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Inspection Report

Provider Name: Learning Tree Kids Zone, Inc.	Provider Information	CLR No: L359205
Provider Address: 66 David Williams Lane, Burkesville, KY, 42717	Provider Type: LICENSED TYPE I	Capacity: 55
Owner(s): Learning Tree Kids Zone, Inc.		Director(s): Pitcock, Cynthia Gail

Inspection Type: Renewal Application	Inspection Information	Inspection No: 320292
Date Initiated: 07/13/2022 9:15 AM	Date Concluded: 07/13/2022 1:00 PM	
	No. of Children Present: 26	

Inspection Report	
Background Checks	Not In Compliance
85 - Employment Status	Not In Compliance
922 KAR 2:280. Section 11. Status of Employment. (1) A child care provider shall maintain the employment or residential status of each child care staff member who has submitted to a fingerprint-based criminal background check by reporting the status using the NBCP Web-based system.	
Findings:	
General: Based on review of documentation, the surveyor discovered at least five (5) staff that have separated from the child-care center that are still listed as employed on KARES.	
Staff reported that she would have someone update KARES.	
Supervision	Not In Compliance
90 - Children Supervised	Not 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 shall be: 1. Provided with adequate supervision at all times by a qualified staff person who ensures the child is: a. Within scope of vision and range of voice; or b. For a school-age child, within scope of vision or range of voice;	
Findings:	
General: Based on observation, the surveyor observed a child leave the Bigger Playground and go to the Little Playground twice without their teacher.	
Staff reported that she would talk to staff about supervising the children.	

125 - Ratios and Group Size

Not In Compliance

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

(2) For an operating child-care center, minimum staff-to-child ratios and group size shall be maintained as established in the table established in this subsection.

Age of Children Ratio Maximum Group Size*

Infant

1 staff for 5 children 10

Toddler 12 to 24 months

1 staff for 6 children 12

Toddler 24 to 36 months

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.**

(b) The age of the youngest child in the group shall determine the:

- 1. Staff-to-child ratio; and**
- 2. Maximum group size.**

Findings:

General: Based on observation, the surveyor observed fourteen (14) children on the Bigger Playground. During interview, staff reported that the age range of the children was three (3) through eight (8); therefore, the class ratio is twelve (12) children per one (1) staff member.

Staff reported that she did not realize that the class was out of ratio.

General Administration

Not In Compliance

225 - Licensee Responsibility

Not In Compliance

922 KAR 2:090. Section 8. General.

(1) A licensee shall:

- (a) Be responsible for the operation of the child-care center pursuant to this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280; and**
- (b) Protect and assure the health, safety, and comfort of each child.**

Findings:

General: Based on observation, the surveyor observed the following:

1. There was a PVC piping close to "Zone 4" that came apart from the connecting PVC piping, causing about an inch gap in-between the pipes; therefore, the health, safety, and comfort of the children was compromised by a child having the ability to stick their hand/fingers in the gap.

Staff reported that she would have the gap in-between the PVC piping repaired.

2. There was a pacifier placed on the floor of the Infant Classroom.

Staff reported that she would make sure staff knows to keep pacifiers off the floor.

Director Requirements

Not In Compliance

360 - Staff Evaluation

Not In Compliance

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.

(1) A director shall:

- (j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;**

Findings:

General: Based on review of documentation, the surveyor found that a staff's (DOH: 12/20/2019) file did not contain a staff evaluation; therefore, the surveyor was unable to verify if a staff evaluation was completed annually.

Staff reported that she would completed staff's evaluations.

400 - Educational Requirements

Not In Compliance

922 KAR 2:090. Section 11. 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, the surveyor found that a staff's (DOH: 07/29/2021) file did not contain proof of education documentation; therefore, the surveyor was unable to verify staff's education.

Staff reported that she would get staff to bring in proof of education.

405 - TB Verification

Not In Compliance

922 KAR 2:090. Section 11. 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, The surveyor found the following:

1. A staff's (DOH: 07/29/2021) file did not contain a copy of a statement from a health professional stating that the individual was free of active tuberculosis or a copy of a negative tuberculin (TB skin test) results for the staff person; therefore, the surveyor was unable to verify if the staff person was free of active tuberculosis.
2. A staff's (DOH: 06/22/2022) file did not contain a copy of a statement from a health professional stating that the individual was free of active tuberculosis or a copy of a negative TB skin test results for the staff person; therefore, the surveyor was unable to verify if the staff person was free of active tuberculosis.
3. A staff's (DOH: 03/12/2020) file did not contain a copy of a statement from a health professional stating that the individual was free of active tuberculosis or a copy of a negative TB skin test results for the staff person; therefore, the surveyor was unable to verify if the staff person was free of active tuberculosis.
4. A staff's (DOH: 12/20/2019) file did not contain a copy of a statement from a health professional stating that the individual was free of active tuberculosis or a copy of a negative TB skin test results for the staff person; therefore, the surveyor was unable to verify if the staff person was free of active tuberculosis.
5. A staff's (DOH: 07/08/2019) file did not contain a copy of a statement from a health professional stating that the individual was free of active tuberculosis or a copy of a negative TB skin test results for the staff person; therefore, the surveyor was unable to verify if the staff person was free of active tuberculosis.

