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Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Tots Landing Learning Center	Provider Information	CLR No: L354221
Provider Address: 3501 Beaver Place Road, Lexington, KY, 40503	Provider Type: LICENSED TYPE I	Capacity: 93
Owner(s): Tots Landing Learning Center, LLC		Director(s): Kennedy, Pamela Dawn

Inspection Type: Renewal Application	Inspection Information	Inspection No: 219161
Date Initiated: 04/13/2017 9:10 AM	Date Concluded: 04/13/2017 11:45 AM	
	No. of Children Present:	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
Director Requirements	In Compliance
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, a staff person hired 4/3/17 had lived in the state of Tennessee within the last five (5) years. The facility had conducted an out of state background check using Security Link. However, the facility did not conduct a criminal records check for the state of Kentucky through either the Kentucky State Police or the Administrative office of the Courts. An interview with the staff person in charge indicated that this staff person is never left alone with the children.

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, there was one (1) staff person with a hire date of 8/9/02 who had the results of a T.B. skin test read on 3/10/15. This exceeds the two (2) year minimum for the results of a T.B. skin test.

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, and a review of ECE-Tris records there were two (2) staff (hire dates 10/5/95 and 8/9/02 who completed the required one and one half (1 1/2) hours of pediatric abusive head trauma training on 2/25/12. The staff person hired 8/9/02 did not renew the training until 3/27/17. The staff person hired 10/5/95 had not renewed the training. The regulation requires that this training be renewed prior to the 5th anniversary of the prior completion date.

Programming

Not In Compliance

350 - Program of Activities Followed

Not 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;**

Findings:

General: Based on Observation, during a tour of the Young 2's room it was found that there was not a planned program of activities posted. During an interview with staff in the room it was indicated that they get a new lesson plan at the beginning of each week. However, they had not received a copy of the new lesson plan to post.

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, during a tour of the Young 2's room a bottle of rubbing alcohol and a gallon jug of bleach were found in the cabinet under the sink located in the classroom. The cabinet did not have a lock or other child safety latch making these items accessible to the children.

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, during a tour of the Starfish room an uncovered light bulb was observed in the ceiling light in the bathroom. It appeared as though the cover was missing. It could not be determined at the time of the visit if the bulb in the light fixture was shatter-proof.

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, during a tour of the infant room and the Sunfish room there were areas of chipping and peeling paint in some of the walls. In addition one (1) of the ceiling vents in the Sunfish room had an accumulation of dust.

Hygienic Practices

In Compliance

First Aid/Medication

Not In Compliance

660 - Medication Administration

Not In Compliance

922 KAR 2:120. Section 7. First Aid and Medicine.

(4) Prescription and nonprescription medication shall be administered to a child in care:

(a) With a daily written request of the child's parent.

(b) According to the directions or instructions on the medication's label.

Findings:

General: Based on Review of Documentation, it was found that a parent had given permission to administer Baurdeaux Butt paste diaper ointment as needed.

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, during a tour of the large playground there was a deep hole at the bottom of the slide attached to the wooden climbing structure. There was a scattering of mulch around the area. Deep holes were also found under the swings attached to the wooden climbing structure with a scattering of mulch around the area. At the bottom of the gate entering the small playground there were two (2) pieces of wire that had had a portion of the wire that had broken loose leaving sharp edges that were accessible to the children.

Equipment

Not In Compliance

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, during a tour of the Dolphins room there were three (3) yellow and blue vinyl nap mats that had areas around the edges that were cracked and torn with the foam exposed. This does not allow for proper sanitation.

Inspection Report

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, during a tour of the Dolphins room there was a green shelf that had a large area on top where the paint had chipping and peeling paint. In the bathroom located in the same room the finish had worn off of particularly on the front part the wooden toilet seat.

Transportation

Not Applicable

Food Service

Not In Compliance

935 - Refrigerator

Not In Compliance

922 KAR 2:120. Section 8. Kitchen Requirements.

(4) A cold-storage facility used for storage of perishable food in a nonfrozen state shall:

- (a) Have an indicating thermometer or other appropriate temperature measuring device;
- (b) Be in a safe environment for preservation; and
- (c) Be forty (40) degrees Fahrenheit or below.

Findings:

General: Based on Observation, during a tour of the infant room and the Sunfish room it was found that the refrigerators in each room did not have a thermometer. Both refrigerators contained bottles used for the children enrolled in the classrooms.

Children's Records

In Compliance

Written Documentation

In Compliance

Posted Documentation

Not In Compliance

1155 - Posting Requirements

Not In Compliance

922 KAR 2:110. Section 2. General.

(7) 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) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;
- (b) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;
- (c) Information on the Kentucky Consumer Product Safety Program and the program's website as specified in KRS 199.897;
- (d) 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;
- (e) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and
- (f) Daily schedule.

Findings:

General: Based on Observation, it was found that the information on the Kentucky Consumer Product Safety Program and the program's website was not posted. It was also found that the statement of deficiencies and plan or correction for the relicensure survey conducted on 3/17/16 was in a hanging file on the wall inside the office. The statement of deficiencies was not in a conspicuous place and the surveyor had to ask where they were kept because they were not kept in an area that was visible to anyone who entered the facility.

Animals

Not Applicable

Signature of Provider/Representative

Title

Date