



Andy Beshear
GOVERNOR

**CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL**

Eric Friedlander
SECRETARY

Melissa A. Moore, Director
Division of Regulated Child Care
Southern Branch
116 Commerce Ave
London, KY 40744

Phone: (606) 330-2030 Fax: (606) 330-2056
<https://chfs.ky.gov/agencies/os/oig>

Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: The Learning Tree for Children, LLC	Provider Information	License No: L358759
Provider Address: 258 Lexington Street, Lancaster, KY, 40444	Provider Type: LICENSED TYPE I	Capacity: 100
Owner(s): THE LEARNING TREE FOR CHILDREN, LLC		Director(s): Baker, Amanda

Inspection Type: Investigation	Inspection Information	Inspection No: 11691
Visit Start Date: 07/18/2012 9:30 AM	Visit End Date: 07/19/2012 11:20 AM	
	No. of Children Present: 40	

Inspection Report

Supervision

167 - Children supervised/Protected

922 KAR 2:120 - Section 2 (3)

(a) Each center shall maintain a child care program that assures each child will be:

- 1. Provided adequate supervision at all times; and**
- 2. Protected from abuse or neglect.**

1) Adequately supervised at all times

Not In Compliance

Findings:

General: Based on observation on 7/18/12 and review of video footage from 7/16/12, the surveyor found the following:

- On 7/18/12, a staff member allowed a child to leave the Three- and Four-Year-Old Room unsupervised to go to the bathroom out in the hall. An interview with the staff member revealed that she frequently allows children to leave the classroom unsupervised.
- At separate times, two (2) toddler children got a bleach bottle full of bleach out of an unlocked cabinet in the One-Year-Old Room. A child opened the bleach bottle and poured the bleach onto himself, the table, and the floor.

167 - Children supervised/Protected

922 KAR 2:120 - Section 2 (3)

(a) Each center shall maintain a child care program that assures each child will be:

- 1. Provided adequate supervision at all times; and**
- 2. Protected from abuse or neglect.**

2) Protected from abuse/neglect

In Compliance

186 - Activity Areas/Equipment/Materials

In Compliance

922 KAR 2:120 - Section 3

(2) Activity areas, equipment, and materials shall be arranged so that the child's activity can be given adequate supervision by staff.

232 - Supply Storage

Not In Compliance

922 KAR 2:120 - Section 4

(28) Supplies shall be stored so that the adult can reach them without leaving the child unattended.

Findings:

General: Based on observation, a video dated 7/16/12 displayed footage of a staff member in the One-Year-Old Room who briefly stepped out of the classroom to return mats onto a cart. As the staff returned the mats onto the cart in the hall, a toddler child got into an unlocked cabinet and pulled out a bottle of bleach, opened the bottle and poured bleach onto himself, the table, and the floor.

922 KAR 2:120 - Section 2

(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

2 to 3 years 1 staff for 10 children 20

3 to 4 years 1 staff for 12 children 24

4 to 5 years 1 staff for 14 children 28

5 to 7 years 1 staff for 15 children 30

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 centers.**

922 KAR 2:110 - Section 4 (1)

(I) Provide for the health, safety, and comfort of each child;

Findings:

Based on interview and review of video footage for 7/16/12, the surveyor learned the following:

