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Inspection Report

Provider Name: Kids Being Kids, Inc.	Provider Information	CLR No: L355437
Provider Address: 202 25 East, Barbourville, KY, 40906	Provider Type: LICENSED TYPE I	Capacity: 85
Owner(s): Kids Being Kids II, Inc.		Director(s): BROWN, CALLIE

Inspection Type: Renewal Application	Inspection Information	Inspection No: 319094
Date Initiated: 02/07/2022 9:45 AM	Date Concluded: 02/07/2022 12:30 PM	
	No. of Children Present: 11	

Inspection Report	
Background Checks	In Compliance
Supervision	Not In Compliance
90 - Children Supervised	Not In Compliance
<p>922 KAR 2:120. Section 2. Child Care Services.</p> <p>(3)(a) Each center shall maintain a child-care program that assures each child shall be:</p> <p>1. Provided with adequate supervision at all times by a qualified staff person who ensures the child is:</p> <p>a. Within scope of vision and range of voice; or</p> <p>b. For a school-age child, within scope of vision or range of voice;</p>	
<p>Findings:</p> <p>General: Based on observation, the surveyor found the following:</p> <p>1. During a walk through of the child-care center, the surveyor found six (6) children present in the Preschool Classroom. During interview, staff stated that there were seven (7) children present in the Preschool Classroom and one (1) child was in the restroom; therefore, the child was not within scope of vision or range of voice. Staff stated that the child inside the restroom was two-years-old. Through interview with staff, the surveyor learned that the staff person present was the only staff person inside the Preschool Classroom. The restroom was observed to be down a small hallway in the Preschool Classroom. The surveyor observed the two-year-old child inside the restroom.</p> <p>2. The surveyor observed a child to walk down a small hallway to the restroom located in the Preschool Classroom. Through interview with staff, the surveyor learned that the child was four-years-old. The staff person was observed to walk to the restroom and stand at the door; therefore, the children inside the Preschool Classroom were not within scope of vision.</p> <p>3. The surveyor opened the door to the One Year Old Classroom and found a child that was exiting the classroom to go into the Preschool Classroom. The surveyor did not observe a staff person to be with the child and no staff or children inside the One Year Old Classroom. Staff-in-charge stated that the child was four-years-old and was supposed to be in the Preschool Classroom. Staff-in-charge stated that the four-year-old child likes to go to the Infant Classroom to check on her sibling. The Infant Classroom was observed to be located next to the One Year Old Classroom.</p> <p>4. A child was observed to walk from the Preschool Classroom through a small hallway and into the School Age Classroom. A staff person inside the Preschool Classroom was observed to leave the classroom to go to the School Age Classroom and bring the child back to the Preschool Classroom. The children inside the Preschool Classroom were observed to be left unsupervised. Through interview with staff, the surveyor learned that the child was two (2) years old.</p>	
Staffing Requirements	In Compliance

Inspection Report**General Administration****Not In Compliance****225 - Licensee Responsibility****Not In Compliance****922 KAR 2:090. Section 8. General.****(1) A licensee shall:**

- (a) Be responsible for the operation of the child-care center pursuant to this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280; and**
(b) Protect and assure the health, safety, and comfort of each child.

Findings:

General: Based on observation and review of documentation, the surveyor found the following:

