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Inspection Report

Provider Name: The Kidstruction Zone	Provider Information	CLR No: L383118
Provider Address: 1521 W Broadway, Mayfield, KY, 42066	Provider Type: LICENSED TYPE I	Capacity: 48
Owner(s): The Kidstruction Zone LLC		Director(s): Gibson, Nichole Kenny

Inspection Type: Renewal Application	Inspection Information	Inspection No: 305359
Date Initiated: 12/03/2020 10:00 AM	Date Concluded: 12/03/2020 1:05 PM	
	No. of Children Present: 18	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
Director Requirements	Not In Compliance

360 - Caregiver Alone **Not In Compliance**

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.
(1) 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 922 KAR 2:280;

Findings:
 General: Based on observation and review of documentation, a caregiver hired 10/19/20, did not have a processed and approved name-based child abuse/neglect check on file and was left alone to supervise ten (10) children in the three-year-olds' room from 10:00 am - 11:00 am on 12/3/20.

Employee Records **Not In Compliance**

390 - Educational Requirements **Not In Compliance**

922 KAR 2:090. Section 11. Staff Requirements.
(1) Child-care center staff:
(a) Hired after January 1, 2009, who have supervisory power over a minor and are not enrolled in secondary education, shall have a:
1. High school diploma;
2. GED or qualifying documentation from a comparable educational entity; or
3. Commonwealth Child Care Credential as described in 922 KAR 2:250;

Findings:
 General: Based on review of documentation, caregivers hired on 8/31/20, 8/24/20, 10/5/20 and 10/15/20, did not have education verification on file.

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410 - Training

Not In Compliance

922 KAR 2:090. Section 11. Staff Requirements.

- (16) 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 cabinet-approved 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 cabinet-approved pediatric abusive head trauma training completed once every five (5) years.

Findings:

General: Based on review of documentation, caregivers hired on 7/21/20, 8/24/20 and 6/29/20, did not complete six (6) hours of cabinet approved orientation training within the first three (3) months of employment.

Programming

In Compliance

Premises

Not In Compliance

520 - Inaccessible Items

Not In Compliance

922 KAR 2:120. Section 3. General Requirements.

- (7) The following shall be inaccessible to a child in care:
- (a) Toxic cleaning supplies, poisons, and insecticides;
 - (b) Matches, cigarettes, lighters, and flammable liquids; and
 - (c) Personal belongings and medications of staff.

Findings:

General: Based on observation, a plastic bottle of bleach, a can of disinfectant spray, and a caregiver's cell phone and purse were stored on a three (3) feet high shelf in the three-year-olds' room. All of these items were accessible to children.

525 - Items Accessible Only During Activity

Not 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;
 - (c) Bar soap; and
 - (d) Plastic bags not used for personal belongings.

Findings:

General: Based on observation, a sharp metal lid from a can of applesauce was stored on a three (3) feet high shelf in the three-year-olds' room. This item was accessible to children and was not a part of the planned program of instruction.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Outdoor Play Area

Not In Compliance

750 - Playground Conditions

Not 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.

Findings:

General: Based on observation, black fabric weed block was raised above the mulch throughout the outdoor play area.

755 - Protective Surface

Not 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.

Findings:

General: Based on observation, a sparse layer of mulch was underneath climbing bars in the outdoor play area.

Inspection Report

Equipment

Not In Compliance

820 - Indoor/Outdoor Equipment

Not 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.

Findings:

General: Based on observation, a hole and rust was on a metal handle bar on the teeter totter in the outdoor play area.

Transportation

Not Applicable

Food Service/Food Program

In Compliance

Food Service

Not In Compliance

1015 - Food Service Permit

Not 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.

Findings:

General: Based on observation, a food service permit for the caterer, who provided breakfast and lunch meals to the center, was not on file at the center.

1030 - Frozen Food

Not 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.

Findings:

General: Based on observation, a thermometer or temperature indicating device was not inside the freezer in the kitchen.

1130 - Menu

Not 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.

Findings:

General: Based on observation, the center did not have a weekly menu prepared, dated and posted.

Inspection Report

Children's Records

Not In Compliance

1140 - Enrollment Information

Not In Compliance

922 KAR 2:090. Section 9. 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 a 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 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;

Findings:

General: Based on review of documentation, a child enrolled 8/24/20, did not have information on file for staff to contact the child's preferred hospital.

Written Documentation

In Compliance

Posted Documentation

In Compliance

Animals

In Compliance

Emergency Regulation

Not In Compliance

1255 - Emergency Regulation

Not In Compliance

922 KAR 2:405E. Emergency Regulation.

Due to the current declared public health emergency caused by the Novel Coronavirus Disease (COVID-19), licensed child care centers must operate under Centers for Disease Control and Prevention and public health guidelines, as mandated by 922 KAR 2:405E, to prevent the spread of COVID-19.

Findings:

General: Based on observation, and review of documentation, the center failed to assure that new staff shall undergo name-based background checks in accordance with 922 KAR 2:280 and shall not be left alone with children until name-based background checks have been approved and returned in accordance with 922 KAR 2:405E Section 11(5). A caregiver hired 10/19/20, did not have a processed and approved name-based child abuse/neglect check on file and was left alone and supervised ten (10) children in the three-year-olds' room from 10:00 am - 11:00 am on 12/3/20.

Signature of Provider/Representative

Title

Date