in da life of a daycare teacha. Just shavin creamin muh kids. LOL".

Review of additional photographs posted to the same social networking site revealed in another picture a child was shown with food placed in her mouth by a staff member in a manner in which the child could have choked while the child was sleeping with a comment of "...Lesson one children: Never sleep with your mouth open when you are in the room of me and (staff member).

Another picture revealed a child with mulch stuck to his face, with the comment, "...He fell flat on his face while we were outside and when he rose up this is what he had on his face. #haha bad thing was, he sniffed one of those pieces of mulch up his dang nose...and guess who had to go get it out?! #muah".

Interviews revealed that staff members admitted to staging the pictures by putting food in the child's mouth, placing shaving cream on the children's faces, and by allowing the mulch to remain up a child's nose long enough to take a photograph. Staff confirmed that they took the pictures and were responsible for posting them on the non-secured social networking website for public view.

Based on interview and review of the photographs, it could not specifically be determined when the photographs were posted to the Internet, however it was confirmed that the primary responsible staff person departed employment on 5/9/13.

Signature of
Provider/Representative

Title

Date