Staff reported that she would have staff complete a TB Skin test.

415 - CPR/First Aid Required Training

Not In Compliance

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

(8) Each center shall ensure that every staff member has received training on first aid and cardiopulmonary resuscitation (CPR).

Findings:

General: Based on review of documentation and ECE-TRIS, the surveyor found the following:

1. A staff (DOH: 07/08/2019) did not receive the required training on first aid and cardiopulmonary resuscitation (CPR).
2. A staff (DOH: 12/20/2019) did not receive the required training on first aid and CPR.

Staff reported that she would have staff complete the first aid and CPR training.

922 KAR 2:090. Section 11. Staff Requirements.

(16) 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 completed within the first three (3) months of employment in a child-care program;**
- (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment in a child care program, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training; and**
- (c) Fifteen (15) hours of cabinet-approved early care and education training completed between July 1 and the following June 30 of each subsequent year of employment in a child care program, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.**

(17) A staff person's compliance with training requirements of this section shall be verified through the cabinet-designated database maintained pursuant to 922 KAR 2:240.

Findings:

General: Based on review of documentation and ECE- TRIS, the surveyor found the following:

1. A staff (DOH: 12/29/2021) did not complete the required six (6) hours of cabinet-approved orientation within the first three (3) months of employment.
 2. A staff (DOH: 04/15/2022) did not complete the required six (6) hours of cabinet-approved orientation within the first three (3) months of employment.
 3. A staff (DOH: 03/12/2020) completed fourteen (14) of the required fifteen (15) hours of cabinet-approved early care and education training completed between July 1 and the following June 30.
 4. A staff (DOH: 12/20/2019) completed three and one-half (3 1/2) of the required fifteen (15) hours of cabinet-approved early care and education training completed between July 1 and the following June 30.
 5. A staff (DOH: 07/01/2010) completed one (1) of the required fifteen (15) hours of cabinet-approved early care and education training between July 1 and the following June 30.
- Staff reported that she would have staff complete trainings.

Programming

455 - Program of Activities Followed

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) Unless the child-care center is a before- or after-school program that operates part day or less, that offers a variety of creative activities including:**
 - 1. Art or music;**
 - 2. Math or numbers;**
 - 3. Dramatic play;**
 - 4. Stories and books;**
 - 5. Science or nature;**
 - 6. Block building or stacking;**
 - 7. Tactile or sensory activity;**
 - 8. Multi-cultural exposure;**
 - 9. Indoor and 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, the surveyor observed the Pre- K classroom on the playground at 10:04 am. During review of documentation, the daily activity log showed 8:45-9:45 was outside time and the children did not return inside the building until about 10:45am.

Staff reported that she would talk to staff about following daily activities.

525 - Infant/Toddler Combined with Older Children

Not In Compliance

922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.

- (3) Except in accordance with subsection (4) of this section or Section 2(2)(c) of this administrative regulation, an infant or toddler under twenty-four (24) months of age shall not participate in an activity with an older child for no more than one (1) hour per day.**
- (4) If a toddler is developmentally appropriate for a transition to a preschool age group, a toddler may participate in an activity with an older child for more than one (1) hour per day if:**
 - (a) Space for the toddler is available in the preschool-age group;**
 - (b) The staff-to-child ratios and group sizes are maintained based on the age of the youngest child;**
 - (c) The center has a procedure for listing a transitioning toddler on attendance records, including a specific day and time the toddler is with either age group; and**
 - (d) The child care center has obtained the signature and approval of the toddler's parent on the toddler's transition plan.**

Findings:

General: Based on observation, the surveyor observed fourteen (14) children on the Bigger Playground. During interview, staff reported that the age range of the children was three (3) through eight (8) years old and that the children were mixed together for longer than an hour.

Staff reported that she will work on not mixing the children for longer than an hour.

540 - Bedding/Toys in Crib

Not In Compliance

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.

- (3) Rest time shall occur in an adequate space according to the child's age as follows:**
 - (a) For an infant:**
 - 3. No bedding other than a clean tight-fitted sheet; and**
 - 4. No toys or other items except the infant's pacifier;**

Findings:

General: Based on observation, the surveyor observed four (4) infants in four (4) different cribs covered with blankets.

Staff reported that she was unaware the children could not have blankets while in the crib.

