



Andy Beshear
GOVERNOR

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

Melissa A. Moore, Director
Division of Regulated Child Care
Eastern Branch
455 Park Place, Suite 120A
Lexington, KY 40511
Phone: (859) 246-2301 Fax: (859) 246-2307
<https://chfs.ky.gov/agencies/os/oig>

Eric Friedlander
SECRETARY

Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Tender Love & Care Learning Center	Provider Information	License No: L359364
Provider Address: 491 Erlanger Road, Erlanger, KY, 41018	Provider Type: LICENSED TYPE I	Capacity: 110
Owner(s): TENDER LOVE & CARE LEARNING CENTER, LLC		Director(s): Ware, Tracy

Inspection Type: Investigation	Inspection Information	Inspection No: 41549
Visit Start Date: 08/01/2013 9:25 AM	Visit End Date: 08/01/2013 11:10 AM	
	No. of Children Present: 72	

Inspection Report	
Supervision	
5 - Children Supervised	Not In Compliance
<p>922 KAR 2:120. Section 2. Child Care Services.</p> <p>(3)(a) Each center shall maintain a child-care program that assures each child will be:</p> <p>1. Provided with adequate supervision at all times by a qualified staff person who:</p> <p>a. Ensures the child is within scope of vision and range of voice; or</p> <p>b. For a school-age child, within scope of vision or range of voice;</p> <p>Findings:</p> <p>General: Based on Observation, of video footage at the facility, a three (3) year old child was left unattended outside of the building for approximately three (3) minutes. Based on interview with staff, the child had been outside on the playground with thirteen (13) other children and two (2) staff members. The child was left outside alone from approximately 8:13pm to approximately 8:16pm. The child was found by fire department personnel who were driving by the facility. They stopped and alerted the staff members inside the building that a child was outside alone.</p>	
Staffing Requirements	
40 - Ratios and Group Size	In Compliance

Inspection Report

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.

General Administration

39 - Unacceptable Plan of Correction

1) Amended plan submitted within ten days

Not In Compliance

Findings:

A PLAN OF CORRECTION WAS DUE ON 02 Sep 13 AND AS OF 17 Oct 13, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.

Director Requirements

265 - Health, Safety, Comfort

Not In Compliance

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.

(1) Effective with the adoption of this administrative regulation, a director shall:

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

Findings:

General: Based on Interview, a three (3) year old child was left unattended outside of the building for approximately three (3) minutes. The child had been outside on the playground with thirteen (13) other children and two (2) staff members. The child was left outside alone from approximately 8:13pm to approximately 8:16pm. The child was found by fire department personnel who were driving by the facility. They stopped and alerted the staff members inside the building that a child was outside alone.

Employee Records

300 - Background checks/left alone

Not In Compliance

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

(4) A director, employee, volunteer, or any person with supervisory or disciplinary control over, or having unsupervised contact with, a child 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 interview and document review, staff member hired on 05/31/13 did not have the results of a child abuse/neglect background check on file. Interview with that staff person determined that she was alone with three (3) children after coming in from the playground on 07/29/13. This staff took the three (3) children into the cafeteria to get supplies where no other adults were present.

Signature of
Provider/Representative

Title

Date