



Andy Beshear
GOVERNOR

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

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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: 9268
Visit Start Date: 04/25/2012 11:30 AM	Visit End Date: 05/02/2012 11:45 AM	
	No. of Children Present: 40	

Inspection Report

Staffing Requirements

135 - Adequate Adults/Qualified Staff

922 KAR 2:110 - Section 5

(10) The minimum number of adult workers in a child-care center shall be sufficient to ensure that:

- (a) Minimum staff-to-child ratios in accordance with 922 KAR 2:120 are followed;
- (b) Each staff person under eighteen (18) years of age and each student trainee are under the direct supervision of a qualified staff person who meets the requirements of this section; and
- (c) Unless providing care with a qualified staff person, a person under the age of eighteen (18) shall not be counted as staff for the staff-to-child ratio.

1) Ratio Compliance

In Compliance

162 - Ratios and Group Size

In Compliance

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.**

Inspection Report

163 - Defined Groups

922 KAR 2:120 - Section 2 (2)

(a) In a Type I center, a group size shall:

1. Be separately maintained in a defined area unique to the group; and
2. Have specific staff assigned to, and responsible for, the group.

1) Separate/Defined Area

In Compliance

2) Specific Staff

In Compliance

Director Requirements

113 - Staff Supervision

922 KAR 2:110 - Section 4 (1)

(g) Supervise staff conduct to ensure implementation of program policies and procedures;

2) Implementation of Procedure

Not In Compliance

Findings:

General: Based on review of documentation and interview, the surveyor found that on 04/09/12 a staff (DOH: 02/24/10) did not follow the procedure set forth in the child care center's Cell Phone Policy and Procedure. Through interview, the surveyor learned that a staff person took investigative photographs of alleged injuries found on a child's genitals using her personal cell phone. The child care center's cell phone policy states that "THERE WILL BE ABSOLUTELY NO CELL PHONE USAGE INSIDE THE CENTER".

118 - Health, Safety, Comfort

Not In Compliance

922 KAR 2:110 - Section 4 (1)

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

Findings:

General: Based on interview, the surveyor learned that on 04/09/12, the child care center staff suspected that a child may have been abused. A staff person stated that during a physical assessment of the child's alleged injuries, she pulled the child's penis outward so that another staff person could obtain detailed investigative photographs. The child's health, safety and comfort were compromised during the staff's investigative procedure.

Signature of
Provider/Representative

Title

Date