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Inspection Report

Provider Information

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

Inspection Information

Inspection Type: Renewal Application
Inspection No: 52598
Visit Start Date: 12/12/2013 10:10 AM
Visit End Date: 12/12/2013 12:45 PM
No. of Children Present: 40

Inspection Report

Supervision

5 - Children Supervised — **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 will be:
1. Provided with adequate supervision at all times by a qualified staff person who:
a. Ensures the child is within scope of vision and range of voice; or
b. For a school-age child, within scope of vision or range of voice;

15 - Activity Areas/Equipment/Materials — **In Compliance**

922 KAR 2:120. Section 3. General Requirements.
(2) Activity areas, equipment, and materials shall be arranged so that the child's activity can be given adequate supervision by staff.

20 - Supply Storage — **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(30) Supplies shall be stored so that the adult can reach them without leaving a child unattended.

25 - Supervision During Diapering — **In Compliance**

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.
(10) When a child is diapered, the child shall:
(a) Not be left unattended

Staffing Requirements

30 - Cooking/Cleaning Staffing — **In Compliance**

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.
(1) Effective with the adoption of this administrative regulation, a director shall:
(k) Assure that additional staff are available during cooking and cleaning hours, if necessary, to maintain staff-to-child ratios pursuant to 922 KAR 2:120;

35 - Adequate Adults/Qualified Staff — **In Compliance**

922 KAR 2:110. Section 5. Staff Requirements.
(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.

40 - Ratios and Group Size — **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)	1 staff for 20 children	30
(full day of care)		30

*Maximum Group Size shall be applicable only to Type I child-care centers.

45 - Ratio/Group Size — **In Compliance**

922 KAR 2:120. Section 2. Child Care Services.
(2)(b) The age of the youngest child in the group shall determine the:
1. Staff-to-child ratio; and
2. Maximum group size.

55 - Related Children — **In Compliance**

922 KAR 2:120. Section 2. Child Care Services.
(2)(d) If a child related to the director, employee, or person under the supervision of the licensee is receiving care in the center, the child shall be included in the staff-to-child ratio.

General Administration

60 - Zoning — **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:
(a) Provide written documentation from the local authority showing compliance with local zoning requirements;

65 - Fire Marshal — **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:
(b) Be approved by the Office of the State Fire Marshal or designee;

70 - Water/Sewage — **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:
(c) Have an approved water and sewage system in accordance with local, county, and state laws;

75 - Liability Insurance — **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:
(d) Provide written proof of liability insurance coverage of at least $100,000 per occurrence;

80 - Comply with regulations — **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:
(e) Comply with provisions of this administrative regulation, 922 KAR 2:110, and 922 KAR 2:120;

85 - Cooperate with state agency — **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:
(f) Cooperate with the cabinet, the cabinet's designee, or another agency with regulatory authority during:
1. An investigation of an alleged complaint, including an allegation of child abuse or neglect pursuant to KRS 620.030(4); and
2. Unannounced inspections; and

90 - Have Director **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.

95 - Allow Access **In Compliance**

922 KAR 2:090. Section 6. License Issuance.
(12) A child-care center shall allow the cabinet or its designee, another agency with regulatory authority, and a parent of an enrolled child unannounced access to the child-care center during the hours of operation.

110 - Report to Licensee **In Compliance**

922 KAR 2:090. Section 11. Basis for Denial, Suspension or Revocation.
(3) A director, employee, volunteer, any person with supervisory or disciplinary control over, or having unsupervised contact with, a child shall report to the licensee if:
(a) Convicted of, or entered an Alford or guilty plea to:
1. a violent crime or sex crime in accordance with KRS 17.165; or
2. A crime specified in Section 6(5) of this administrative regulation;
(b) The subject of a cabinet child abuse or neglect investigation;
(c) Found by the cabinet or a court to have abused or neglected a child;
(d) Convicted of, or entered an Alford or guilty plea to, a drug-related felony, and five (5) years have not elapsed since the person was fully discharged from imprisonment, probation, or parole;
(e) Placed on the Sex Offender Registry; or
(f) Determined by a physician to have a health condition that renders the person unable to care for children.

115 - Reports to Cabinet **In Compliance**

922 KAR 2:110. Section 6. Reports.
(1) The following shall be reported to the cabinet or designee and other agencies specified in this section within twenty-four (24) hours from the time of discovery:
(a) Communicable disease, which shall also be reported to the local health department pursuant to KRS 214.010;
(b) An accident or injury to a child that requires medical care;
(c) An incident that results in legal action by or against the child-care center that:
1. Affects a child or staff person; or
2. Includes the center's discontinuation or disqualification from a governmental assistance program due to fraud or abuse;
(d) An incident involving fire or other emergency, including a vehicular accident when the center is transporting a child receiving child care services; or
(e) A report of child abuse or neglect that:
1. Has been accepted by the cabinet in accordance with 922 KAR 1:330; and
2. Names a director, employee, volunteer, or person with supervisory or disciplinary control over, or having unsupervised contact with a child in care as the alleged perpetrator.

120 - Licensee Responsibility **In Compliance**

922 KAR 2:110. Section 2. General.
(1) A licensee shall be responsible for the operation of the child-care center pursuant to this administrative regulation, 922 KAR 2:090, and 922 KAR 2:120.

125 - Confidential Information **In Compliance**

922 KAR 2:110. Section 2. General.
(3) Information concerning a child or the child's parent shall be kept in strict confidence by child-care center staff, except as otherwise required by law.

130 - Volunteer/Board Member Compliance **Not Applicable**

922 KAR 2:110. Section 2. General.
(4) A volunteer or board member shall comply with the policies and procedures of the child-care center.

135 - Resident Interference **Not Applicable**

922 KAR 2:110. Section 2. General.
(6) An activity of a person living in a child-care center that is a dwelling unit shall not interfere with the child-care center program.

140 - Staff Conviction/Substantiation **In Compliance**

922 KAR 2:110. Section 5. Staff Requirements.
(2) A child-care center shall not employ a person:
(a) Convicted of, or who entered an Alford or guilty plea to, a crime pursuant to 922 KAR 2:090, Section 6(6);
(b) Found by the cabinet to have abused or neglected a child, pursuant to 922 KAR 1:470;
(c) Placed on the Sex Offender Registry; or
(d) Determined by a physician to have a health condition that renders the person unable to care for children.

145 - Controlled Substance/Alcohol — **In Compliance**

922 KAR 2:110. Section 5. Staff Requirements.
(11) Except for medication as prescribed by a physician, a controlled substance or alcohol use shall not be permitted on the premises during hours of operation.

150 - Adult Resident Requirements — **Not Applicable**

922 KAR 2:110. Section 5. Staff Requirements.
(13)(a) For each adult residing at a Type II child-care center, the results of the following shall be maintained on file at the center a:
1. Criminal records check indicating that the adult has not been convicted of, entered an Alford or guilty plea to, a:
a. Crime pursuant to KRS 17.165; or
b. Drug-related felony, and five (5) years have not lapsed since the person was fully discharged from imprisonment, probation, or parole;
2. Child abuse and neglect check using the central registry in accordance with 922 KAR 1:470, indicating that the adult has not been found by the cabinet to have abused or neglected a child;
3. Criminal records check for any previous state of residence completed once if:
a. The adult resided outside the state of Kentucky in the last five (5) years; and
b. No criminal records check has been completed for the adult's previous state of residence. The check shall indicate that the adult has not been convicted of, or has not entered an Alford plea or a plea of guilty to, an offense under a criminal statute of the United States or of another state similar to an offense specified in subparagraph 1 of this paragraph; and
4. Copy of negative tuberculin results or a health professional's statement documenting that the adult is free of tuberculosis. Every two (2) years, the adult shall provide negative tuberculin results or health professional's statement documenting that the adult is free of tuberculosis.
(b) An address check of the Sex Offender Registry conducted on behalf of the applicant for a Type II child-care center and supporting documentation shall indicate that no individual residing in the household is a registered sex offender.

155 - Staff Awake on Duty — **In Compliance**

922 KAR 2:110. Section 5. Staff Requirements.
(12) Each staff person shall remain awake while on duty except as specified in 922 KAR 2:120, Section 2(11)(f).