Premises

Not In Compliance

565 - Inaccessible Items

Not In Compliance

922 KAR 2:120. Section 3. General Requirements.

- (7) The following shall be inaccessible to a child in care:**
 - (a) Toxic cleaning supplies, poisons, and insecticides;**
 - (b) Matches, cigarettes, lighters, and flammable liquids; and**
 - (c) Personal belongings and medications of staff.**

Findings:

General: Based on observation, the surveyor found the following:

1. There was a 7 Up can in the sink located in the Two Year Old Classroom; the children had access to the 7 Up can.
2. There was a coke bottle placed on the counter that the children had access to located in the Infant Classroom.

Staff reported that she will talk to staff about having drinks in undefined cups.

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, the surveyor found the following:

1. There was what appeared to be food debris on the floor in the Two Year Old Classroom.
 2. There was what appeared to be a plastic wrapper placed on the floor by the rocking chair in the Two Year Old Classroom.
 3. There was what appeared to be a cobweb on the air vent located by the restroom of the Two Year Old Classroom.
 4. There was heavy dust on the intake vent located in the Two Year Old Classroom.
 5. There was what appeared to be a sucker stick and candy debris placed on the floor in the Pre-K Classroom.
 6. There was what appeared to be food debris placed on the floor of the Pre-K Classroom.
 7. There was heavy dust on the air vent located in the Pre-K Classroom.
 8. There appeared to be a paper substance on the floor of the girl's restroom.
 9. There was heavy dust on the exhaust vent located in the Girl's Restroom.
 10. There was what appeared to be a paper substance on the floor of the boy's restroom.
 11. There was heavy dust on the exhaust vent located in the Boy's Restroom.
 12. There was dirt debris on the pond rug located in the One Year Old Classroom.
 13. There were at least three (3) spiders above the door of the One Year Old Classroom.
 14. There were spiders by the emergency light located in the One Year Old Classroom.
 15. There were at least two (2) spiders above the navy rug located in the One Year Old Classroom.
 16. There was heavy dust on the exhaust vent located in the One Year Old Classroom.
 17. There was what appeared to be dirt and food debris on the floor of the One Year Old Classroom.
 18. There was what appeared to be a white soiled area on the navy rug located in the One Year Old Classroom.
 19. There was heavy dust on the fan blades located over the One Year Old Classroom area.
 20. There were at least six (6) spiders above the changing table located in the Infant Classroom.
 21. There was what appeared to be a cob web above the refrigerator located in the Infant Classroom.
 22. There was heavy dust on the intake vent located in the Infant Classroom.
 23. There appeared to be a substance all over the black refrigerator located in the Infant Classroom.
 24. There was heavy dirt and food debris on the hopscotch rug located in the Infant Classroom.
 25. The navy rug was frayed located in the Infant Classroom.
 26. There was at least one (1) spider over the crib by the closet located in the Infant Classroom.
 27. There was what appeared to be food debris in front of a crib located in the Infant Classroom.
 28. There were at least three (3) spiders over the crib placed by the the exit door.
 29. The baseboard was missing underneath the window in the Infant Classroom.
Staff reported that she would work on the issues listed above.
- Staff stated that the exterminator was at the child-care center a few days ago and sprayed.

Inspection Report

695 - Toilet

Not In Compliance

922 KAR 2:120. Section 12. Toilet, Diapering, and Toiletry Requirements.

- (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.

Findings:

General: Based on observation, the surveyor found the following:

1. There was what appeared to be a yellow substance and bowel movement in the toilet bowl located in the restroom off from the Two Year Old Classroom.
2. There was a bowel movement in the toilet bowl of the second stall located in the Girl's Restroom.

Staff reported that she would have staff ensure the toilets are flushed after each use.

Hygienic Practices

Not In Compliance

730 - Diaper Changing Area/Surface

Not In Compliance

922 KAR 2:120. Section 12. Toilet, Diapering, and Toiletry Requirements.

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

Findings:

General: Based on observation, the surveyor observed that one (1) of the changing tables in the Infant Classroom contained two (2) blankets folded. During interview, staff reported that the changing table is used multiple times a day with just blankets.

Staff reported that she would replace the blankets with a changing pad.

First Aid/Medication

In Compliance

Outdoor Play Area

Not In Compliance

790 - Playground Clean

Not In Compliance

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

- (20) An outdoor play area shall be:
 - (c) Free from:
 1. Litter;
 2. Glass;
 3. Rubbish; and
 4. Flammable materials;

Findings:

General: Based on observation, the surveyor found the following:

1. There were at least three (3) Styrofoam cups placed on the ground of the Large Playground.
2. There was a Styrofoam cup placed on the ground of the Smaller Playground.
3. There appeared to be a paper type substance on the ground of the Smaller Playground.
3. There was what appeared to be a plastic popsicle packaging placed on the ground of the Smaller Playground.

Staff reported that she would have the playgrounds cleaned up.

