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Inspection Report

Provider Name: Kare Bears	Provider Information	License No: L358318
Provider Address: 3155 Custer Drive, Suite A, Lexington, KY, 40517	Provider Type: LICENSED TYPE I	Capacity: 76
Owner(s): PEH, Inc.		Director(s): Oabel, Maricor

Inspection Type: Investigation	Inspection Information	Inspection No: 127471
Visit Start Date: 10/02/2014 10:55 AM	Visit End Date: 10/06/2014 3:35 PM	
	No. of Children Present: 48	

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

Director Requirements

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:

General: Based on Observation, the following was found: 1. The smoke detector on the main level of the facility beeped every few minutes throughout the surveys on 10/2/14 and 10/6/14. This usually indicates a low battery or a malfunction of the device. 2. The toddler classroom had a radio/CD player sitting on a shelf that was plugged into a low outlet approximately three (3) feet away from the shelf. The cord was hanging loose and was accessible to the children.

Employee Records

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, one (1) staff person (hire date: 10/6/14) that did not have educational 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, one (1) staff person (hire date: 10/6/14) that did not have TB documentation on file.

Programming

350 - Program of Activities Followed

In Compliance

922 KAR 2:120. Section 2. Child Care Services.

- (4) The child-care center shall provide a daily planned program:
- (a) Posted in writing in a conspicuous location with each age group and followed;
- (b) Of activities that are individualized and developmentally appropriate for each child served;
- (c) That provides experience to promote the individual child's physical, emotional, social, and intellectual growth and well-being; and
- (d) That offers a variety of creative activities including the following:
1. Art;
 2. Music;
 3. Dramatic play;
 4. Stories and books;
 5. Science;
 6. Block building;
 7. Tactile activity;
 8. Culture;
 9. Indoor or outdoor play in which a child makes use of both small and large muscles;
 10. A balance of active and quiet play, including group and individual activity;
 11. An opportunity for a child to:
 - a. Have some free choice of activities;
 - b. If desired, play apart from the group at times;

360 - Electronic Viewing/Listening Devices

In Compliance

922 KAR 2:120. Section 2. Child Care Services.

- (4) The child-care center shall provide a daily planned program:
- (d) That offers a variety of creative activities including the following:
12. Use of electronic viewing and listening devices if the:
 - a. Material is appropriate to the child using the equipment;
 - b. Material does not include any violence, adult content viewing, or inappropriate language;
 - c. Viewing or individual listening is limited to two (2) hours per day;
 - d. Viewing or listening is discussed with parents prior to viewing or listening; and
 - e. Viewing or listening is designed as an educational tool.
- (5) A child who does not wish to use the electronic devices during the planned program shall be offered other appropriate activities.

Inspection Report

Premises

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, this regulatory requirement was not met. During a tour of the school age classroom and kitchenette on the lower level of the building the surveyor observed a can of Lysol spray and three (3) spray bottles containing bleach water solution sitting on the counter by the sink. The staff person and several school age children were observed doing art work in the kitchenette area at the time; therefore, these items were 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, this regulatory requirement was not met. During a tour of the lower level of the building the surveyor found that the sink cabinet in the children's bathroom closest to the preschool classroom was in dis-repair. The face plate on the bottom portion of the cabinet was not securely attached to the cabinet; part of it was observed lying on the floor. It is important to note that during a second tour of the facility on 10/6/14 at 3:00PM the surveyor observed this face plate completely disconnected from the cabinet. The faceplate was observed lying on the floor with the screws exposed.

500 - Building Requirements

Not In Compliance

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

(5) The building shall be constructed to ensure the:

- (a) Building is:
 - 1. Dry;
 - 2. Adequately heated;
 - 3. Ventilated; and
 - 4. Well lit, including clean light fixtures that are:
 - a. In good repair in all areas; and
 - b. Shielded or have shattered proof bulbs installed; and
- (b) Following are protected:
 - 1. Windows;
 - 2. Doors;
 - 3. Stoves;
 - 4. Heaters;
 - 5. Furnaces;
 - 6. Pipes; and
 - 7. Stairs.

Findings:

General: Based on Observation, this regulatory requirement was not met. During a tour of the school age rooms on the lower level of the building the surveyor observed a school age child walk into a small room adjacent to the main school age room to retrieve an item and come back out. The surveyor noted that the room was dark. A closer inspection of this space found that the ceiling lights did not work properly. Only one (1) light bulb provided a small flicker of light inside this room; therefore, this room was not well lit.

510 - Pest Control

Not In Compliance

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

(7) Measures shall be utilized to control the presence of:

- (a) Rodents;
- (b) Flies;
- (c) Roaches; and
- (d) Other vermin.

Findings:

General: Based on Observation, this regulatory requirement was not met. During a tour of the kitchenette adjacent to the school age classroom on the lower level of the building the surveyor opened a microwave sitting on the counter and observed numerous live roaches crawling around inside the microwave. A closer inspection of the area found roaches nesting inside of an electrical outlet by the sink.

Inspection Report

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, the facility failed to meet this regulatory requirement. During a tour of the facility the surveyor observed that one (1) step in the stairwell that staff, children and visitors use to access the lower level of the building was in dis-repair. The laminate surface used to cover the step had been removed; therefore, the step contained a glue residue on the top and front surface.