160 - Report to Cabinet — **In Compliance**

922 KAR 2:090. Section 11. Basis for Denial, Suspension or Revocation.
(4) Each licensee shall report to the cabinet or its designee if the:
(a) Licensee or an individual described in Section 6(4) of this administrative regulation meets a criterion of subsection (3) of this section; or
(b) Licensee meets a criterion of subsection (7)(j) of this section.

190 - Abuse/Neglect Report Procedure — **In Compliance**

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

195 - Requirements for Nontraditional Care — **In Compliance**

922 KAR 2:120. Section 2. Child Care Services.
(11) If nontraditional hours of care are provided:
(a) Including time spent in school, a child shall not be permitted to spend more than sixteen (16) hours in the child-care center during one (1) twenty-four (24) hour period;
(b) At least one (1) staff member shall be assigned responsibility for each sleeping room;
(c) A child present for an extended period of time during waking hours shall receive a program of well-balanced and constructive activity that are developmentally appropriate for the child;
(d) A child sleeping three (3) hours or more shall sleep in:
1. Pajamas; or
2. A nightgown;
(e) If a child attends school from the child-care center, the child shall be offered breakfast;

200 - Staff Remain Awake — **In Compliance**

922 KAR 2:120. Section 2. Child Care Services.
(11) If nontraditional hours of care are provided:
(f) Staff shall:
1. If employed by a Type I child-care center, remain awake while on duty; or
2. If employed by or is the operator of a Type II child-care center, remain awake until every child in care is asleep.

205 - Fire Marshal/Zoning Compliance — **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(2) A child-care center shall be in compliance with the State Fire Marshal requirements established in KRS 227.220 and the local zoning laws.

210 - Construction/Renovation Notification — **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(19) The Department of Housing, Buildings and Construction, State Fire Marshal's Office, and cabinet shall be contacted concerning a planned new building, addition, or major renovation prior to construction.

215 - Defined Groups — In Compliance

922 KAR 2:120. Section 2. Child Care Services.
(2)(a) In a Type I child-care 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.

220 - Person Under Investigation by DCBS — Not Applicable

922 KAR 2:110. Section 2. General.
(8) If a director, employee, volunteer, or any person with supervisory or disciplinary control over, or having unsupervised contact with a child in care is named as the alleged perpetrator in a child abuse or neglect report accepted by the cabinet in accordance with 922 KAR 1:330, the individual shall be removed from direct contact with a child in care:
(a) For the duration of the family-in-need-of-services assessment or investigation; and
(b) Pending completion of the administrative appeal process for a cabinet substantiation of child abuse or neglect in accordance with 922 KAR 1:320 or 922 KAR 1:480.

225 - Sick Child Exclusion — In Compliance

922 KAR 2:120. Section 7. First Aid and Medicine.
(2) A child showing signs of an illness or condition that may be communicable shall not be admitted to the regular child-care program.

230 - Sick Child Protocol — In Compliance

922 KAR 2:120. Section 7. First Aid and Medicine.
(3) If a child becomes ill while at the child-care center:
(a) The child shall be placed in a supervised area isolated from the rest of the children;
(b) The parent shall be contacted immediately; and
(c) Arrangements shall be made to remove the child from the child-care center as soon as practicable.

Director Requirements

235 - Operation instruction/Regulation copy — In Compliance

922 KAR 2:110. Section 2. General.
(2) Child-care center staff shall be:
(a) Instructed by the child-care center's director regarding requirements for operation; and
(b) Provided with a copy of this administrative regulation, 922 KAR 2:090, and 922 KAR 2:120.

245 - Regulatory Compliance/Staff in Charge — In Compliance

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.
(1) Effective with the adoption of this administrative regulation, a director shall:
(d) Ensure:
1. Compliance with 922 KAR 2:090, 922 KAR 2:120, and this administrative regulation; and
2. The designation of one (1) adult staff person in charge to carry out the director's duties if the director is not present in the child-care center during operating hours;

250 - Staff Management/Policy Development/Supervision — In Compliance

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.
(1) Effective with the adoption of this administrative regulation, a director shall:
(e) Manage the staff in their individual job descriptions;
(f) Develop child-care center plans, policies, and procedures;
(g) Supervise staff conduct to ensure implementation of program policies and procedures;

255 - Staff Meeting — 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) Conduct, manage, and document in writing staff meetings;

260 - Staff Evaluation — In Compliance

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.
(1) Effective with the adoption of this administrative regulation, a director shall:
(j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;

265 - Health, Safety, Comfort — In Compliance

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.
(1) Effective with the adoption of this administrative regulation, a director shall:
(l) Provide for the health, safety, and comfort of each child;

270 - Parent Notification — In Compliance

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.
(1) Effective with the adoption of this administrative regulation, a director shall:
(m) Notify the parent immediately of an accident or incident requiring medical treatment of a child;

275 - Caregiver Alone **In Compliance**

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.
(1) Effective with the adoption of this administrative regulation, a director shall:
(n) Assure that a person acting as a caregiver of a child in care shall not be left alone with a child, if the licensee has not received the results of the background checks as described in Section 3(1)(e)6 of this administrative regulation;

280 - Altered/Falsified Records **In Compliance**

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.
(1) Effective with the adoption of this administrative regulation, a director shall:
(o) Assure each mandatory record specified in Section 3 of this administrative regulation has not been altered or falsified;

285 - Parental/Family Involvement Activity **In Compliance**

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.
(1) Effective with the adoption of this administrative regulation, a director shall:
(p) Coordinate at least one (1) annual activity involving parental or family participation.

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, it was found that the file for an employee hired on 7-22-13 did not contain evidence of a central registry check being submitted within the required timeframe. The paperwork in the file was signed by the employee on 7-31-13 and was not yet signed by a witness.

305 - Background checks/discharged **In Compliance**

922 KAR 2:090. Section 6. License Issuance.
(6) Upon completion of background checks described in subsection (4)(b) of this section, a licensee shall discharge immediately:
(a) An individual whose name is listed on the central registry established by 922 KAR 1:470;
(b) An individual who has been convicted of, or has entered an Alford plea or a plea of guilty to, a crime in accordance with KRS 17.165;
(c) An individual who is confirmed by an address check of the Sex Offender Registry and supporting documentation as a registered sex offender;
(d) An individual who has been convicted of, or entered an Alford plea or plea of guilty to, a drug-related felony, and five (5) years has not elapsed since the person was fully discharged from imprisonment, probation, or parole;
(e) A director who has been convicted of, or entered an Alford plea or a plea of guilty to, a felony offense involving fraud, embezzlement, theft, or forgery; and
(f) An individual who has been convicted of, or has entered an Alford plea or a plea of guilty to, an offense under a criminal statute of the United States or of another state similar to an offense specified in this subsection.
(7) An individual who has been convicted of, or entered an Alford plea or a plea of guilty to, a nonviolent felony or misdemeanor not specified in this section shall be handled on a case-by-case basis by the licensee with consideration given to the:
(a) Nature of the offense;
(b) Length of time that has elapsed since the event; and
(c) Individual's life experiences after conviction, Alford plea, or guilty plea.

310 - Personnel File **In Compliance**

922 KAR 2:110. Section 3. Records.
(1) A child-care center shall maintain:
(e) A current personnel file for each child-care center staff person to include:
1. Name, address, date of birth, and date of employment;
2. Proof of educational qualifications;
3. Record of annual performance evaluation;
4. Written record of training participation to include:
a. The training source;
b. Location;
c. Date; and
d. Number of clock hours completed;
5. Every two (2) years, a:
a. Statement from a health professional that the individual is free of active tuberculosis; or
b. Copy of negative tuberculin results; and
6. For a director, employee, volunteer, or any person with supervisory or disciplinary control over, or having unsupervised contact with, a child in care, the results of a:
a. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;
b. Criminal records check required by KRS 199.896(19);
c. Criminal records check from any previous state of residence completed once if:
(i) The individual resided outside the state of Kentucky in the last five (5) years; and
(ii) No criminal records check has been completed for the individual's previous state of residence; and
d. An address check of the Sex Offender Registry;

315 - Educational Requirements **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;

320 - TB Verification **Not In Compliance**

922 KAR 2:110. Section 5. 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, it was found that the file for an employee hired on 8-1-13 contained a negative TB skin test that was read on 8-3-13. This date is not prior to date of hire as required.