1. A staff's (DOH: 10/14/20) file contained documentation of background checks submitted through the Kentucky National Background Check Service. Based on review of the Kentucky National Background Check Service, the staff member completed fingerprints on 12/03/21 and had a eligibility date of 12/03/21; therefore, a background check through the Kentucky National Background Check Service was not completed prior to 10/01/21. During interview, staff-in-charge stated that she was not aware that the staff person had to have a completed background check on KARES prior to 10/01/21. Staff-in-charge stated that the staff person did not work alone with children. The staff's file contained a completed Child Abuse/Neglect Background Check dated 10/12/20 and a completed Criminal Records Background Check dated 11/30/20.
2. The surveyor knocked on the door to the child-care center and a child was observed to unlock and open the door for the surveyor. The surveyor observed a staff person sitting at a table across the Preschool Classroom from the exit door. Through interview with staff, the surveyor learned that the child was four-years-old.
3. An Eco Sun Tech heater placed on the floor against a wall in the Infant Classroom located beside what appeared to be a wooden shelf that was placed on the floor and contained dolls and books. The cord to the heater was observed to be dangling down over the wooden shelf from an outlet on the wall. The heater was observed to be turned on and did not appear to be hot to the touch.
4. A door that was observed to be slightly open in the restroom that was located in the hallway down from the Preschool Classroom. A water heater was observed inside the room with the following items: Two (2) toilet bowl brushes and a plunger.
5. The School Age Classroom was observed to contain the following items: What appeared to be a long white fluorescent bulb placed on the floor on a pink area rug by a set of cubbies, two (2) large pieces of wainscot wall panel leaned against a table shaped like an apple by the exit door to the playground, a long brown box placed on the floor against the wall beside the exit door that leads to the playground that stated "Kid Kraft Deluxe Big and Bright Kitchen on the front of the box, two (2) long boxes stacked on top of each other that appeared to be laminate flooring and placed on top of a round table, approximately three (3) gold metal strips placed on top of two (2) long boxes that were located on a round table, a large white box placed in the middle of the classroom with a black runner rug placed over the box, approximately three (3) pieces of wainscot wall panel that appeared to have been cut in half placed on the floor by the table shaped like an apple, a white cable placed on the floor by the table shaped like an apple, a long brown table that contained: a crockpot, two (2) warmers, two (2) aluminum gray pans, a silver cookware pot with lid, and packages of face masks, and other items, a container of premium exterior wood screws and a box of exterior screws placed on the bench seat of a long brown table, a brown table located by the sink that contained the following: a hammer, painters tape and clear tape, two (2) boxes that stated "Kobalt" on the front of them, nails/screws placed at the front of the table, a drill, measuring tape, a mouse trap, containers of nails, wrench/pliers, a screwdriver, a speed square metal measuring tool, box cutter, bag of cabinet pulls and several other items, a table saw, hammer, duct tape, clamp, and an old electrical outlet that had an exposed screw placed on top of a white floor cabinet that did not have a counter top and was located behind a brown table, a yellow DeWalt blade placed on top of a yellow container of tools, yellow pliers, and an air attack pump that was located on top of a white cabinet placed in the floor beside a brown table, a long white piece of trim placed on a brown table by the sink that was hanging over the side of the table, what appeared to be a small gray/white slab of countertop leaned on the wall in front of the sink, a bag of Snow and Ice Melter placed on the floor against a wall located in front of the sink, a paint roller placed on the sink, a yellow mop bucket and mop placed in front of the sink, a long brown box placed in front of the sink that contained several pieces of wood that had splintered edges, two (2) gallons of used paint, door knobs, an opened Monster drink, and other items, a large fish tank placed on a brown metal stand that did not appear to be secured, a small mallet placed on the floor in front of a white floor cabinet, a can of WD-40 and water bottle that appeared to have been opened placed on top of a white floor cabinet that did not have a countertop, a rolled up rug placed in front of a brown shelf, a red/black dolly placed near a long brown table, a blue bucket placed in the floor in front of a brown table that contained what appeared to be a long Kobalt leveler, a DeWalt saw, two (2) Craftsman tools, a long silver Stanley Corporate Square that appeared to be used for measuring, and other items.

During interview, staff-in-charge stated that the School Age Classroom had not been utilized by children for approximately seven (7) months and that the child-care center had been completing renovations while they were closed for COVID.

305 - Fire Marshal/Zoning Compliance**Not In Compliance****922 KAR 2:120. Section 4. Premises Requirements.**

- (2) A child-care center shall be in compliance with the codes administered by the Kentucky Fire Marshal and the local zoning laws.**

Findings:

General: Based on review of documentation, the surveyor found a fire marshal report dated for 06/01/18. During interview, staff-in-charge stated that she was not aware if the fire marshal had been to the child-care center in the last two (2) years.

Director Requirements**In Compliance**

Inspection Report**Employee Records****Not In Compliance****435 - 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 completed within the first three (3) months of employment in a child-care program;
- (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment in a child care program, 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 completed between July 1 and the following June 30 of each subsequent year of employment in a child care program, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.

(17) A staff person's compliance with training requirements of this section shall be verified through the cabinet-designated database maintained pursuant to 922 KAR 2:240.

Findings:

General: Based on review of documentation and ECE-TRIS, the surveyor found the following:

- 1. A staff (DOH: 11/15/93) obtained five (5) hours of the required fifteen (15) hours of cabinet-approved early care and education training for the review period 07/01/20 – 06/30/21.
- 2. A staff (DOH: 03/20/16) obtained ten and one-half (10 1/2) hours of the required fifteen (15) hours of cabinet-approved early care and education training for the review period 07/01/20 – 06/30/21.
- 3. A staff (DOH: 05/09/16) obtained three and one-half (3 1/2) hours of the required fifteen (15) hours of cabinet-approved early care and education training for the review period 07/01/20 - 06/30/21.