- 1) A toddler child was able to access a bottle of bleach and a scrub brush stored in a cabinet under the sink in the child's classroom. The child-proof lock was not functioning. The child's hands were not washed after handling the scrub brush. The staff providing care to the child put the bottle of bleach and scrub brush back in the unlocked cabinet prior to a second toddler child accessing the bleach.
 - 2) The second child then took the bottle of bleach, opened it and poured it on himself, the table and floor. The staff member then placed the bottle of bleach on the floor, accessible to all the toddler children, while she proceeded to clean the table and floor. The video showed the toddler children coming to the area where the bottle of bleach and spilled bleach were located.
 - 3) The toddler child's bleach-soaked clothing was not immediately removed, and the child remained in the clothing for a period of time. The video showed the child pulling at the wet clothing and pulling at his arms, as well as touching his face and mouth before the staff member eventually removed the child's outfit, approximately five (5) minutes after the incident occurred. The child remained in his diaper, and the diaper was not changed until approximately five (5) minutes after staff removed his clothing, making a total of ten (10) minutes that the child remained in the diaper.
 - 4) The staff member placed the toddler's bleach-soaked clothing on top of a large toy located next to the bookcase, accessible to the children. A toddler child retrieved the clothing and handed it to its owner (the toddler who spilled the bleach). The staff member then moved the bleach soaked clothing and placed it on top of the trash can lid where another child picked up the clothing and carried it around the room.
 - 5) Another toddler child was also observed on the video placing her hand into the puddle of spilled bleach on the table.
 - 6) A child lifted a trash can lid, and staff did not wash the child's hands.
- The following items were observed at the child care center on 7/18/12:
- 7) One-Year-Old Room: Wet cloths with bleach/water solution were found behind and around the faucet at the sink where the children wash their hands.
 - 8) Two- and Three-Year-Old Room:
 - a) A safety latch was not being used at the cabinet under the sink, which contained a bleach/water solution that was accessible to the children.
 - b) Toothbrushes used by the children are stored in a cabinet under the sink. There was dust and debris around the toothbrushes and a cleaning cloth with bleach/water solution was found on top of the children's toothbrushes.
 - c) A staff member's purse containing crazy glue was in an unlocked cabinet on a low shelf, accessible to the children.
 - 9) Young Two-Year-Old Room:
 - a) A storage cabinet was unlocked and a staff member's purse which contained aspirin was located on a low shelf, accessible to children.
 - b) The safety latch did not function on the cabinet under the sink, allowing children access to bleach/water solution, dirty magic eraser, sunscreen, diapering cream and anti-fungal cream. Clean cloths were stored touching the dirty magic erasers and a dirty sponge.
 - c) Wet cloths with bleach/water solution were located behind and around the faucet at the sink used by the children to wash their hands.
 - d) The children's toothbrushes were stored in a cabinet under the sink, and a roll of paper towels was found stored on top of the children's toothbrushes.
 - e) A staff member touched the wet cleaning cloths, dirty sponge and dirty magic erasers. The staff member did not wash her hands after touching these items prior to touching the children.
 - 10) Three-Year-Old Room: A broom and dust pan were accessible to the children in the room.
 - 11) School Age Room:
 - a) A staff member's purse was located on the floor, accessible to children.
 - b) A broom and dust pan were accessible to children.
 - c) A trash can was covered in a brown residue.
 - 12) Three- and Four-Year-Old Room:
 - a) A wet cleaning cloth was located next to the faucet at the sink where the children wash their hands.
 - b) An unlocked cabinet under the sink contained a bottle of bleach and the lid to the bleach was not secured. There was also a bleach/water solution.
 - c) There was a bag of cups stored on top of the children's toothbrushes.
 - d) There was a push pin located on the floor.
 - e) The trash can was covered in a brown residue.
 - f) There was a broom and dust pan accessible to the children.

Inspection Report

Premises - Classroom

191 - Inaccessible Items

922 KAR 2:120 - Section 3

(7) 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 of staff.

1) Toxic cleaning supplies, poisons, and insecticides

Not In Compliance

Findings:

Based on interview, observation and review of video footage from 7/16/12, the surveyor found the following:

- 1) Toddler children were able to access a bottle of bleach in an unlocked cabinet under the sink of the classroom on 7/16/12. One child opened the bottle and poured it on himself as well as the table and the floor. Another child placed her hand into the puddle of bleach that had been poured onto the table.
- 2) On 7/18/12, the surveyor observed bleach/water solution accessible to children in the Two- and Three-Year-Old Room and the Young Two-Year-Old Room.
- 3) On 7/18/12, the surveyor observed a bottle of bleach, without the lid secured, in an unlocked cabinet under the sink in the Three- and Four-Year-Old Room.
- 4) Several cleaning cloths wet with bleach/water solution were found accessible to children in the following rooms: One-Year-Old Room, Two-and Three-Year-Old Room, Young Two-Year-Old Room, and Three- and Four-Year-Old Room.
- 5) A container of crazy glue was in a staff member's purse on a low shelf in an unlocked cabinet in the Two- and Three-Year-Old Room.
- 6) Magic eraser was found in a cabinet under the sink in the Young Two-Year-Old Room.