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 Review of Documentation, it was found that during the survey, the only staff person currently certified in first aid and cardiopulmonary resuscitation (CPR) left the facility to go grocery shopping and transport children. Her absence left no one in the facility who was currently certified in first aid and CPR for approximately forty (40) minutes. In addition, a review of the staff schedule found that there was no one on duty who was currently certified in first aid and CPR from 6:30 p.m. until 8:00 p.m. each evening.

330 - Adequate Substitute(s) **In Compliance**

922 KAR 2:110. Section 5. Staff Requirements.
(6) Child-care centers shall have available in case of need:
(a) One (1) qualified substitute staff person for a Type II child-care center; or
(b) Two (2) qualified substitute staff persons for a Type I child-care center.

335 - Qualified Substitute **In Compliance**

922 KAR 2:110. Section 5. Staff Requirements.
(7) Each qualified substitute staff person shall:
(a) Meet the staff requirements of this administrative regulation; and
(b) Provide the required documentation to verify compliance with this administrative regulation.

340 - Training — **Not In Compliance**

922 KAR 2:110. Section 5. Staff Requirements.
(14) 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 within the first three (3) months of employment;
(b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment, including one and one-half (1 ½) hours of pediatric abusive head trauma training; and
(c) Fifteen (15) hours of cabinet-approved early care and education training during each subsequent year of employment, including one and one-half (1 ½) hours of pediatric abusive head trauma training completed once every five (5) years.

Findings:

General: Based on Review of Documentation, it was found that the file for an employee hired on 10-3-12 contained evidence of the six (6) hour cabinet-approved orientation training being completed on 3-16-13. This is not within the timeframe required by the regulation. It was also found that the files for employees hired on 1-7-12, 8-6-12 and 10-3-12 contained evidence of only eight (8), six (6) and one and a half (1.5) hours of additional training being completed during the first year of employment. The file for an employee hired on 5-7-11 contained evidence of zero (0) hours of annual training being completed during the last completed training year.

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, it was found that the two (2) drivers did not have evidence of a Kentucky driving history record on file. The staff person in charge stated that the facility did not run these checks.

Programming

350 - Program of Activities Followed — **Not In Compliance**

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) That offers a variety of creative activities including the following:
1. Art;
2. Music;
3. Dramatic play;
4. Stories and books;
5. Science;
6. Block building;
7. Tactile activity;
8. Culture;
9. Indoor or 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, a planned program of activities was not posted in the school age classroom. The daily planned programming in the three (3) year old classroom was dated November 4-18, therefore, the plan did not reflect the current planned programming for the classroom.

355 - Practice Appropriate Self-Help Procedures — **In Compliance**

922 KAR 2:120. Section 2. Child Care Services.
(4) The child-care center shall provide a daily planned program:
(d) That offers a variety of creative activities including the following:
11. An opportunity for a child to:
c. Practice developmentally appropriate self-help procedures in respect to:
(i) Clothing;
(ii) Toileting;
(iii) Hand-washing; and
(iv) Eating;

360 - Electronic Viewing/Listening Devices — **Not In Compliance**

922 KAR 2:120. Section 2. Child Care Services.
(4) The child-care center shall provide a daily planned program:
(d) That offers a variety of creative activities including the follwoing:
12. Use of electronic viewing and listening devices if the:
a. Material is appropriate to the child using the equipment;
b. Material does not include any violence, adult content viewing, or inappropriate language;
c. Viewing or individual listening is limited to two (2) hours per day;
d. Viewing or listening is discussed with parents prior to viewing or listening; and
e. Viewing or listening is designed as an educational tool.
(5) A child who does not wish to use the electronic devices during the planned program shall be offered other appropriate activities.

Findings:

General: Based on Observation, five (5) DVD movies located in the school age classroom contained violence and inappropriate language. The DVD movie, The Dark Knight is rated PG-13 because it contains intense sequences of violence and action, some sensuality and language. The DVD movie, The Dark Knight was located in the school age classroom and is also inappropriate for children in the classroom. The DVD movie, The Smurfs is rated PG because is contains some mild rude humor and action. The DVD movie, The Smurfs was located in the school age classroom. The center did not obtain parental permission to show The Smurfs. The DVD movie, Ice Age is rated PG because it contains some mild rude humor and peril. The DVD movie, Ice Age was located in the school age classroom. The center did not obtain parental permission to show Ice Age. The DVD movie, Iron Man is rated PG-13 because it contains sequences of intense sci-fi action and violence, and some language. The DVD movie, Iron man is also inappropriate to children for children in the classroom. The DVD movie, Iron Man was located in the school age classroom. The DVD movie, Despicable Me is rated PG because it contains crude humor and mild action. The DVD movie, Despicable Me was located in the school age classroom. The center failed to obtain parental permission to show the DVD movie, Despicable Me. The staff member in charge indicated that the movies have been presented to the children at night to help them "calm down". In the three (3) year old classroom, a staff member played Christmas music from the radio as the children in the classroom played in groups. The music was not used as an educational tool for the activity. The staff member indicated that the radio is used as behavior management so the children will monitor the volume of their voice. The staff member indicate that the radio is played "continuously" throughout the day, and at rest time, which exceeds two (2) hours per day.

365 - Regularity of Routines — **In Compliance**

922 KAR 2:120. Section 2. Child Care Services.
(6) Regularity of routines shall be implemented to afford the child familiarity with the daily schedule of activity.

370 - Sufficient Activity Time — **In Compliance**

922 KAR 2:120. Section 2. Child Care Services.
(7) Sufficient time shall be allowed for an activity so that a child may progress at their own developmental rate.

375 - Waiting Period — **In Compliance**

922 KAR 2:120. Section 2. Child Care Services.
(8) A child shall not be required to stand or sit for a prolonged period of time:
(a) During an activity;
(b) While waiting for an activity to start; or
(c) As punishment.

380 - School Age Care — **In Compliance**

922 KAR 2:120. Section 2. Child Care Services.
(9) If school-age care is provided:
(a) A separate area or room shall be provided in a Type I child-care center; and
(b) Each child shall be provided a snack after school.

385 - Discipline — **In Compliance**

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

390 - Diagnosed Special Need — **In Compliance**

922 KAR 2:120. Section 2. Child Care Services.
(12) Care for a child with a special need shall be consistent with the nature of the need as documented by the child's health professional.

395 - Electronic Viewing/Listening Planned Program — **Not In Compliance**

922 KAR 2:120. Section 3. General Requirements.
(1) Electronic viewing and listening devices shall only be used in the center as a part of the child's planned program of activity described Section 2(4) of this administrative regulation.

Findings:

General: Based on Interview, staff members in the three (3) year old classroom indicated that listening devices in form of a radio, is used for behavior management and was not included on the scheduled activity plan for the classroom. Staff members in the school age classroom indicated that they use the television and DVD movies at night to help the children calm down. The television was not included as a planned activity for the classroom.

400 - Computer Monitoring Device — **In Compliance**

922 KAR 2:120. Section 3. General Requirements.
(3) Computer equipment shall be equipped with a monitoring device which limits access by a child to items inappropriate for a child to view or hear.

405 - Weather Conditions **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(17) Outdoor activity shall be restricted based upon:
(a) Temperature;
(b) Weather conditions; or
(d) Weather alerts, advisories, and warnings issued by the National Weather Service.

410 - Infant/Toddler Combined with Older Children **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.

415 - Toddler Combined with Preschool **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.

420 - Infant Sleep Position **Not In Compliance**

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.
(1) An infant shall sleep or nap on the infant's back unless the infant's health professional signs a waiver that states the infant requires an alternate sleeping position.

Findings:

General: Based on Observation, upon entry to the infant room a five (5) month old was observed sleeping on his stomach. An interview with staff found that the child had been placed on his stomach by staff. The staff person indicated that normally she puts him on his back to sleep but at this particular time he as having a "rough time" so she placed him on his stomach instead and he went right to sleep.

425 - Rest Time Requirement **In Compliance**

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.
(2) Rest time shall be provided for each child who is not school-age and who is in care for more than four (4) hours.

