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Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Wee People Day Care Provider Address: 2024 Hall Street, Owensboro, KY, 42303 Owner(s): Wee People Day Care, LLC	Provider Information Provider Type: LICENSED TYPE I	CLR No: L353220 Capacity: 80 Director(s): Bryant, Martha Ann; Garcia, Shelia B
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Inspection Type: Renewal Application Date Initiated: 04/29/2021 10:00 AM	Inspection Information Date Concluded: 04/29/2021 2:15 PM No. of Children Present: 32	Inspection No: 306530
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Inspection Report	
Background Checks	Not In Compliance
5 - Background check/left alone/dismissed/relocated	Not In Compliance
<p>922 KAR 2:280. Section 3. Implementation and Enforcement.</p> <p>(1) A person who is a child care staff member prior to January 1, 2018, shall submit to and complete background checks in accordance with this administrative regulation no later than September 30, 2018.</p> <p>(2) A child care staff member hired on or after April 1, 2018, shall:</p> <p>(a) Have completed the background checks required in accordance with this administrative regulation and been found to have no disqualifying offense prior to becoming a child care staff member; or</p> <p>(b) 1. Have submitted to the background checks required in accordance with this administrative regulation; 2. Not be left unsupervised with a child in care pending the completion of the background checks in accordance with this administrative regulation; and 3. Be dismissed or relocated from the residence if the person is found to have a disqualifying background check result.</p> <p>Findings:</p> <p>General: Based on record review and observation, a caregiver hired on 6/22/20, had a drug related felony dated 5/15/18, and cared for children with another caregiver that did not have a processed name-based criminal records check and child abuse/neglect check.</p>	

30 - Disqualifying background check result

Not In Compliance

922 KAR 2:280. Section 6. Disqualifying Background Check Results.

(1) Unless a rehabilitative review pursuant to Section 9 of the administrative regulation determines the individual is eligible to be hired, an individual shall be ineligible to:

(a) Be hired or otherwise serve as a child care staff member if the individual:

1. Meets a criterion specified in 45 C.F.R. 98.43(c);

2. Has been convicted of, or has entered an Alford plea, a plea of guilty, or a plea of nolo contendere to,:

a. A drug-related felony, and five (5) years has not elapsed since the person was fully discharged from imprisonment, probation, or parole;

b. A sex or violent crime pursuant to KRS 17.165; or

c. A felony offense under:

(i) KRS Chapter 506, inchoate offenses;

(ii) KRS Chapter 511, burglary and related offenses;

(iii) KRS Chapter 515, robbery;

(iv) KRS Chapter 520, escape and other offense related to custody;

(v) KRS Chapter 525, riot, disorderly conduct, and related offenses;

(vi) KRS Chapter 527, offense relating to firearms and weapons;

(vii) KRS Chapter 529, prostitution offenses; or

(viii) KRS Chapter 530, family offenses;

3. Is listed on:

a. The central registry established in accordance with 922 KAR 1:470; or

b. Another state's state-based child abuse and neglect registry or database;

4. Has been convicted of, or has entered an Alford plea, plea of guilty, or a plea of nolo contendere to, an offense under a criminal statute of the United States or of another state similar to an offense specified in this paragraph;

5. Has an open warrant;

6. Has a criminal background check result indicating that the individual should be approached with caution by authorities; or

7. Has a pending charge for a criminal offense specified in this paragraph; or

(b) Serve as a child-care center's applicant, licensee, or director if the individual has been convicted of, or has entered an Alford plea, a plea of guilty, or a plea of nolo contendere to, a felony offense involving fraud, embezzlement, theft, or forgery.

(2) An individual who has received a pardon for a disqualifying offense, has had the record expunged, or has evidenced dismissal of a warrant or disqualifying charge may serve as a child care staff member.

Findings:

General: Based on record review, a caregiver hired on 6/22/20, had a drug related felony dated 5/15/18 on her name based criminal records check. Therefore, the caregiver was ineligible to be hired.