2) Knives and sharp objects

Not In Compliance

Findings:

Based on observation on 7/18/12, a push pin was found on the floor of the Three and Four-Year-Old Room.

7) Personal belongings of staff

Not In Compliance

Findings:

Based on observation on 7/18/12, the surveyor found the following:

- 1) A staff member's purse containing crazy glue was found on a low shelf of an unlocked cabinet in the Two- and Three-Year-Old Room.
- 2) A staff member's purse containing aspirin was located on a low shelf in an unlocked cabinet in the Young Two-Year-Old Room.
- 3) A staff member's purse was located on the floor of the School Age Room.

279 - Toilet Room

922 KAR 2:120 - Section 10

(2) A toilet room shall:

- (a) 1. Be provided for each gender; or
2. A plan shall be implemented to use the same toilet room at separate times;
- (b) Have a supply of toilet paper; and
- (c) Be cleaned and sanitized daily.

3) Clean/Sanitized

Not In Compliance

Findings:

Based on observation, cleaning cloths wet with bleach/water solution were found at the handwashing sinks in the One-Year-Old Room, Young Two-Year-Old Room and Three- and Four-Year-Old Room.

281 - Toilet

922 KAR 2:120 - Section 10

(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.

1) Clean

In Compliance

Inspection Report

Hygienic Practices

188 - Child Personal care/Handwashing

922 KAR 2:120 - Section 3

(4) A child shall;

- (a) Be helped with personal care and cleanliness; and
- (b) Wash his or her hands with liquid soap and warm running water:
 - 1. Upon arrival at the center;
 - 2. Before and after eating or handling food;
 - 3. After toileting or diaper change;
 - 4. After handling animals;
 - 5. After wiping or blowing nose;
 - 6. After touching items soiled with body fluids or wastes; and
 - 7. After outdoor or indoor play time.

6) Handwashing after wiping/blowing nose

Not In Compliance

Findings:

Based on observation on 7/18/12, the surveyor found that a child did not wash her hands after a staff member assisted the child with wiping her nose.

7) Handwashing after touching soiled item

Not In Compliance

Findings:

Based on interview, observation and review of video footage, the surveyor found the following:

- 1) A toddler child's hands were not washed after he handled a scrub brush on 7/16/12, which he got from an unlocked cabinet under the sink.
- 2) A toddler child's hands were not washed after she placed her hand into a puddle of bleach that had been poured by another child on 7/16/12.
- 3) On 7/16/12 a toddler accessed a bottle of bleach, opened it and poured it on himself, the table and floor. The child's hands were not washed for at least five (5) minutes.
- 4) A child lifted a trash can lid and her hands were not washed on 7/16/12.
- 5) A child's hands were not washed after she picked up another child's bleach-soaked clothing.
- 6) A child's hands were not washed after he picked up another child's bleach-soaked outfit and carried it around the room.

189 - Staff Hygiene/Hand Washing

922 KAR 2:120 - Section 3

(5) Staff shall:

- (a) Maintain personal cleanliness;
- (b) Conform to hygienic practices while on duty; and
- (c) Wash their hands with liquid soap and running water:
 - 1. Upon arrival at the center;
 - 2. After toileting or assisting a child in toileting;
 - 3. Before and after diapering each child;
 - 4. After wiping or blowing a child's or own nose;
 - 5. After handling animals;
 - 6. After caring for a sick child;
 - 7. Before and after feeding a child or eating;
 - 8. Before dispensing medication; and
 - 9. If possible, before administering first aid.

2) Hygienic practices

Not In Compliance

Findings:

Based on observation on 7/18/12, a staff member in the Young Two Year Old Room touched wet cleaning cloths, a dirty sponge and dirty magic erasers. The staff member then touched children and did not wash her hands before touching them.