435 - Bedding/Toys in Crib **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;

440 - Two Hour Limit - Rest Time **In Compliance**

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.
(4) Rest time shall not exceed two (2) hours for a preschool-age child unless the child is attending the child-care center during nontraditional hours.

445 - Rest Period - Alternate Activity **In Compliance**

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.
(5) A child who does not sleep shall be permitted to play quietly and shall be visually supervised.

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, during a tour of the infant room there were two (2) childern sitting at the table eating lunch. The children were old enough to eat the lunch provided by the facility. There was not any milk at the table for the children. An interview with staff found that the milk is not served until the children finish their meal.

455 - Toilet Training **In Compliance**

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.
(5) Toilet training shall be coordinated with the child's parent.

Inspection Report

Premises

460 - Inaccessible Items — **Not In Compliance**

922 KAR 2:120. Section 3. General Requirements.
(7) Except in accordance with subsection (8) of this section, the following shall be inaccessible to a child in care:
(a) Toxic cleaning supplies, poisons, and insecticides;
(b) Knives and sharp objects;
(c) Matches, cigarettes, lighters, and flammable liquids;
(d) Plastic bags;
(e) Litter and rubbish;
(f) Bar soap; and
(g) Personal belongings and medications of staff.

Findings:

General: Based on Observation, a bottle of bleach water solution was observed on top of the partition wall in the school age classroom. The bleach water was accessible to school age children.

465 - Items Accessible Only During Activity — **In Compliance**

922 KAR 2:120. Section 3. General Requirements.
(8) The following shall be inaccessible to a child in care unless under direct supervision and part of planned program of instruction:
(a) Knives and sharp objects;
(b) Litter and rubbish; and
(c) Plastic bags not used for personal belongings.

470 - Guns/Ammunition Storage — **In Compliance**

922 KAR 2:120. Section 3. General Requirements.
(9) In accordance with KRS 527.070(1), firearms and ammunition shall be stored separately in a locked area outside of the designated child care area.

475 - Smoking Protocol — **In Compliance**

922 KAR 2:120. Section 3. General Requirements.
(10) Smoking shall:
(a) Be permitted in accordance with local ordinances;
(b) Be allowed only in outside designated areas; and
(c) Not be permitted in the presence of a child.

480 - Premises Requirements — **Not In Compliance**

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 carpet in the two (2) year old room had a large area near a yellow shelf that was soiled and stained.

485 - Phone Requirement — **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(1) The premises shall be:
(c) Equipped with a working land-line telephone accessible to a room used by a child.

490 - Fire Exits Clear — **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(3) Fire and emergency exits shall be kept clear of debris.

495 - Carbon Monoxide Detector — **Not Applicable**

922 KAR 2:120. Section 4. Premises Requirements.
(4) A working carbon monoxide detector shall be required in a licensed child-care center that is in a home if the home:
(a) Uses fuel burning appliances; or
(b) Has an attached garage.

500 - Building Requirements — **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(5) The building shall be constructed to ensure the:
(a) Building is:
1. Dry;
2. Adequately heated;
3. Ventilated; and
4. Well lit, including clean light fixtures that are:
a. In good repair in all areas; and
b. Shielded or have shattered proof bulbs installed; and
(b) Following are protected:
1. Windows;
2. Doors;
3. Stoves;
4. Heaters;
5. Furnaces;
6. Pipes; and
7. Stairs.

505 - 35 Square Feet per Child **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(6) Exclusive of the kitchen, bathroom, hallway, and storage area, there shall be a minimum of thirty-five (35) square feet of space per child.

510 - Pest Control **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(7) Measures shall be utilized to control the presence of:
(a) Rodents;
(b) Flies;
(c) Roaches; and
(d) Other vermin.

515 - Protected Openings **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(8) An opening to the outside shall be effectively protected against the entrance of vermin by:
(a) Self-closing doors;
(b) Closed windows;
(c) Screening;
(d) Controlled air current; or
(e) Other effective means.

520 - Floors, Walls, Ceilings **Not In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(9) Floors, walls, and ceilings shall be smooth, in good repair, and constructed to be easily cleaned.

Findings:

General: Based on Observation, the paint on the three (3) year old classroom was flaking near the library area. There were paint flakes below on the carpet near the wall. In the three (3) year old room, a clear, plastic mat near the sink, had several humps, which caused a tripping hazard.

525 - Water Supply Requirements **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(10) The water supply shall be:
(a) Potable;
(b) Protected from contamination;
(c) Adequate in quality and volume;
(d) Under sufficient pressure to permit unrestricted use; and
(e) Obtained from an approved public water supply or a source approved by the local health department.
(11) Groundwater supplies for a child-care center caring for:
(a) More than twenty-five (25) children shall meet the specifications of the Cabinet for Environmental and Public Protection Division of Water, established in KRS Chapter 151; or
(b) Twenty-five (25) children or less shall secure approval from the:
1. Cabinet for Environmental and Public Protection; or
2. Local health department.

530 - Sewage Disposal **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(12) Sewage shall be properly disposed by a method approved by the:
(a) Cabinet for Environmental and Public Protection; or
(b) Cabinet.

535 - Plumbing Code **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(13) All plumbing shall comply with the State Plumbing Code established in KRS Chapter 318.

540 - Solid Waste — **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(14) Solid waste shall be kept in a suitable receptacle in accordance with local, county and state law, as governed by KRS 211.350 to 211.380.

545 - Child Care Program Interference — **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(15) If a portion of the building is used for a purpose other than child care:
(a) Necessary provisions shall be made to avoid interference with the child-care program; and
(b) A separate restroom shall be provided for use only by those using the building for its child care purpose.

550 - Building Temperature — **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(16) The temperature of the inside area of the premises shall be:
(a) Sixty-five (65) to seventy-five (75) degrees Fahrenheit during the winter; or
(b) Sixty-eight (68) to eighty-two (82) degrees Fahrenheit during the summer months.

555 - Indoor Gross Motor Space Requirements — **Not Applicable**

922 KAR 2:120. Section 4. Premises Requirements.
(22) If a child-care center does not have access to an outdoor play area, an indoor space shall:
(a) Be used as a play area;
(b) Have a minimum of sixty (60) square feet per child, separate from and in addition to the thirty-five (35) square feet minimum pursuant to subsection (6) of this section;
(c) Include equipment for gross motor skills;
(d) Be well-ventilated;
(e) Be heated; and
(f) Have a protective surface of at least two (2) inches thick around equipment intended for climbing.

560 - Prohibited Bodies of Water — **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(27) Bodies of water that shall not be utilized include:
(a) Portable wading pools;
(b) Natural bodies of water: and
(c) Unfiltered, non-disinfected containers.

565 - Infant/Toddler Indoor Space — **In Compliance**

922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.
(1) Infant and toddler inside areas shall:
(a) Be separate from an area used by an older child;
(b) Not be an exit or entrance; and
(c) Have adequate crawling space for an infant or toddler away from general traffic patterns of the center.

570 - Cots/Mats Location Restrictions — **In Compliance**

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.
(7) If cots or mats are used, floors shall be free from:
(a) Drafts;
(b) Liquid substances;
(c) Dirt; and
(d) Dampness.

575 - Minimum Toilet/Urinal Requirements — **In Compliance**

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.
(1) A child-care center shall have a minimum of one (1) toilet and one (1) lavatory for each twenty (20) children. Urinals may be substituted for up to one-half (1/2) of the number of toilets required for a male toilet room.

580 - Toilet Room — **Not In Compliance**

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.
(2) A toilet room shall:
(a) 1. Be provided for each gender; or
2. A plan shall be implemented to use the same toilet room at separate times;
(b) Have a supply of toilet paper; and
(c) Be cleaned and sanitized daily.

Findings:

General: Based on Observation, there was not any toilet paper accessible in the boys' bathroom located in the hallway. It was also found that the toilet paper holder was broken.

585 - Sink — **Not In Compliance**

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.
(3) A sink shall be:
(a) Located in or immediately adjacent to toilet rooms;
(b) Equipped with hot and cold running water that allows for hand washing;
(c) Equipped with hot water at a minimum temperature of ninety (90) degrees Fahrenheit and a maximum of 120 degrees Fahrenheit;
(d) Equipped with liquid soap;
(e) Equipped with hand-drying blower or single use disposable hand drying material;
(f) Equipped with an easily cleanable waste receptacle; and
(g) Immediately adjacent to a changing area used for infants and toddlers.