Programming**Not In Compliance****455 - 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) Unless the child-care center is a before- or after-school program that operates part day or less, that offers a variety of creative activities including:

- 1. Art or music;
- 2. Math or numbers;
- 3. Dramatic play;
- 4. Stories and books;
- 5. Science or nature;
- 6. Block building or stacking;
- 7. Tactile or sensory activity;
- 8. Multi-cultural exposure;
- 9. Indoor and 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, the surveyor found the following:

- 1. The lesson plan posted in the Preschool Classroom was dated for 01/31/22 – 02/04/22; therefore, the lesson plan was not current.
- 2. A lesson plan was not posted in the One Year Old Classroom; therefore, the surveyor was unable to determine if the lesson plan was current.
- 3. A lesson plan was not posted in the Two Year Old Classroom; therefore, the surveyor was unable to determine if the lesson plan was current.

525 - Infant/Toddler Combined with Older Children

Not In Compliance

922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.

- (3) Except in accordance with subsection (4) of this section or Section 2(2)(c) of this administrative regulation, an infant or toddler under twenty-four (24) months of age shall not participate in an activity with an older child for no more than one (1) hour per day.**
- (4) If a toddler is developmentally appropriate for a transition to a preschool age group, a toddler may participate in an activity with an older child for more than one (1) hour per day if:**
- (a) Space for the toddler is available in the preschool-age group;**
 - (b) The staff-to-child ratios and group sizes are maintained based on the age of the youngest child;**
 - (c) 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**
 - (d) The child care center has obtained the signature and approval of the toddler's parent on the toddler's transition plan.**

Findings:

General: Based on observation, the surveyor found one (1) staff person caring for seven (7) children in the Preschool Classroom. Through interview with the staff person, the surveyor learned that the children ranged in age from two-years-old to four-years-old. Staff-in-charge stated that approximately three (3) of the children were two-years-old. Staff-in-charge stated that the two-year-old children did not have a transition plan on file and that she would have a transition plan completed for the children. The surveyor observed the children to remain in the same classroom for the duration of the surveyor's visit, from approximately 9:45 a.m. to 12:30 p.m.

530 - 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, the surveyor found a child asleep in a bouncer in the Infant Classroom with a loose blanket placed on the child. Through interview with staff, the surveyor learned that the child was eight-months-old and had been asleep in the bouncer for approximately thirty (30) minutes. Staff stated that the eight-month-old child was coughing and she put the child in the bouncer to be able to prop the child up.

540 - Bedding/Toys in Crib

Not In Compliance

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.

- (3) Rest time shall occur in an adequate space according to the child's age as follows:**
- (a) For an infant:**
 - 3. No bedding other than a clean tight-fitted sheet; and**
 - 4. No toys or other items except the infant's pacifier;**

Findings:

General: Based on observation, the surveyor found the following:

1. A child placed inside a crib in the Infant Classroom that had a pacifier clip attached to the child's clothing. The child was not observed to be asleep. Through interview with staff, the surveyor learned that the child was six-months-old.
2. A loose blanket observed to be placed on a child that was asleep in a bouncer in the Infant Classroom. Through interview with staff, the surveyor learned that the child was eight-months-old and had been asleep in the bouncer for approximately thirty (30) minutes.

Premises

Not In Compliance

565 - 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, the surveyor found the following:

1. A blue cubby located in the Preschool Classroom that contained the following that was placed on top of the cubby: A can of Disinfectant Spray, a bottle of Febreze, box of Magic Eraser Sheets, and a container of Surface Cleaning Wipes. The items mentioned were observed to appear to be within reach of the children.
2. A container of Surface Cleaning Wipes that stated "Keep Out of the Reach of Children" on the back label placed underneath the cabinet below the sink in the restroom located in the hallway down from the Preschool Classroom. The cabinet was located inside a stall that had a door.
3. A door that was observed to be slightly open in the restroom that was located in the hallway down from the Preschool Classroom. A water heater was observed inside the room with the following items: A container of Surface Cleaning Wipes, a container of QT-TB, and two (2) bottles of Lysol.