Hygienic Practices

650 - Toy Sanitation Procedure

Not In Compliance

922 KAR 2:120. Section 11. Toys and Furnishings.

(4) Toys and other items that are considered mouth contact surfaces by a child not toilet trained shall be sanitized daily by:

- (a) Scrubbing in warm, soapy water using a brush to reach into crevices;
- (b) Rinsing in clean water;
- (c) Submerging in a sanitizing solution for at least two (2) minutes; and
- (d) Air dried.

Findings:

General: Based on Interview, the facility failed to meet the regulatory requirement for sanitizing toys and other items that are considered mouth contact surfaces by a child not toilet trained. During interview the staff person in charge described the procedure used for cleaning toys by stating, "They are cleaned with bleach water daily". This procedure does not meet the regulatory requirement.

Outdoor Play Area

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, and interview, this regulatory requirement was not met. The preschool playground contained a Step 2 play structure with a green slide (approximately three (3) feet tall) and a multicolored plastic structure with a red slide (approximately two (2) feet tall). The surface throughout the entire preschool playground consisted of concrete with pea gravel on top. The surveyor observed concrete exposed at the base of the green slide due to the sparse amount of pea gravel. This type of surfacing does not provide adequate cushioning for the children during falls. The regulations defines "protective surface" as loose surfacing material not installed over concrete.

Equipment

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, the following was found: 1. The school age classroom had a clear plastic storage container with blocks that was observed in disrepair. The container was broken in several places and a large crack down the middle of the container had been covered with clear tape. This classroom also had a child-size dress in the dramatic play clothes that had a stain on the sleeve. 2. Four (4) toys requiring batteries were observed on the children's toy shelf in the preschool classroom. None of these toys contained batteries; therefore, they were inoperable. The plastic cover on the battery compartment was missing on two (2) of these toys. 3. During a tour of the toddler classroom the surveyor heard the radio/CD player randomly turn on and off. The CD that was playing did not play properly; therefore, the song was skipping when it came on. The surveyor observed one (1) nap mat that was torn down the seam in this classroom and nine (9) electronic toys such as Vtech Little Smart Phonics from A to Z, Barney Learning Laptop and Barney driving toy, that were inoperable because they did not contain batteries. The plastic cover on the battery compartment was missing on most of these items. This classroom also contained twelve (12) puzzle frames on the children's toy shelf that did not have any puzzle pieces and two (2) barn shape sorter toys with no pieces. 4. The two (2) year old classroom contained several electronic toys such as a Fisher Price musical turtle and a Song Max keyboard that were inoperable because they did not contain batteries, four (4) books with torn/missing pages, a shape sorter with no pieces, a child-size dress in the dramatic play clothes that contained several stains and a red child-size couch with torn vinyl. The Song Max keyboard also had four (4) missing pieces. 5. Seven (7) toys requiring batteries were observed on the floor and on the children's toy shelf in the infant classroom. None of these toys contained batteries; therefore, they were inoperable. The plastic cover on the battery compartment was missing on most of these items.

922 KAR 2:120. Section 11. Toys and Furnishings.**(2) Indoor and outdoor equipment shall:**

- (a) Be clean, safe, and in good repair;**
- (b) Meet the physical, developmental needs, and interests of children of different age groups;**
- (c) Be free from sharp points or corners, splinters, protruding nails or bolts, loose or rusty parts, hazardous small parts, lead-based paint, poisonous material, and flaking or chalking paint; and**
- (d) Be designed to guard against entrapment or situations that may cause strangulation.**

Findings:

General: Based on Observation, during a tour of the outdoor playground, the following was found: 1. A Step 2 climber with a green slide had two (2) steps that were in dis-repair. The first two (2) steps leading up to the slide platform contained numerous broken areas which created sharp plastic edges. 2. The base of a Vtech turtle riding toy was broken which created sharp plastic edges and a small plastic truck riding toy in the same area was broken in several places. 3. A Little Tykes structure on the younger children's side of the playground that had a blue swing seat attached was broken. The swing was observed sitting off-balanced because the plastic where the swing connected to a metal bar was broken. 4. A red slide on a multicolored climbing/slide structure was in dis-repair. The top and bottom surface of the slide contained broken plastic which created sharp edges on the surface where the children slide down. 5. A tricycle merry-go-round structure was found in disrepair. The seats were missing on all five (5) trikes and three (3) foot pedals were missing. It is important to note that this same regulatory violation was previously issued as a result of a relicensure survey conducted on 5/6/14. The director had indicated on a Plan of Correction submitted 6/10/14, "Contacted merry-go-round manufacture business office for the replacement of parts on 5/20/14. The preschool head teacher will inspect playground every Monday and report any damaged toy/equipment to director. She will also be in charge of cleanliness of equipment on playground. Director follows up every Tuesday to make sure nothing is damaged and that everything is in good condition and will repair damaged toys or throw away if cannot be fixed". The director identified a box in the facility office that contained replacement parts for the merry-go-round structure and stated that she had a couple people attempt to fix the structure with the replacement parts; however, they were not able to do the repairs. The director further stated that she has been in contact with the manufacture and indicated that when they have a representative in the area they will attempt to do the repairs for her.

Signature of
Provider/Representative

Title

Date