Findings:

General: Based on Observation, the three (3) year old classroom did not have a hand drying blower or single use disposable hand drying materials at the sink used for hand washing.

590 - Toilet — **In Compliance**

922 KAR 2:120. Section 10. 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.

Hygienic Practices

595 - Child Personal Care/Handwashing — **Not In Compliance**

922 KAR 2:120. Section 3. General Requirements.
(4) A child shall:
(a) Be helped with personal care and cleanliness based upon their developmental skills; and
(b) Wash his or her hands with liquid soap and warm running water:
1. a. Upon arrival at the center; or
b. Within thirty (30) minutes of arrival for school-age children;
2. Before and after eating or handling food;
3. After toileting or diaper change;
4. After handling animals;
5. After wiping or blowing nose;
6. After touching items soiled with body fluids or wastes; and
7. After outdoor or indoor play time.

Findings:

General: Based on Observation, the center failed to provide hygenic practicies. In the three (3) year old classroom, a child did not wash their hands when arriving into the classroom. Also, in the three (3) year old classroom, a bag of Ruffles potato chips were opened and accessible to children. Two (2) children ate the potato chips from the bag before washing their hands. In the two (2) and three (3) year old classrooms, staff members were directing children to put their hands inside a container with soap and water. The staff members washed the children's hands inside the container. The staff member would dry the children's hands using a large cloth towel. The same water, container, and towel were used to wash and dry multiple childrens' hands. The staff members failed to use running water, a hand drying blower, or disposable towels.

600 - Staff Hygiene/Handwashing — **Not In Compliance**

922 KAR 2:120. Section 3. General Requirements.
(5) Staff shall:
(a) Maintain personal cleanliness;
(b) Conform to hygienic practices while on duty; and
(c) Wash their hands with liquid soap and running water:
1. Upon arrival at the center;
2. After toileting or assisting a child in toileting;
3. Before and after diapering each child;
4. After wiping or blowing a child's or own nose;
5. After handling animals;
6. After caring for a sick child;
7. Before and after feeding a child or eating;
8. Before dispensing medication; and
9. If possible, before administering first aid.

Findings:

General: Based on Observation, during a tour of the two (2) year old room the staff person was observed wiping a child's nose. She then used hand sanitizer to clean her hands instead of soap and water.

610 - Diapers/Clean Clothing Supply — **In Compliance**

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.
(6) An adequate quantity of freshly laundered or disposable diapers and clean clothing shall be available.

615 - Training Chair — **In Compliance**

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.
(7) If a toilet training chair is used, the chair shall be:
(a) Used over a surface that is impervious to moisture;
(b) Out of reach of other toilets or toilet training chairs;
(c) Emptied promptly; and
(d) Sanitized after each use.

620 - Soiled Diapers/Clothing — **In Compliance**

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.
(8) Diapers or clothing shall be:
(a) Changed when soiled or wet;
(b) Stored in a covered container temporarily; and
(c) Washed or disposed of at least once a day.

625 - Diaper Changing Area/Surface — **In Compliance**

922 KAR 2:120. Section 10. 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.

630 - Wipes — **In Compliance**

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.
(11) Unless allergic, individual disposable washcloths shall be used to thoroughly clean the affected area of the child.

635 - Diapering Practice — **In Compliance**

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.
(12) Staff shall disinfect the diapering surface after each child is diapered.
(13) If staff wear disposable gloves, the gloves shall be changed and disposed after each child is diapered.

640 - Children's Individual Items — **Not In Compliance**

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.
(14) Combs, towels or washcloths, brushes, and toothbrushes used by a child shall be:
(a) Individually stored in separate containers; and
(b) Plainly labeled with the child's name.

Findings:

General: Based on Observation, a hairbrush was found on top of the partition wall in the school age classroom. The hairbrush did have strands of hair in and around it. The hairbursh was not stored in a labeled, individual container.

645 - Toothbrush/Toothpaste — **Not Applicable**

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.
(15) Toothbrushes shall be:
(a) Individually identified;
(b) Allowed to air dry; and
(c) Protected from contamination.
(16) Toothpaste used by multiple children shall be dispensed onto an intermediate surface, such as waxed paper, to avoid cross contamination.

650 - Toy Sanitation Procedure — **In Compliance**

922 KAR 2:120. Section 11. Toys and Furnishings.
(4) Toys and other items that are considered mouth contact surfaces by a child not toilet trained shall be sanitized daily by:
(a) Scrubbing in warm, soapy water using a brush to reach into crevices;
(b) Rinsing in clean water;
(c) Submerging in a sanitizing solution for at least two (2) minutes; and
(d) Air dried.

First Aid/Medication

655 - First Aid Supplies — **In Compliance**

922 KAR 2:120. Section 7. First Aid and Medicine.
(1) First aid supplies shall:
(a) Be available to provide prompt and proper first aid treatment;
(b) Be stored out of reach of a child;
(c) Be periodically inventoried to ensure the supplies are current;
(d) If reusable, be:
1. Sanitized; and
2. Maintained in a sanitary manner; and
(e) Include:
1. Liquid soap;
2. Adhesive bandages;
3. Sterile gauze;
4. Medical tape;
5. Scissors;
6. A thermometer;
7. Flashlight;
8. Cold pack;
9. First aid book;
10. Disposable gloves; and
11. A cardiopulmonary resuscitation mouthpiece protector.

660 - Medication Administration **In Compliance**

922 KAR 2:120. Section 7. First Aid and Medicine.
(4) Prescription and nonprescription medication shall be administered to a child in care:
(a) With a daily written request of the child's parent.
(b) According to the directions or instructions on the medication's label.

665 - Administration Record **In Compliance**

922 KAR 2:120. Section 7. First Aid and Medicine.
(5) The child-care center shall keep a written record of the administration of medication, including:
(a) Time of each dosage;
(b) Date;
(c) Amount;
(d) Name of staff person giving the medication;
(e) Name of the child; and
(f) Name of the medication.

670 - Medication **In Compliance**

922 KAR 2:120. Section 7. First Aid and Medicine.
(6) Medication, including refrigerated medication, shall be:
(a) Stored in a separate and locked place, out of the reach of a child;
(b) Kept in the original bottle; and
(c) Properly labeled.
(7) Medication shall not be given to a child if the expiration date on the bottle has passed.

Outdoor Play Area

675 - Fence Requirement **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(20) An outdoor play area shall be:
(a) Except for an after-school child-care program, located on the premises of a public or state-accredited nonpublic school, fenced for the safety of the children;

680 - 60 Square Feet **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(20) An outdoor play area shall be:
(b) A minimum of sixty (60) square feet per child, separate from and in addition to the thirty-five (35) square feet minimum pursuant to subsection (6) of this section;

685 - Playground Clean **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;

690 - Playground Conditions **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.

695 - Protective Surface **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(21) A protective surface shall:
(a) Be provided for outdoor play equipment used to:
1. Climb;
2. Swing; and
3. Slide; and
(b) Have a fall zone equal to the height of the equipment.

700 - Fences **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(23) Fences shall be:
(a) Constructed of safe material;
(b) Stable; and
(c) In good condition.

705 - Infant/Toddler Outdoor Space **In Compliance**

922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.
(4) If a child-care center provides an outdoor play area for an infant or toddler, the outdoor area shall be:
(a) Shaded; and
(b) A separate area or scheduled at a different time than an older child.

Equipment

710 - Play Equipment **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(24) Supports for climbing apparatus and large equipment shall be securely fastened to the ground.
(25) Crawl spaces, such as tunnels, shall be short and wide enough to permit access by adults.
(26) A sandbox shall be:
(a) Constructed to allow for drainage;
(b) Covered when not in use;
(c) Kept clean; and
(d) Checked for vermin prior to use.

715 - Sufficient Appropriate Equipment **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(28) A child-care center shall have enough toys, play apparatus, and developmentally appropriate materials to provide each child with a variety of activities during the day, as specified in Section 2 of this administrative regulation.

720 - Storage Space/Storage Device **In Compliance**

922 KAR 2:120. Section 4. Premises Requirements.
(29) Storage space shall be provided:
(a) In the form of:
1. Shelves; or
2. Other storage device accessible to the children; and
(b) In sufficient quantity for each child's personal belongings.

