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**Inspection Report**

|                                                              |                                       |                                        |
|--------------------------------------------------------------|---------------------------------------|----------------------------------------|
| <b>Provider Name:</b> Cindy's Teddy Bear Day Care            | <b>Provider Information</b>           | <b>License No:</b> L359295             |
| <b>Provider Address:</b> 671 Knox Blvd., Radcliff, KY, 40160 | <b>Provider Type:</b> LICENSED TYPE I | <b>Capacity:</b> 76                    |
| <b>Owner(s):</b> Cindy's Teddy Bear Day Care, Inc.           |                                       | <b>Director(s):</b> Ake, Tiffany Renee |

|                                             |                                            |                             |
|---------------------------------------------|--------------------------------------------|-----------------------------|
| <b>Inspection Type:</b> Investigation       | <b>Inspection Information</b>              | <b>Inspection No:</b> 54029 |
| <b>Visit Start Date:</b> 02/04/2014 8:48 AM | <b>Visit End Date:</b> 02/04/2014 10:50 AM |                             |
|                                             | <b>No. of Children Present:</b> 13         |                             |

| <b>Inspection Report</b>                                                                                                                                                                                                                                                                                                                                                                                             |                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <b>Supervision</b>                                                                                                                                                                                                                                                                                                                                                                                                   |                      |
| <b>5 - Children Supervised</b>                                                                                                                                                                                                                                                                                                                                                                                       | <b>In Compliance</b> |
| <b>922 KAR 2:120. Section 2. Child Care Services.</b><br><b>(3)(a) Each center shall maintain a child-care program that assures each child will be:</b><br><b>1. Provided with adequate supervision at all times by a qualified staff person who:</b><br><b>a. Ensures the child is within scope of vision and range of voice; or</b><br><b>b. For a school-age child, within scope of vision or range of voice;</b> |                      |

## Inspection Report

### Staffing Requirements

#### 40 - Ratios and Group Size

Not 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.

##### Findings:

General: Based on Observation, there was one staff member alone supervising nine children ages one to age ten from 8:48 a.m. until 10:30 a.m. Further observation at the center revealed that there were sufficient staff members at the center to maintain ratios. Based on interview with a staff member, on January 30, 2014 she was alone with twelve children ages one to five from 8:30 a.m. until 10:00 a.m.

### General Administration

#### 90 - Have Director

Not In Compliance

##### 922 KAR 2:090. Section 6. License Issuance.

(11) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:

(g) Have a director who meets the requirements listed in 922 KAR 2:110.

##### Findings:

General: Based on interview, the center has not had a DRCC approved director since August 16, 2013.

#### 175 - Change of Director

Not In Compliance

##### 922 KAR 2:110. Section 6. Reports.

(3) A licensee shall report to the cabinet within one (1) week:

(a) Any resignation, termination, or change of director; and

(b) The name of the acting director who satisfies the requirement of Section (4) of this administrative regulation.

##### Findings:

General: Based on review of documentation and interview, the center did not notify DRCC within one week that the previous director was no longer employed at the center as of 8-16-13.

### Employee Records

#### 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 member hired on 5-22-12 did not have evidence of an out of state background check. Review of the referenced staff member's driver's license revealed that the individual has lived outside the state of Kentucky in the previous five years. Based on review of documentation, a staff member hired on 11-20-13 did not have evidence of two out of state background checks. Review of the second referenced staff member's application revealed that the individual has lived in two different states other than Kentucky in the past five years.

**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 Observation, a staff member hired on 1-10-14 does not have a high school diploma, GED or Commonwealth Child Care Credential on file. A cook, hired on 10-30-10, admitted to driving children and giving staff breaks in the classrooms and has been observed by other staff members being alone in classrooms with children, does not have a high school diploma, GED or Commonwealth Child Care Credential on file. The center has previously been cited on 3-17-11 for the cook hired on 10-30-10 working in classrooms and not meeting regulatory educational requirements.

**325 - CPR/First Aid Coverage****Not In Compliance****922 KAR 2:110. Section 5. Staff Requirements.**

**(3) For a child-care center licensed for infant, toddler, or preschool-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:**

- (a) Infant and child cardiopulmonary resuscitation; and**
- (b) Infant and child first aid.**

**(4) For a child-care center licensed for school-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:**

- (a) Adult cardiopulmonary resuscitation; and**
- (b) First aid.**

**Findings:**

General: Based on interview and review of documentation, a staff member hired on 11-20-13 works alone from 6:00 to 6:30 p.m. and does not have CPR or First Aid Certification. Based on interview with acting director, she confirmed that this staff member does not have certification and is alone during these center operating hours.

**345 - Driver Requirements****Not In Compliance****922 KAR 2:120. Section 12. Transportation.****(18) A driver of a vehicle transporting a child for a center shall:**

- (a) Be at least twenty-one (21) years old;**
- (b) Complete:**
  - 1. The background checks as described in 922 KAR 2:110; and**
  - 2. An annual check of the:**
    - a. Kentucky driver history records in accordance with KRS 186.018; or**
    - b. Driver history records through the state transportation agency that issued the driver's license;**
- (c) Hold a current driver's license which has not been suspended or revoked during the last five (5) years; and**
- (d) Not caused an accident which resulted in the death of a person.**

**Findings:**

General: Based on Review of Documentation, two drivers hired on 10-30-10 and 5-22-12 do not have a Kentucky driver's history record on file.

