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**Adam Mather**  
INSPECTOR GENERAL

**Inspection Report**

|                                                                |                                       |                                    |
|----------------------------------------------------------------|---------------------------------------|------------------------------------|
| <b>Provider Name:</b> Kids House Child Care Center             | <b>Provider Information</b>           | <b>CLR No:</b> L359442             |
| <b>Provider Address:</b> 1451 Bryan Ave., Lexington, KY, 40505 | <b>Provider Type:</b> LICENSED TYPE I | <b>Capacity:</b> 79                |
| <b>Owner(s):</b> Johnson, Twana & Lewis, Jr., Eldred           |                                       | <b>Director(s):</b> Johnson, Twana |

|                                           |                                           |                              |
|-------------------------------------------|-------------------------------------------|------------------------------|
| <b>Inspection Type:</b> Investigation     | <b>Inspection Information</b>             | <b>Inspection No:</b> 217197 |
| <b>Date Initiated:</b> 10/11/2016 2:25 PM | <b>Date Concluded:</b> 10/20/2016 1:35 PM |                              |
|                                           | <b>No. of Children Present:</b> 81        |                              |

| Inspection Report                                                                                                                                                                                                                                                                                                                                                                                                    |             |                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                      | Supervision | Not In Compliance        |
| <b>5 - Children Supervised</b>                                                                                                                                                                                                                                                                                                                                                                                       |             | <b>Not In Compliance</b> |
| <b>922 KAR 2:120. Section 2. Child Care Services.</b><br><b>(3)(a) Each center shall maintain a child-care program that assures each child will be:</b><br><b>1. Provided with adequate supervision at all times by a qualified staff person who:</b><br><b>a. Ensures the child is within scope of vision and range of voice; or</b><br><b>b. For a school-age child, within scope of vision or range of voice;</b> |             |                          |
| <b>Findings:</b><br>General: Based on Observation, the facility failed to ensure adequate supervision. At approximately 2:30 p.m the surveyor observed a staff person in the two year old classroom walk back into her classroom through a side door. This staff person had been in the connecting toddler room. It was undetermined how long the staff person had been out of the room.                             |             |                          |

**Inspection Report****Staffing Requirements****Not In Compliance****40 - Ratios and Group Size****Not In Compliance****922 KAR 2:120. Section 2. Child Care Services.****(2) Minimum staff-to-child ratios and group size for an operating child-care center shall be maintained as follows:****Age of Children Ratio Maximum Group Size\*****Infant****1 staff for 5 children 10****Toddler****1 staff for 6 children 12****Preschool-age 2 to 3 years****1 staff for 10 children 20****Preschool-age 3 to 4 years****1 staff for 12 children 24****Preschool-age 4 to 5 years****1 staff for 14 children 28****School-age 5 to 7 years****1 staff for 15 children 30****School-age 7 and older****1 staff for 25 children****(for before and after school) 30****1 staff for 20 children****(full day of care) 30****\*Maximum Group Size shall be applicable only to Type I child-care centers.****Findings:**

General: Based on Observation, on 10/11/16 at approximately 2:25 p.m. a staff person answered the facility's door and the surveyors proceeded to follow the staff person into the pre-school classroom. Upon entry into the pre-school classroom the surveyors observed eighteen (18) children ages three to four (3-4) years old sitting on the floor and watching television. The classroom was over ratio by six (6) children. The staff person who had answered the door stated that she had forgotten that there were supposed to be two (2) teachers in the room. She stated, "I just got back from break and I answered the door on impulse; I forgot to press the intercom." Next, the surveyors found that there was one (1) staff person supervising seven (7) children in the two (2) year old classroom. In an interview with the staff person and record review, it was found that the youngest child in the group was a one year old. Therefore, the group was over ratio by one (1) child. The staff person said that she had been working alone with this group for most of the afternoon. Finally, the surveyors observed seven (7) children in the toddler classroom with one (1) staff person. The staff person told the surveyors that the children present in her classroom were all one year olds. The staff person pointed to a male toddler and stated, "He is not supposed to be here and should leaving soon." The staff person stated that she had been over ratio for approximately twenty (20) to thirty (30) minutes.