725 - Playpens/Play Yards **In Compliance**

922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.
(5) Playpens and play yards shall:
(a) Meet federal standards as issued by the Consumer Product Safety Commission, including 16 C.F.R. 1221;
(b) Be manufactured for commercial use; and
(c) Not be used for sleeping or napping.

730 - Crib/Mattress/Sheet **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:
1. An individual non-tiered crib that meets Consumer Product Safety Commission standards established in 16 C.F.R. 1219-1220;
2. A firm crib mattress in good repair with a clean tight-fitted sheet that shall be changed:
a. Weekly; or
b. Immediately if it is soiled or wet;

735 - Individual Bed/Mat/Cot and Bedding — **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:
(b) For a toddler or preschool-age child:
1. An individual bed, a two (2) inch thick waterproof mat, or cot in good repair; and
2. Bedding that is in good repair and is changed:
a. Weekly; or
b. Immediately if it is soiled or wet.

740 - Twelve Inch Spacing — **In Compliance**

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.
(6) Cots, equipment, and furnishings used for sleeping and napping shall be spaced twelve (12) inches apart to allow free and safe movement by a person.

745 - Cots/Mats Sanitized — **In Compliance**

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.
(8) Cots or mats not labeled for individual use by a child shall be sanitized after each use.

750 - Individual Bedding Storage — **Not In Compliance**

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.
(9) Individual bedding shall be stored in a sanitary manner.

Findings:

General: Based on Observation, a large, plastic container was used to store individual blankets, diapers, and wipes for the three (3) year old classroom. The blankets used for rest time were touching and not separated.

755 - Toys/Equipment/Furniture — **Not In Compliance**

922 KAR 2:120. Section 11. Toys and Furnishings.
(1) All toys, equipment, 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, a chair in the three (3) year old classroom had a large tear in the seat. The green cushion material inside the chair was exposed and had chunks of material missing.

760 - Indoor/Outdoor Equipment — **In Compliance**

922 KAR 2:120. Section 11. 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.

765 - Toys — **In Compliance**

922 KAR 2:120. Section 11. Toys and Furnishings.
(3) Toys shall be:
(a) Used according to the manufacturer's safety specifications;
(b) Durable; and
(c) Without sharp points or edges.

770 - Children/Staff Seating — **In Compliance**

922 KAR 2:120. Section 11. Toys and Furnishings.
(5) Tables and chairs shall be of suitable size for children.
(6) Chairs appropriate for staff shall be provided to use when feeding, holding, or playing with a child.

Transportation

775 - Maintain Records — **In Compliance**

922 KAR 2:110. Section 3. Records.
(1) A child-care center shall maintain:
(l) A written record of transportation services provided in accordance with 922 KAR 2:120, Section 12.

780 - Transportation Compliance — **In Compliance**

922 KAR 2:120. Section 12. Transportation.
(1) A center shall document compliance with KRS Chapter 186 and 603 KAR 5:072 pertaining to:
(a) Vehicles;
(b) Drivers; and
(c) Insurance.

785 - Requirements for Transportation Services — **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.

790 - Transportation Notification/Type and Vehicle **In Compliance**

922 KAR 2:120. Section 12. Transportation.
(3) Prior to transporting a child, a center providing transportation services of a child shall notify the cabinet or its designee in writing of the:
(a) Type of transportation offered;
(b) Type of vehicle used for transportation;

795 - Transportation Notification/Plan for Ensuring Staff Duties **In Compliance**

922 KAR 2:120. Section 12. Transportation.
(3) Prior to transporting a child, a center providing transportation services of a child shall notify the cabinet or its designee in writing of the:
(c) Plan for ensuring staff perform duties relating to transportation properly;

800 - Transportation Notification/Full Coverage Insurance **In Compliance**

922 KAR 2:120. Section 12. Transportation.
(3) Prior to transporting a child, a center providing transportation services of a child shall notify the cabinet or its designee in writing of the:
(d) Full insurance coverage for each vehicle;

805 - Transportation Notification/Policy & Procedures Regarding Emergency Plan for Evacuation **In Compliance**

922 KAR 2:120. Section 12. Transportation.
(3) Prior to transporting a child, a center providing transportation services of a child shall notify the cabinet or its designee in writing of the:
(e) Agency policy and procedures relating to an emergency plan for evacuating the vehicle;

810 - Transportation Notification/Third Party Contracts **In Compliance**

922 KAR 2:120. Section 12. Transportation.
(3) Prior to transporting a child, a center providing transportation services of a child shall notify the cabinet or its designee in writing of the:
(f) Contracts, agreements, or documents detailing arrangements with any third party for services;

815 - Transportation Notification/Safety Procedures - Transporting, Loading/Unloading and Supervision **In Compliance**

922 KAR 2:120. Section 12. Transportation.
(3) Prior to transporting a child, a center providing transportation services of a child shall notify the cabinet or its designee in writing of the:
(g) Safety procedures for:
1. Transporting a child;
2. Loading and unloading a child; and
3. Providing adequate supervision of a child.

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, the first aid kit located on the van did not contain a thermometer, flashlight, liquid soap, or cardiopulmonary resuscitation mouthpiece protector.

825 - Transit/School Bus **Not Applicable**

922 KAR 2:120. Section 12. Transportation.
(5) Transportation provided by licensed public transportation or a school bus shall comply with subsections (1) and (2) of this section.

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 failed to obtain a recent vehicle inspection. The vehicle inspection on file was dated 09/19/2012.

835 - Vehicle Requirements/Traffic Stop During Loading/Unloading **In Compliance**

922 KAR 2:120. Section 12. Transportation.
(6) A vehicle used to transport children shall meet the following requirements:
(b) A vehicle that requires traffic to stop while loading and unloading a child shall be equipped with a system of:
1. Signal lamps;
2. Identifying colors; and
3. Cautionary words.

840 - Seatbelts for Each Occupant — **In Compliance**

922 KAR 2:120. Section 12. Transportation.
(6) A vehicle used to transport children shall meet the following requirements:
(c) A vehicle shall be equipped with seat belts for each occupant to be individually secured.

845 - No Hazardous Materials — **In Compliance**

922 KAR 2:120. Section 12. Transportation.
(6) A vehicle used to transport children shall meet the following requirements:
(d) A vehicle shall not transport children and hazardous materials at the same time.

850 - Car Seats — **In Compliance**

922 KAR 2:120. Section 12. Transportation.
(7) The appropriate car safety seat meeting federal and state motor vehicle safety standards in 49 C.F.R. 571.213 and KRS 189.125 shall be used for each child.

855 - Pre-trip Inspection — **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.

860 - Ratios — **In Compliance**

922 KAR 2:120. Section 12. Transportation.
(9)(a) The staff-to-child ratios set forth in Section 2(2) of this administrative regulation shall apply to vehicle transport, if not inconsistent with special requirements or exceptions in this section.
(b) An individual who is driving with a child in the vehicle shall supervise no more than four (4) children under the age of five (5).

865 - Seating — **In Compliance**

922 KAR 2:120. Section 12. Transportation.
(10) Each child shall:
(a) Have a seat;
(b) Be individually belted or harnessed in the seat; and
(c) Remain seated while the vehicle is in motion.

870 - Child Unattended — **In Compliance**

922 KAR 2:120. Section 12. Transportation.
(11) A child shall not be left unattended:
(a) At the site of aftercare delivery; or
(b) In a vehicle.

875 - Pre-arranged Plan — **In Compliance**

922 KAR 2:120. Section 12. Transportation.
(12) If the parent or designee is unavailable, a prearranged written plan shall be completed to designate where the child can be picked up.

880 - Unaccompanied Child Crossing Street — **In Compliance**

922 KAR 2:120. Section 12. Transportation.
(13) A child shall not be picked up or delivered to a location that requires crossing the street or highway unless accompanied by an adult.

885 - Vehicle Headlamps — **In Compliance**

922 KAR 2:120. Section 12. Transportation.
(14) A vehicle transporting a child shall have the headlamps on.

890 - Refueling — **In Compliance**

922 KAR 2:120. Section 12. Transportation.
(15) A vehicle shall be refueled when not being used to transport a child. If emergency refueling or repair is necessary during transporting, all children shall be removed and supervised by an adequate number of adults while refueling or repair is occurring.