285 - Soiled Diapers/Clothing

922 KAR 2:120 - Section 10

(8) Diapers or clothing shall be:

- (a) Changed when soiled or wet;
- (b) Stored in a covered container temporarily; and
- (c) Washed or disposed of at least once a day.

1) Changed as needed

Not In Compliance

Findings:

Based on a review of video footage of 7/16/12, a toddler child was left in bleach-soaked clothing for approximately five (5) minutes and his diaper for an additional five (5) minutes before the items were removed from the child.

Inspection Report

287 - Diapering equipment/Supervision

922 KAR 2:120 - Section 10

(10) When a child is diapered, the child shall:

- (a) Not be left unattended; and
- (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.

2) Clean surface

Not In Compliance

Findings:

Based on observation on 7/18/12, the surveyor found the following:

- 1) There was dust, debris and food crumbs around the edge of and under the diapering pad in the One-Year-Old Room.
- 2) There was dust and debris found on and under the diapering pad in the Young Two-Year-Old Room.
- 3) There was a yellow residue found on the side of the diapering pad in the Young Two-Year-Old Room.

4) Surface free from holes

Not In Compliance

Findings:

Based on observation on 7/18/12, the surveyor found that the diapering pad in the One-Year-Old Room was torn.

289 - Disinfect Diaper Surface

Not In Compliance

922 KAR 2:120 - Section 10

(12) Staff shall disinfect the diapering surface after each child is diapered.

Findings:

Based upon review of video footage from 7/16/12, the surveyor observed that mats were temporarily stored on a diapering surface and the surface was not sanitized prior to diapering a child.

292 - Toothbrushes

922 KAR 2:120 - Section 10

(15) Toothbrushes shall be:

- (a) Individually identified;
- (b) Allowed to air dry; and
- (c) Protected from contamination.

3) Protected

Not In Compliance

Findings:

Based on observation on 7/18/12, children's toothbrushes were not protected as follows:

- 1) Young Two Year Old Room: There was a roll of paper towels stored on top of the children's toothbrushes stored in a cabinet under the sink.
- 2) Three and Four Year Old Room: There was a bag of cups stored on top of the children's toothbrushes.
- 3) Two and Three Year Old Room: There was dust and debris around the children's toothbrushes, as well as a cleaning cloth with bleach/water on top of the children's toothbrushes stored in a cabinet under the sink.

First Aid/Medication

250 - Medication Storage

922 KAR 2:120 - Section 7

(7) Medication, including refrigerated medication, shall be:

- (a) Stored in a separate and locked place, out of the reach of a child;
- (b) Kept in the original bottle; and
- (c) Properly labeled.

1) Separate and locked

Not In Compliance

Findings:

Based on observation on 7/18/12, the surveyor found the following:

- 1) A staff member's purse containing aspirin was found on a low shelf in an unlocked storage cabinet in the Young Two-Year-Old Room.
- 2) Sunscreen, diapering cream and anti-fungal cream were found in an unlocked cabinet under the sink in the Young Two-Year-Old Room.

Equipment - Classroom

242 - Cots/Mats sanitized

In Compliance

Inspection Report

922 KAR 2:120 - Section 6

(7) Cots or mats not labeled for individual use by a child shall be sanitized after each use.

294 - Toys/Equipment/Furniture

922 KAR 2:120 - Section 11

(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.

1) Clean

Not In Compliance

Findings:

Based on observation on 7/18/12, the surveyor found the following:

- 1) A trash can in the School Age Room was covered with a brown residue.
- 2) A trash can in the Three- and Four-Year-Old Room was covered with a brown residue.

Food Service - Classroom

261 - Bottles

922 KAR 2:120 - Section 8

(10) Bottles shall be:

- (a) Individually labeled;
- (b) Promptly refrigerated; and
- (c) Covered when not in use.

1) Individually labeled

Not In Compliance

Findings:

Based on observation on 7/18/12, the surveyor found a bottle not individually labeled in the Nursery.

3) Covered when not in use

Not In Compliance

Findings:

Based on observation on 7/18/12, the surveyor found an uncovered bottle on the floor of the nursery.

Signature of
Provider/Representative

Title

Date