



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: Mary Anita Nursery & Preschool	Provider Information	License No: L359341
Provider Address: 2301 Lower Hunters Trace, Louisville, KY, 40216	Provider Type: LICENSED TYPE I	Capacity: 49
Owner(s): Parker O'Neal Inc.		Director(s): Collins, Cortnie

Inspection Type: Investigation	Inspection Information	Inspection No: 9223
Visit Start Date: 04/20/2012 8:25 AM	Visit End Date: 04/20/2012 9:50 AM	
No. of Children Present:		

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.

2) Protected from abuse/neglect

Not Applicable

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

Not In Compliance

Findings:

General: Based on observation, the number of qualified staff members present at the time of the investigation was not sufficient to ensure minimum staff to child ratios were met. At approximately 8:30a.m. a staff member took one (1) child outside the building to get on a school bus. When the staff member exited the building, another staff member was left to care for a total of nineteen (19) children by herself. The youngest child among the nineteen (19) children was two (2) years old. Therefore, the minimum staff to child ratio for two (2) year old children of 1:10 was not met.

162 - Ratios and Group Size

Not 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.

Findings:

General: Based on observation, upon the arrival of the surveyor, at 8:25am, there were two (2) staff members providing care for a total of twenty (20) children ranging in age from two (2) years to four (4) years old, in the Four/Five classroom. At approximately 8:30am, one (1) staff member exited the building to take one (1) child to the bus, leaving one (1) staff member to care for nineteen (19) children, the youngest being two(2)years old. Therefore, the minimum staff to child ratio for two (2) year old children of 1:10 was not met.

General Administration

168 - Abuse/Neglect

922 KAR 2:120 - Section 2 (3)

(b) The program shall include:

1. A procedure to inform child care staff of the laws of the Commonwealth pertaining to child abuse or neglect set forth in KRS 620.030; and
2. Written policy that specifies that the procedures that were taught at the orientation training shall be implemented by each child-care center staff member.

1) Abuse/Neglect procedure

In Compliance

Director Requirements

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 and review of documentation, a staff member spanked a two (2) year old child who was in attendance at the center.

Programming

182 - Discipline

922 KAR 2:120 - Section 2

(10) A child shall not be subjected to:

(a) Corporal physical discipline pursuant to KRS 199.896(18);

(b) Loud, profane, threatening, frightening, or abusive language; or

(c) Discipline that is associated with:

1. Rest;
2. Toileting; or
3. Food.

1) Corporal discipline prohibited

Not In Compliance

Findings:

Classroom: Based on interview and review of a written statement provided by the staff in charge, a staff member spanked a child as a form of discipline.

234 - Infant/Toddler with older children

Not In Compliance

922 KAR 2:120 - Section 5

(2) An infant or toddler may participate in an activity with an older child for no more than one (1) hour.

Findings:

Classroom: Based on observation, upon the arrival of the surveyor at 8:25 am, there were five (5) children ranging in age from seventeen (17) months to twenty-seven (27) months being cared for in the first classroom downstairs. The same five (5) children were in the room upon the surveyor's departure at approximately 9:50 am. Interviews with the classroom staff members and the staff member in charge revealed that the children present in the room were scheduled to be in the room for the entire day.

Inspection Report

Premises - Classroom

202 - 35 Square Feet per child

Not In Compliance

922 KAR 2:120 - Section 4

(5) Exclusive of the kitchen, bathroom, hallway, and storage area, there shall be a minimum of thirty-five (35) square feet of space per child.

Findings:

Classroom: Based on observation, upon the arrival of the surveyor, there were nineteen (19) children present in the Four/Five Year Old Classroom. After the children were separated and additional children arrived, there were fifteen (15) children in the classroom. Review of the facility's file at the DRCC office revealed a total acceptable capacity for the referenced classroom based on measurements to be eight (8). Therefore, there was not thirty-five (35) square feet of space for each child that was present in the classroom.

Signature of
Provider/Representative

Title

Date