895 - Driver Not In Seat — **Not In Compliance**

922 KAR 2:120. Section 12. Transportation.
(16) If the driver is not in the driver's seat, the:
(a) Engine shall be turned off;
(b) Keys shall be removed; and
(c) Emergency brake shall be set.

Findings:

General: Based on Observation, the driver of the vehicle failed to set the emergency brake when exiting the van.

900 - Children's Transportation Records — **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.

905 - Hazardous Items — **In Compliance**

922 KAR 2:120. Section 12. Transportation.
(19) Firearms, ammunition, alcohol, or illegal substances shall not be transported in a vehicle transporting children.

907 - Parent Transport during Field Trip — **In Compliance**

922 KAR 2:120. Section 12. Transportation.
(21) A parent may use the parent's vehicle to transport the parent's child during a field trip.

Food Service

910 - Bottle Feeding — **In Compliance**

922 KAR 2:120. Section 3. General Requirements.
(11) While bottle feeding an infant, the:
(a) Child shall be held; and
(b) Bottle shall not be:
1. Propped;
2. Left in the mouth of a sleeping infant; or
3. Heated in a microwave

915 - Kitchen Exemption — **Not Applicable**

922 KAR 2:120. Section 4. Premises Requirements.
(18) A kitchen shall not be required if:
(a) The only food served is an afternoon snack to school-age children; and
(b) Adequate refrigeration is maintained.

920 - Kitchen Requirements — **In Compliance**

922 KAR 2:120. Section 8. Kitchen Requirements.
(1) The kitchen shall:
(a) Be clean;
(b) Be equipped for proper food:
1. Preservation;
2. Storage;
3. Preparation; and
4. Service;
(c) Be adequately ventilated to the outside air; and
(d) Except in a Type II child-care center when a meal is not being prepared, not be used for the activity of a child.

925 - Food Service Permit — **In Compliance**

922 KAR 2:120. Section 8. Kitchen Requirements.
(2) A child-care center required to have a food service permit shall be in compliance with 902 KAR 45:005 and this administrative regulation.

930 - Food Preparation Utensils — **In Compliance**

922 KAR 2:120. Section 8. Kitchen Requirements.
(3) Convenient and suitable sanitized utensils shall be:
(a) Provided; and
(b) Used to minimize handling of food during preparation.

935 - Refrigerator — **In Compliance**

922 KAR 2:120. Section 8. Kitchen Requirements.
(4) A cold-storage facility used for storage of perishable food in a nonfrozen state shall:
(a) Have an indicating thermometer or other appropriate temperature measuring device;
(b) Be in a safe environment for preservation; and
(c) Be forty (40) degrees Fahrenheit or below.

940 - Frozen Food — **In Compliance**

922 KAR 2:120. Section 8. Kitchen Requirements.
(5) Frozen food shall be:
(a) Kept at a temperature of zero degrees Fahrenheit or below; and
(b) Thawed:
1. At refrigerator temperatures;
2. Under cool, potable running water;
3. As part of the cooking process; or
4. By another method in accordance with the Department of Public Health's food safety standards and permits, established in KRS Chapter 217.

945 - Food Contact Items **In Compliance**

922 KAR 2:120. Section 8. Kitchen Requirements.
(6) Equipment, utensils, and surfaces contacting food shall be:
(a) Smooth;
(b) Free of breaks, open seams, cracks, and chips;
(c) Accessible for cleaning; and
(d) Nontoxic.

950 - Kitchen Equipment Clean and Sanitary **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.

955 - Single Service Item **In Compliance**

922 KAR 2:120. Section 8. Kitchen Requirements.
(8) A single-service item shall be:
(a) Stored;
(b) Handled and dispensed in a sanitary manner; and
(c) Used only once.

960 - Bottles **Not In Compliance**

922 KAR 2:120. Section 8. Kitchen Requirements.
(9) Bottles shall be:
(a) Individually labeled;
(b) Promptly refrigerated;
(c) Covered when not in use; and
(d) Consumed within one (1) hour of being heated or removed from the refrigerator.

Findings:

General: Based on Observation, there were three (3) uncovered bottles of formula in the refrigerator in the infant room.

965 - Food Clean/Free From Spoilage **In Compliance**

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

970 - Food From Approved Source **In Compliance**

922 KAR 2:120. Section 9. Food and Meal Requirements.
(1) Food shall be:
(e) Obtained from a source that is in compliance with the Department of Public Health's food safety standards and permits, established in KRS Chapter 217;
(f) Acceptable if from an established commercial food store;

975 - Developmentally Appropriate Quantity/Additional Portions **In Compliance**

922 KAR 2:120. Section 9. Food and Meal Requirements.
(1) Food shall be:
(g) Served in a quantity that is developmentally appropriate for the child with additional portions provided upon request of the child;

980 - Food Protected From Contamination — **In Compliance**

922 KAR 2:120. Section 9. Food and Meal Requirements.
(1) Food shall be:
(h) Protected against contamination from:
1. Dust;
2. Flies;
3. Rodents and other vermin;
4. Unclean utensils and work surfaces;
5. Unnecessary handling;
6. Coughs and sneezes;
7. Cuts in skin;
8. Communicable disease;
9. Flooding;
10. Drainage; and
11. Overhead leakage.

985 - Milk Requirements — **Not In Compliance**

922 KAR 2:120. Section 9. Food and Meal Requirements.
(3) A serving of milk shall consist of:
(a) Breast milk or iron-fortified formula for a child age birth to twelve (12) months;
(b) Pasteurized whole milk for children ages twelve (12) months to twenty-four (24) months; or
(c) Pasteurized low fat one (1) percent or fat-free skim milk for children ages twenty-four (24) months to school-age.

Findings:

General: Based on Observation, it was found that the children twenty-four (24) months and under are served 1% milk instead of whole milk. 1% milk and Soy milk were the only types of milk observed in the refrigerator's at the facility. Small cartons of 1% milk were also observed sitting on the table for lunch in the one (1) year old room.

990 - Bottle Preparation by Parent — **In Compliance**

922 KAR 2:120. Section 9. Food and Meal Requirements.
(4) Formula or breast milk provided by the parent shall be prepared and labeled.

995 - Bread Requirement — **In Compliance**

922 KAR 2:120. Section 9. Food and Meal Requirements.
(6) A serving of bread shall only consist of whole or enriched grain.

1000 - Drinking Water Requirement — **In Compliance**

922 KAR 2:120. Section 9. Food and Meal Requirements.
(7) Drinking water shall be freely available to a child throughout the day.

1005 - Food Storage — **In Compliance**

922 KAR 2:120. Section 9. Food and Meal Requirements.
(8) Food shall be stored on:
(a) Clean racks;
(b) Clean shelves;
(c) Other clean surfaces; or
(d) If maintained in a sanitary condition, in nonabsorbent labeled containers a minimum of (6) six inches off the floor.

1010 - Fruits and Vegetables — **In Compliance**

922 KAR 2:120. Section 9. Food and Meal Requirements.
(9) Fruits and vegetables shall be washed before cooking or serving.

1015 - Potentially Hazardous Foods — **In Compliance**

922 KAR 2:120. Section 9. Food and Meal Requirements.
(10) Meat salads, poultry salads, and cream-filled pastries shall be:
(a) Prepared with utensils that are clean; and
(b) Refrigerated unless served immediately.

1020 - Individual Portion — **In Compliance**

922 KAR 2:120. Section 9. Food and Meal Requirements.
(11) An individual portion of food served to a child or adult shall not be served again.

1025 - Wrapped Food — **In Compliance**

922 KAR 2:120. Section 9. Food and Meal Requirements.
(12) Wrapped food that is still wholesome and has not been unwrapped may be reserved.

1030 - Meal Schedule — **In Compliance**

922 KAR 2:120. Section 9. Food and Meal Requirements.
(13) Meals shall be:
(a) Served every two (2) to three (3) hours;

1035 - Sufficient Room/Eating Utensils Supplied — **In Compliance**

922 KAR 2:120. Section 9. Food and Meal Requirements.
(13) Meals shall be:
(b) Served to a child:
1. Seated with sufficient room to manage food and tableware; and
2. Supplied with individual eating utensils designed for use by a child.