**General Administration****Not In Compliance****230 - Sick Child Protocol****Not 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.**

**Findings:**

Based on interviews, the staff indicated that there was not a clear policy on what to do if a child gets ill while in their care when the Director is not present. The staff stated that they did not have access to the children's files when the Director is not present in the facility. During interviews, a staff person stated if a child gets ill in her classroom she yells for staff to tell the Director. She stated if the Director is not there, she tells another staff person. Another staff person stated that she notifies the Director if a child is ill. When asked what she does when the Director is not in the facility she stated, "None of us have the parent's phone numbers, so I guess if it is an emergency we would call 911." It is important to note that the infant/ toddler classrooms are far from the Director's office. The staff stated that they "yell" for the Director in case they need let her know that a child is sick. The distance from the rooms to the office is too far for the Director to be able to hear them "yelling" for her.

**Director Requirements****Not In Compliance****245 - Regulatory Compliance/Staff in Charge****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:****(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;**

**Findings:**

Based on interviews with staff it was found that during the Director's absence there is not a designated staff person to carry out the Director's duties. During the investigation, the surveyors asked to review a child's file. Staff told the surveyors that they did not have access to the children's files.

## Programming

Not In Compliance

## 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, there was no planned programming provided to the children in the two year old classroom. Observation during the visit found that there were seven (7) children in the room and there was no apparent programming. Two (2) children were observed repeatedly climbing and standing on one of the tables then jumping off the end. After six (6) times of climbing on the table one child was observed to fall off the end of the table, land on her stomach, and start crying loudly. Another child was observed climbing on one of the shelves then lying in the floor crying.

## 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 following:****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 interviews with staff, the surveyors found that toddlers are combined with the pre-school children every day at approximately 4:00 p.m. The toddler staff person stated that there are times when the toddlers go up front to the "big room" when she leaves for the day. She stated that they watch television or go outside. Another staff person stated that she had fourteen (14) or fifteen (15) children in the "big room" on 9/16/16. She stated, "I probably had six (6) or seven (7) toddlers. I had to put them in small high chairs and snap them in so they wouldn't run around." When asked how long the toddlers are in their seats she replied, "An hour or two." She stated, "They watch Disney, Mickey Mouse, or Sponge Bob on TV." The Director stated that there are typically two (2) toddlers in the group at the end of the day. She also stated that they sit in little chairs. She stated, "They will watch a cartoon like SpongeBob, color, or play with blocks."

## 375 - Waiting Period

Not 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.**

**Findings:**

Based on interviews with staff, the surveyors found that toddlers are combined with the pre-school children every day at approximately 4:00 p.m. The toddler staff person stated that there are times when the toddlers go up front to the "big room" when she leaves for the day. She stated that they watch television or go outside. Another staff person stated that she had fourteen (14) or fifteen (15) children in the "big room" on 9/16/16. She stated, "I probably had six (6) or seven (7) toddlers. I had to put them in small high chairs and snap them in so they wouldn't run around." When asked how long the toddlers are in their seats she replied, "An hour or two." She stated, "They watch Disney, Mickey Mouse, or Sponge Bob on TV." The Director stated that there are typically two (2) toddlers in the group at the end of the day. She also stated that they sit in little chairs. She stated, "They will watch a cartoon like SpongeBob, color, or play with blocks."

## Premises

Not In Compliance

## 505 - 35 Square Feet per Child

Not 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.****Findings:**

General: Based on Observation, the surveyors observed seven (7) children in the toddler classroom with one (1) staff person. The staff person told the surveyors that the children present in her classroom were all one year olds. The staff person pointed to a male toddler and stated, "He is not supposed to be here and should leaving soon." The staff person stated that she had been over ratio for approximately twenty (20) to thirty (30) minutes. It is important to note that the square footage for this classroom only allows a capacity of five (5) children. The classroom was not only over ratio but over room capacity as well.

Signature of Provider/Representative

Title

Date