585 - 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 surveyor found the following:

1. A square red/blue ABC rug that appeared soiled with dark spots in the One Year Old Classroom; therefore, the rug was not kept clean.
2. A square rug with circles that contained debris in the One Year Old Classroom; therefore, the rug was not kept clean.
3. The sink located in the One Year Old Classroom contained debris; therefore, the sink was not kept clean.
4. The sink vanity top appeared to not be secured to the cabinet located in the Infant Classroom as it moved when pulled on; therefore, the vanity top was not kept in good repair.
5. Two (2) sink vanity tops appeared to not be secured to two (2) cabinets in the restroom located in the hallway down from the Preschool Classroom as they moved when pulled on; therefore, the vanity tops were not kept in good repair.
6. A white wooden ledge beside the toilet in the restroom located in the hallway down from the Preschool Classroom contained a yellow substance; therefore, the ledge was not kept clean. The toilet was located directly across from the exit door.
7. A brown substance on a toilet paper dispenser in the restroom located in the hallway down from the Preschool Classroom; therefore, the dispenser was not kept clean. The toilet paper dispenser was placed on the wall beside the toilet that was located directly across from the exit door.

695 - Toilet

Not In Compliance

922 KAR 2:120. Section 12. 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.

Findings:

General: Based on observation, the surveyor found that the toilet seat moved easily and was not tightly secured to the toilet in the restroom located in a hallway down from the Preschool Classroom; therefore, the toilet was not kept in good repair. The toilet was located directly across from the exit door.

Hygienic Practices

Not In Compliance

730 - Diaper Changing Area/Surface

Not In Compliance

922 KAR 2:120. Section 12. 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.**

Findings:

General: Based on observation, the surveyor found a cd player placed on top of the diaper changing table in the Two Year Old Classroom; therefore, the diaper changing surface was not kept free of any items not used for diaper changing.

First Aid/Medication

In Compliance

Outdoor Play Area

Not In Compliance

790 - Playground Clean

Not 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;**

Findings:

General: Based on observation, the surveyor found the following:

1. A white washcloth that appeared to be wet placed on the steps that lead to the School Age Playground.
2. What appeared to be a green shirt placed beside the building on the Preschool Playground beside a vent.
3. Piece of yellow tulle/mesh placed beside the steps on the Infant/Toddler Playground.

795 - 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, the surveyor found the following:

1. A blue Frisbee that was broken and contained a jagged edge located on the School Age Playground in the corner of the fence roll.
2. A wooden floor on a yellow bus that had one (1) missing board and one (1) board that appeared to be decayed and contained a long hole in the center of the board on the School Age Playground.
3. Blue bicycles that go around a track and were missing four (4) pedals located beside a yellow school bus on the School Age Playground.
4. Blue bicycles that go around a track and were missing seven (7) pedals located on the School Age Playground by the fence roll near the Preschool Playground.
5. A wooden door that was slightly open and appeared to not latch properly that lead to the air unit and storage space on the Preschool Playground. The following items were observed in the storage space: a loose garden hose, umbrella with a long pole, a rake, and metal rusty pole.
6. A black cable coming down the building of the child-care center on the Preschool Playground that lead to a gray box on the wall. The bottom of the cable was observed to not be secured to the wall and appeared to be within reach of the children.
7. A pink stationary structure that was missing a yellow steering wheel on the Preschool Playground.
8. A red/yellow Little Tikes car that was missing a door on the Preschool Playground.
9. The fence appeared to be mangled at the bottom and contained a gap/hole located on the front of the fence roll on the Infant/Toddler Playground.
10. A scarecrow garden stake placed on the ground near an entry door on the Infant/Toddler Playground.
11. A scarecrow garden stake placed in the ground near an entry door on the Infant/Toddler Playground.

Equipment

In Compliance

Transportation

In Compliance

Kitchen Requirements

In Compliance

Food Service

In Compliance

Meal Planning/Center Provides Meals

In Compliance

Meal Planning/Center Does Not Provide Meals

In Compliance

Children's Records

Not In Compliance

1250 - 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, the surveyor found the following:

1. A child's (DOE: 12/06/21) file did not contain the contact telephone number for the child's preferred family physician.
2. A child's (DOE: 08/05/20) file did not contain the name and telephone number of each person to be contacted in an emergency involving or impacting the child.

Written Documentation

In Compliance

Inspection Report		
Posted Documentation		In Compliance
Animals		In Compliance

Signature of Provider/Representative

Title

Date