1040 - Same Food **In Compliance**

922 KAR 2:120. Section 9. Food and Meal Requirements.
(14) All children should be offered the same food items unless the child's parent or health professional documents a dietary restriction that necessitates an alternative food item for the child.

1045 - Meals Required **In Compliance**

922 KAR 2:120. Section 9. Food and Meal Requirements.
(15) A child-care center shall serve:
(a)1. Breakfast; or
2. A mid-morning snack;
(b)1. Lunch; or
2. A mid-afternoon snack; and
(c) If appropriate, dinner.

1050 - Menu **In Compliance**

922 KAR 2:120. Section 9. Food and Meal Requirements.
(16) A weekly menu shall be:
(a) Prepared;
(b) Dated;
(c) Posted in advance in a conspicuous place;
(d) Kept on file for thirty (30) days; and
(e) Amended in writing with any substitutions on the day the meal is served.

1055 - Breakfast Requirements **In Compliance**

922 KAR 2:120. Section 9. Food and Meal Requirements.
(17) Breakfast shall include:
(a) Milk;
(b) Bread; and
(c)1. Fruit;
2. Vegetable; or
3. 100 percent juice.

1060 - Snack Requirements **In Compliance**

922 KAR 2:120. Section 9. Food and Meal Requirements.
(18) A snack shall include two (2) of the following:
(a) Milk;
(b) Protein;
(c) Bread; or
(d)1. Fruit;
2. Vegetable; or
3. 100 percent juice.

1065 - Lunch/Dinner Requirements **In Compliance**

922 KAR 2:120. Section 9. Food and Meal Requirements.
(19) Lunch and dinner shall include:
(a) Milk;
(b) Protein;
(c) Bread; and
(d)1. Two (2) vegetables;
2. Two (2) fruits; or
3. One (1) fruit and one (1) vegetable.

Children's Records

1070 - Immunization **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;

1075 - Enrollment Information **In Compliance**

922 KAR 2:110. Section 3. Records.
(1) A child-care center shall maintain:
(b) A written record for each child:
1. Completed and signed by the child's parent;
2. Retained on file on the first day the child attends the child-care center; and
3. To contain:
a. Identifying information about the child, which includes, at minimum, the child's name, address, and date of birth;
b. Contact information to enable a person in charge to contact the child's:
(i) Parent at the parent's home or place of employment;
(ii) Family physician; and
(iii) Preferred hospital;
c. The name of each person who is designated in writing to pick-up the child;
d. The child's general health status and medical history including, if applicable:
(i) Allergies;
(ii) Restriction on the child's participation in activities with specific instructions from the child's parent or health professional; and
(iii) Permission from the parent for third-party professional services in the child-care center;
e. The name and phone number of each person to be contacted in an emergency situation involving or impacting the child;
f. Authorization by the parent for the child-care center to seek emergency medical care for the child in the parent's absence;

1080 - Documentation for Off Premise Trip **In Compliance**

922 KAR 2:110. Section 3. Records.
(1) A child-care center shall maintain:
(b) A written record for each child:
3. To contain:
g. A permission form for each trip off the premises signed by the child's parent in accordance with 922 KAR 2:120, Section 12;

Written Documentation

1085 - Evacuation Plan **In Compliance**

922 KAR 2:090. Section 5. Evacuation Plan.
(1) A licensed child-care center shall have a written evacuation plan in the event of a fire, natural disaster, or other threatening situation that may pose a health or safety hazard for a child in care in accordance with KRS 199.895.

1090 - Policies and Procedures **In Compliance**

922 KAR 2:110. Section 2. General.
(5) Program policies and procedures shall:
(a) Be in writing; and
(b) Include:
1. Staff policies;
2. Job descriptions;
3. An organization chart;
4. Chain of command; and
5. Other procedures necessary to ensure implementation of:
a. KRS 199.898, Rights for children in child-care programs and their parents, custodians, or guardians - posting and distribution requirements;
b. 922 KAR 2:090, Child-care center licensure;
c. 922 KAR 2:120, Child-care center health and safety standards; and
d. This administrative regulation.

1095 - Daily Attendance Records **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;

1100 - Staff Schedule **In Compliance**

922 KAR 2:110. Section 3. Records.
(1) A child-care center shall maintain:
(d) A written schedule of staff working hours;

1105 - Professional Development **Not In Compliance**

922 KAR 2:110. Section 3. 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, it was found that the files for four (4) eligible employees did not contain evidence of a completed professional development plan.

1115 - Earthquake/Tornado Drills **In Compliance**

922 KAR 2:110. Section 3. Records.
(1) A child-care center shall maintain:
(h) A written record of quarterly practiced earthquake drills and tornado drills detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;

1120 - Fire Drills — In Compliance

922 KAR 2:110. Section 3. Records.
(1) A child-care center shall maintain:
(i) A written record of practiced fire drills conducted monthly detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;

1125 - Report Documentation — In Compliance

922 KAR 2:110. Section 3. Records.
(1) A child-care center shall maintain:
(k) A written record of reports to the cabinet required in Section 6 of this administrative regulation;

1130 - Confidentiality/Maintenance/Access — In Compliance

922 KAR 2:110. Section 3. Records.
(2) A child-care center shall:
(a) Maintain the confidentiality of a child's record;
(b) Maintain all records for five (5) years; and
(c) Provide the cabinet access and information in the completion of the investigation pursuant to KRS 620.030(4).

1135 - Orientation Procedure — In Compliance

922 KAR 2:120. Section 2. Child Care Services.
(3)(b) The program shall include:
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.

1140 - Fire Drills — In Compliance

922 KAR 2:120. Section 3. General Requirements.
(12) A fire drill shall be conducted during hours of operation:
(a) At least monthly; and
(b) Documented.

1145 - Earthquake/Tornado Drills — In Compliance

922 KAR 2:120. Section 3. General Requirements.
(13) An earthquake drill and a tornado drill shall be conducted during hours of operation:
(a) At least quarterly; and
(b) Documented.

Posted Documentation

1150 - License — In Compliance

922 KAR 2:090. Section 6. License Issuance.
(18) The preliminary or regular license shall be posted in a conspicuous place in the child-care center.

1155 - Posting Requirements — In Compliance

922 KAR 2:110. Section 2. General.
(7) In addition to the posting requirement of KRS 199.898(3), a child-care center shall post the following in a conspicuous place and make available for public inspection:
(a) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;
(b) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;
(c) Information on the Kentucky Consumer Product Safety Program and the program's website as specified in KRS 199.897;
(d) A description of services provided by the child-care center, including:
1. Current rates for child care; and
2. Each service charged separately and in addition to the basic rate for child care;
(e) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and
(f) Daily schedule.

1160 - Disaster Course of Action — In Compliance

922 KAR 2:110. Section 3. Records.
(1) A child-care center shall maintain:
(j) A written plan and diagram outlining the course of action in the event of a natural or manmade disaster, posted in a prominent place;

1165 - Daily Activities — **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:
(h) Post a schedule of daily activities, to include dates and times of activities to be conducted with the children in each classroom;

Findings:

General: Based on Observation, the schedule of daily activites in the three (3) year old classroom was dated November 4-18. The facility failed to post a schedule of daily activities in the school age classroom.

1170 - Diapering/Handwashing — **In Compliance**

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.
(9) The proper methods of diapering and hand-washing shall be posted at each diaper changing area.

Animals

1175 - Animals in the Presence of Children — **Not Applicable**

922 KAR 2:120. Section 13. Animals.
(1) An animal shall not be allowed in the presence of a child in care:
(a) Unless:
1. The animal is under the supervision and control of an adult;
2. Written parental consent has been obtained; and
3. The animal is certified as vaccinated against rabies; or
(b) Except in accordance with subsection (3) of this section.

1185 - Prohibited Animals — **Not Applicable**

922 KAR 2:120. Section 13. Animals.
(3) An animal that is considered undomesticated, wild, or exotic shall not be allowed at a child-care center unless the animal is:
(a) A part of a planned program activity lead by an animal specialist affiliated with a zoo or nature conservatory; and
(b) In accordance with 301 KAR 2:081 and 301 KAR 2:082.

Signature of Provider/Representative | Title | Date