**Programming****410 - Infant/Toddler Combined with Older Children****Not In Compliance****922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.**

**(2) Except in accordance with subsection (3) of this section, an infant or toddler shall participate in an activity with an older child for no more than one (1) hour per day.**

**Findings:**

General: Based on Observation, two toddlers, ages eighteen and nineteen months, were combined with children ages two to ten from approximately 8:48 until 10:30 a.m.

**415 - Toddler Combined with Preschool****Not In Compliance****922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.****(3) A toddler may participate in an activity with an older child for more than one (1) hour per day if:**

- (a) The toddler is in transition to the pre-school age group;**
- (b) The toddler is twenty-one (21) months or older;**
- (c) Space for the toddler is available in the preschool-age group;**
- (d) The staff-to-child ratios and group sizes are maintained based the age of the youngest child;**
- (e) 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**
- (f) 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 and review of documentation, a twenty-three month old toddler was combined with preschool children from approximately 8:45 until 10:30 a.m. without a transitioning plan.

**435 - Bedding/Toys in Crib**

**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:**

**(a) For an infant:**

**3. No loose bedding; and**

**4. No toys or other items except the infant's pacifier;**

**Findings:**

General: Based on Observation, an eight month old child that was able to sit up and pull up in a crib was observed to have a mobile attached to the crib. Based on observation an eight month old infant child was sleeping on a boppy pillow inside of a crib and did not have a note from a physician indicating that the child needed a positioning device to sleep. Based on observation there were two toys attached to the insides of cribs.

**450 - Appropriate Use of Food**

**Not In Compliance**

**922 KAR 2:120. Section 9. Food and Meal Requirements.**

**(2) Food shall not be:**

**(a) Used for reward;**

**(b) Used for discipline;**

**(c) Withheld until all other foods are consumed; or**

**(d) Served while viewing electronic devices.**

**Findings:**

General: Based on Observation, upon the arrival of the surveyor, a staff member hired on 10-30-10 was heard telling a child "I guess you won't eat breakfast", in response to the child's behavior.

**Transportation**

**785 - Requirements for Transportation Services**

**Not In Compliance**

**922 KAR 2:120. Section 12. Transportation.**

**(2) A center providing or arranging transportation service shall:**

**(a) Be licensed and approved by the cabinet or its designee prior to transporting a child;**

**(b) Have a written plan that details the type of transportation, staff schedule, transportation schedule, and transportation route; and**

**(c) Have written policies and procedures, including emergency procedures practiced monthly by staff who transports children.**

**Findings:**

General: Based on Review of Documentation, the center arranged transportation for children to be picked up at school using a staff member's personal vehicle. The center failed to have a written plan that details the type of transportation used and a staff schedule.

**820 - Vehicle Equipment**

**Not In Compliance**

**922 KAR 2:120. Section 12. Transportation.**

**(4) A vehicle used to transport children shall be equipped with:**

**(a) A fire extinguisher;**

**(b) First aid supplies as described in Section 7 of this administrative regulation;**

**(c) Emergency reflective triangles; and**

**(d) A device to cut the restraint system, if necessary.**

**Findings:**

General: Based on Observation, a staff member's personal vehicle used to provide transportation services for the center did not contain a fire extinguisher, any of the required first aid supplies, reflective triangles, or a device to cut the restraint system.

**830 - Vehicle Inspection Documentation**

**Not In Compliance**

**922 KAR 2:120. Section 12. Transportation.**

**(6) A vehicle used to transport children shall meet the following requirements:**

**(a) A twelve (12) or more passenger vehicle shall display a current certification of inspection from the Transportation Cabinet on the designated window.**

**Findings:**

General: Based on Review of Documentation, the center van did not have a current certification of inspection from the Transportation Cabinet.

**855 - Pre-trip Inspection**

**Not In Compliance**

**922 KAR 2:120. Section 12. Transportation.**

**(8) A daily inspection of the vehicle shall be performed and documented for the following:**

**(a) Tires;**

**(b) Lights, signals, mirrors, gauges, and wiper blades;**

**(c) Safety restraints;**

**(d) Fuel; and**

**(e) Free of debris.**

**Findings:**

General: Based on Review of Documentation, there were no pre-trip inspections available for review for the vehicle that has been used to provide transportation services for the center.

## Inspection Report

### 900 - Children's Transportation Records

Not In Compliance

#### 922 KAR 2:120. Section 12. Transportation.

##### (17) Transportation services provided shall:

##### (a) Be recorded in writing and include:

1. The first and last name of the child transported; and
2. The time each child gets on and the time each child gets off;

##### (b) Be completed by a staff member other than the driver; and

##### (c) Be kept for five (5) years.

#### Findings:

General: Based on Review of Documentation, the center did not maintain documentation including first and last name of children transported and the time each child got on and off the vehicle.

### Children's Records

### 1070 - Immunization

Not In Compliance

#### 922 KAR 2:110. Section 3. Records.

##### (1) A child-care center shall maintain:

(a) A current immunization certificate for each child in care within thirty (30) days of the child's enrollment, unless an attending physician or the child's parent objects to the immunization of the child pursuant to KRS 214.036;

#### Findings:

General: Based on Review of Documentation, a current immunization certificate was not presented for review for a child enrolled on 7-8-13.

### Written Documentation

### 1095 - Daily Attendance Records

Not In Compliance

#### 922 KAR 2:110. Section 3. 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, two students who were transported by the center from school to the center were not signed into the center on January 28, 29 or 30, 2014.

### 1100 - Staff Schedule

Not In Compliance

#### 922 KAR 2:110. Section 3. Records.

##### (1) A child-care center shall maintain:

(d) A written schedule of staff working hours;

#### Findings:

General: Based on Interview, the center did not have a written staff schedule.

Signature of  
Provider/Representative

Title

Date