Supervision

Not In Compliance

90 - Children Supervised

Not 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 ensures the child is:

a. Within scope of vision and range of voice; or

b. For a school-age child, within scope of vision or range of voice;

Findings:

General: Based on observation, a three-year-old child was allowed to go to the restroom alone. The restroom was located on the opposite side of the younger three-year-olds' room. The distance between the restroom and the younger three-year-olds' room was approximately twenty (20) feet.

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:

(m) 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 on 1/18/21, supervised nine (9) children alone in the younger three-year-old room. The caregiver did not have a processed name-based child abuse/neglect check on file. Also, two (2) caregivers hired on 6/22/20 and 2/15/21, supervised seven (7) children in the two-year-old room. The caregiver hired on 6/22/20, was ineligible to be hired due to the results of the name-based criminal records check on file. The caregiver hired on 2/15/21, did not have a processed name-based criminal records check and a processed child abuse/neglect check on file.

Employee Records

In Compliance

Programming

In Compliance

Inspection Report	
Premises	Not In Compliance
645 - Sink	Not In Compliance
<p>922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.</p> <p>(3) A sink shall be:</p> <ul style="list-style-type: none"> (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. <p>Findings:</p> <p>General: Based on observation, the changing area was approximately sixteen (16) feet away from the sink in the younger three-year-old's room. Therefore, a sink was not immediately adjacent to the changing area.</p>	
Hygienic Practices	Not In Compliance
675 - Training Chair	Not In Compliance
<p>922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.</p> <p>(7) If a toilet training chair is used, the chair shall be:</p> <ul style="list-style-type: none"> (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) Disinfected after each use. <p>Findings:</p> <p>General: Based on observation, a lime green training chair was placed on a multi-color, rubber, puzzle-shaped floor tile in the younger two-year-olds' restroom.</p>	
First Aid/Medication	In Compliance
Outdoor Play Area	Not In Compliance
745 - Playground Clean	Not In Compliance
<p>922 KAR 2:120. Section 4. Premises Requirements.</p> <p>(20) An outdoor play area shall be:</p> <p>(c) Free from:</p> <ul style="list-style-type: none"> 1. Litter; 2. Glass; 3. Rubbish; and 4. Flammable materials; <p>Findings:</p> <p>General: Based on observation, a wooden structure and a broken plastic child-size table were in the outdoor play area. Interview determined the wooden structure was used to build steps at the center.</p>	
755 - Protective Surface	Not In Compliance
<p>922 KAR 2:120. Section 4. Premises Requirements.</p> <p>(21) A protective surface shall:</p> <ul style="list-style-type: none"> (a) Be provided for outdoor play equipment used to: <ul style="list-style-type: none"> 1. Climb; 2. Swing; and 3. Slide; and (b) Have a fall zone equal to the height of the equipment. <p>Findings:</p> <p>General: Based on observation, there was no protective surface material underneath a green and brown slide located in the outdoor play area.</p>	
760 - Fences	Not In Compliance
<p>922 KAR 2:120. Section 4. Premises Requirements.</p> <p>(23) Fences shall be:</p> <ul style="list-style-type: none"> (a) Constructed of safe material; (b) Stable; and (c) In good condition. <p>Findings:</p> <p>General: Based on observation, three (3) fence posts were not stable in the ground. The posts were part of a chain link fence which surrounded the center's HVAC system located in the outdoor play area.</p>	