795 - Playground Conditions

Not In Compliance

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

(20) An outdoor play area shall be:

- (d) Safe from foreseeable hazard;**
- (e) Well drained;**
- (f) Well maintained;**
- (g) In good repair; and**
- (h) Visible to staff at all times.**

Findings:

General: Based on observation, the surveyor found the following:

1. There was a PVC piping close to "Zone 4" that came apart from the connecting PVC piping causing about an inch gap in-between the pipes.
2. There were multiple areas that the grass appeared to be about calf high on the Large Playground; therefore, the grass had not been maintained properly.

Staff reported that she would have the playground cleaned up.

Equipment

Not In Compliance

860 - Toys/Furniture

Not In Compliance

922 KAR 2:120. Section 13. Toys and Furnishings.

(1) All toys 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 surveyor found that there was a blue vinyl couch that had a hole in the arm; therefore, the vinyl couch was not in good repair.

Staff reported that she would have the vinyl couch repaired.

865 - Indoor/Outdoor Equipment

Not In Compliance

922 KAR 2:120. Section 13. 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, the surveyor found the following:

1. There was what appeared to be a plastic picnic table that was apart, placed in a play house located on the Smaller Playground.
2. There was a playhouse door placed on the ground of the Smaller Playground.
3. There was a large piece of plastic by the building's door. During interview, staff reported that it was a piece of a picnic table.

Staff reported that she would have the playgrounds cleaned up.

Transportation

Not Applicable

Kitchen Requirements

Not In Compliance

1055 - Kitchen Equipment Clean and Sanitary

Not In Compliance

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

(7) The following shall be clean and sanitary:

- (a) Eating and drinking utensils;**
- (b) Kitchenware;**
- (c) Food contact surfaces of equipment;**
- (d) Food storage utensils;**
- (e) Food storage containers;**
- (f) Cooking surfaces of equipment; and**
- (g) Nonfood contact surfaces of equipment.**

Findings:

General: Based on observation, the surveyor observed the off white freezer had what appeared to be a black substance on the rubber seals on the door and rubber seal on the ice machine.

Staff reported that new appliances are supposed to be delivered Friday 07/15/2022.

Inspection Report

1065 - Bottles

Not In Compliance

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

(9) Bottles shall be:

- (a) Individually labeled;
- (b) Promptly refrigerated;
- (c) Covered while not in use; and
- (d) Consumed within one (1) hour of being heated or removed from the refrigerator.

Findings:

General: Based on observation, the surveyor discovered nine (9) bottles uncovered on the counter located in the infant classroom.

Staff reported that she would talk to staff about covering the bottles when not in use.

Food Service

Not In Compliance

1075 - Food Clean/Free From Spoilage

Not In Compliance

922 KAR 2:120. Section 9. Food and Drink Requirements for All Child-Care Centers.

(1) Food shall be:

- (a) Clean;
- (b) Free from:
 - 1. Spoilage;
 - 2. Adulteration; and
 - 3. Misbranding;
- (c) Safe for human consumption;
- (d) Withheld from service or discarded if the food is hermetically sealed, nonacidic, or low-acidic food that has been processed in a place other than a commercial food-processing establishment;

Findings:

General: Based on observation, the surveyor discovered about half of a gallon of milk left on the shelf at 10:04 in the Pre-K Classroom. During interview, staff reported that the children had not been in the classroom since about 9:30am; therefore, the milk had been left out for at least thirty (30) minutes.

Staff reported that she would talk to staff about ensuring milk is stored properly.

Meal Planning/Center Provides Meals

In Compliance

Meal Planning/Center Does Not Provide Meals

Not Applicable

Children's Records

In Compliance

Written Documentation

Not In Compliance

1270 - Daily Attendance Records

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

- (c) Daily attendance records documenting the arrival and departure time of each child, including records that are required in accordance with 922 KAR 2:160, Section 13, if a child receives services from the child-care center through the Child Care Assistance Program;

Findings:

General: Based on review of documentation, the surveyor discovered that twenty-four (24) children were signed in to the child-care center. During a tour of the child-care center the surveyor observed twenty-six (26) children in the child-care center.

Staff reported that she will ensure that parents sign-in and sign-out the children at the child-care center.

1280 - Professional Development

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

- (f) A written annual plan for child-care staff professional development;

Findings:

General: Based on review of documentation, the surveyor discovered the following:

- 1. A staff's (DOH: 12/20/2019) file did not contain a professional development plan; therefore, the surveyor was unable to verify if a professional development plan was completed annually.
- 2. A staff's (DOH: 07/01/2010) file contained a professional development plan dated 05/11/2019; therefore, the professional development plan was not completed annually.

Staff reported that she would have staff complete a professional development plan.

Posted Documentation

In Compliance

Animals

Not Applicable

Signature of Provider/Representative

Title

Date