Inspection Report	
Equipment	Not In Compliance
820 - Indoor/Outdoor Equipment	Not In Compliance
<p>922 KAR 2:120. Section 11. Toys and Furnishings.</p> <p>(2) Indoor and outdoor equipment shall:</p> <p>(a) Be clean, safe, and in good repair;</p> <p>(b) Meet the physical, developmental needs, and interests of children of different age groups;</p> <p>(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</p> <p>(d) Be designed to guard against entrapment or situations that may cause strangulation.</p> <p>Findings:</p> <p>General: Based on observation, there was no safety strap on a white and blue highchair in the two-year-olds' room. Interview determined the strap was broken by a child and needed to be repaired. There were four (4) exposed nail heads on a wooden structure located in the outdoor play area. There was rust on all four (4) legs of an adult size chair located in the outdoor play area.</p>	
Transportation	Not Applicable
Food Service/Food Program	In Compliance
Food Service	Not In Compliance
1130 - Menu	Not In Compliance
<p>922 KAR 2:120. Section 9. Food and Meal Requirements.</p> <p>(16) A weekly menu shall be:</p> <p>(a) Prepared;</p> <p>(b) Dated;</p> <p>(c) Posted in advance in a conspicuous place;</p> <p>(d) Kept on file for thirty (30) days; and</p> <p>(e) Amended in writing with any substitutions on the day the meal is served.</p> <p>Findings:</p> <p>General: Based on observation, the posted menu was dated April 12, 2021 to April 16, 2021 in the dining room.</p>	
Children's Records	Not In Compliance
1140 - Enrollment Information	Not In Compliance
<p>922 KAR 2:090. Section 9. Records.</p> <p>(1) A child-care center shall maintain:</p> <p>(b) A written record for each child:</p> <p>1. Completed and signed by the child's parent;</p> <p>2. Retained on file on the first day the child attends the child-care center; and</p> <p>3. To contain:</p> <p>a. Identifying information about the child, which includes, at a minimum, the child's name, address, and date of birth;</p> <p>b. Contact information to enable a person in charge to contact the child's:</p> <p>(i) Parent at the parent's home or place of employment;</p> <p>(ii) Family physician; and</p> <p>(iii) Preferred hospital;</p> <p>c. The name of each person who is designated in writing to pick-up the child;</p> <p>d. The child's general health status and medical history including, if applicable:</p> <p>(i) Allergies;</p> <p>(ii) Restriction on the child's participation in activities with specific instructions from the child's parent or health professional; and</p> <p>(iii) Permission from the parent for third-party professional services in the child-care center;</p> <p>e. The name and phone number of each person to be contacted in an emergency involving or impacting the child;</p> <p>f. Authorization by the parent for the child-care center to seek emergency medical care for the child in the parent's absence;</p> <p>Findings:</p> <p>General: Based on review of documentation, a child enrolled on 4/20/21, did not list a preferred hospital in the enrollment information.</p>	
Written Documentation	In Compliance
Posted Documentation	In Compliance
Animals	Not Applicable

Inspection Report**Emergency Regulation****Not In Compliance****1265 - Emergency Regulation****Not In Compliance****922 KAR 2:415E. 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 2:415E, to prevent the spread of COVID-19.

Findings:

General: Based on observation and review of documentation, the child care center failed to ensure:

1. Machine washable toys shall not be used, in accordance with 922 KAR 2:415E Section 6 (3). Stuffed toys/animals were in the infants' room.
2. A child who is in the first grade or above shall wear a face mask if temperament and developmental ability allow unless the child meets any of the exemption criteria established in subsection (5) of this section, in accordance with 922 KAR 2:415E Section 8 (3). A first grade child did not wear a face mask in the preschool room.
3. New staff shall undergo name-based background, 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 2:415E Section 11(5). A caregiver hired on 1/18/21, did not have a processed name-based child abuse/neglect check on file. Also, the caregiver supervised nine (9) children alone in the younger three-year-old's room. A caregiver hired on 2/15/21, did not have a processed name-based criminal records check and a processed child abuse/neglect check on file. The caregiver and an unqualified staff person cared for children in the two-year-old's room.
4. All child care staff, directors, owners and operators complete a new, mandatory training on cleaning, sanitizing, health procedures, and mandatory reporting prior to the date of reopening, in accordance with 922 KAR 2:415E Section 9 (1). A caregiver hired on 1/18/21, had not complete the mandatory training.

Signature of Provider/Representative

Title

Date