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Inspection Report

Provider Name: Friends 4-Ever Learning Center	Provider Information	CLR No: L358965
Provider Address: 5351 N. Dixie Highway, Elizabethtown, KY, 42701	Provider Type: LICENSED TYPE I	Capacity: 37
Owner(s): Fun Time Day Care, Inc.		Director(s): Hall, Mandi Marie

Inspection Type: Renewal Application	Inspection Information	Inspection No: 306360
Date Initiated: 03/10/2021 10:20 AM	Date Concluded: 03/10/2021 1:45 PM	
	No. of Children Present: 13	

Inspection Report	
Background Checks	Not In Compliance
85 - Employment Status	Not In Compliance
922 KAR 2:280. Section 11. Status of Employment. (1) A child care provider shall maintain the employment or residential status of each child care staff member who has submitted to a fingerprint-based criminal background check by reporting the status using the NBCP Web-based system.	
Findings:	
General: Based on review of documentation, the child care provider failed to comply with regulatory background check requirements. Based on a review of documentation, the child care center failed to maintain the employment status of each child care staff member who has submitted to a finger-print based criminal background check. Interview revealed numerous individuals were no longer working at the center but failed to be separated from the center on the KARES report.	
Supervision	In Compliance
Staffing Requirements	Not In Compliance
115 - Cooking/Cleaning Staffing	Not In Compliance
922 KAR 2:090. Section 10. Director Requirements and Responsibilities. (1) 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;	
Findings:	
General: Based on observation, the child care center failed to comply with regulatory staffing requirements. Upon entry into the facility, a qualified staff member was preparing lunch. A sole staff member was supervising thirteen (13) children ranging in age from two (2) years to eleven (11) years. The aforementioned staff failed to have results of a CAN report. The classroom was out of ratio and without supervision of a qualified staff. There were no other staff members available.	

125 - Ratios and Group Size

Not In Compliance

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

(2) For an operating child-care center, minimum staff-to-child ratios and group size shall be maintained as established in the table established in this subsection.

Age of Children Ratio Maximum Group Size*

- Infant**
- 1 staff for 5 children 10**
- Toddler 12 to 24 months**
- 1 staff for 6 children 12**
- Toddler 24 to 36 months**
- 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.

- (b) The age of the youngest child in the group shall determine the:**
- 1. Staff-to-child ratio; and**
- 2. Maximum group size.**

Findings:

General: Based on observation and interview, the child care center failed to maintain regulatory staffing requirements. Based on observation a sole staff member was supervising thirteen (13) children. Interview revealed the children ranged in age from two (2) years to eleven (11) years. Therefore, the minimum staff to child ratio was met.

General Administration

Not In Compliance

170 - Have Director

Not In Compliance

922 KAR 2:090. Section 6. License Issuance.

- (8) 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 Section 10 of this administrative regulation.**

Findings:

General: Based on observation and interview, the child care center failed to comply with regulatory requirements. A phone interview conducted on 3/11/2021 revealed that a director has not been employed since October 2020. The named director has worked sporadically, however, not in a director capacity since October 2020.

210 - 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, the child care center failed to comply with regulatory requirements. Observation revealed the safety of the children was compromised by the pile of debris including large pieces of wood, metal piping and metal, lying in the area in which the children traveled to reach the play area.

Director Requirements

Not In Compliance

320 - Operation instruction/Regulation copy

Not In Compliance

922 KAR 2:090. Section 8. 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 2:120, and 922 KAR 2:280.**

Findings:

General: Based on review of documentation, the child care center director failed to assure compliance with regulatory requirements. Based on a review of documentation, a current copy of the regulations were not available. Upon request, the staff member submitted regulations from 2008. An additional set of 2008 regulations were submitted as documentation from within the licensing binder.

345 - Staff Evaluation

Not In Compliance

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.

- (1) A director shall:**
- (j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;**

Findings:

General: Based on interview and review of documentation, the child care center director failed to assure compliance with regulatory requirements. Based on a review of documentation there were no staff evaluations available for review when requested.

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, interview and review of documentation, the child care center licensee failed to assure compliance with regulatory requirements. Upon the surveyor's arrival, a staff member was observed alone with thirteen (13) children ranging in age from two (2) years to eleven (11) years. A review of documentation revealed the staff member failed to have verification of completed CAN results. Interview with staff in charge revealed she was aware the results were not available at the time of the survey.

Employee Records

Not In Compliance

400 - CPR/First Aid Coverage

Not In Compliance

922 KAR 2:090. Section 11. 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.**

(5) Cardiopulmonary resuscitation (CPR) and first aid training shall be in addition to the fifteen (15) clock hours requirement in subsection (16) of this section.

Findings:

General: Based on interview and review of documentation, the child care center failed to maintain employee records in accordance with regulatory requirements. A review of employee records failed to reveal a staff member certified in First Aid and CPR to be on duty and present at the time of the survey. Interview with staff revealed the documentation was not available at the time of the survey.

405 - Adequate Substitute(s)

Not In Compliance

922 KAR 2:090. Section 11. 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.**

(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.**

Findings:

General: Based on interview, the child care center failed to maintain employee records in accordance with regulatory requirements, to assure that documentation for two (2) employed substitutes is maintained. Interview with the staff in charge revealed two (2) staff members currently employed. Further interview revealed there were no other individuals available as employees or substitutes. Staff in charge stated, "Nobody wants to work anymore".

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 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 interview and review of documentation, the child care center failed to maintain employee records in accordance with regulatory requirements. A review of staff files and a review of ECE-TRIS records failed to reveal orientation training for a staff member with a hire date of 12/16/2020. Further review failed to reveal verification of PAHT training for staff members with hire dates of 5/29/09 and 8/3/2020. The documentation was not available when requested.

Inspection Report

Programming

Not In Compliance

480 - Infant/Toddler Combined with Older Children

Not In Compliance

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

- (2) Except in accordance with subsection (3) 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.**
- (3) 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 and interview, the child care center failed to comply with regulatory programming requirements. Based on observation, thirteen (13) children were observed with a sole staff member upon the surveyor's arrival. Interview with staff revealed the children ranged in age from two (2) years to eleven (11) years of age. The children remained in one group throughout the length of the survey lasting over three (3) hours.

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, the child care center failed to comply with regulatory requirements. Observation revealed multiple containers of chemicals and cleaning products throughout the center containing the warning: Keep Out of the Reach of Children, which included: In the girls bathroom, containers of Angel of Mine Air Freshner and a bottle labeled as "bleach water" was on an accessible shelf. Three (3) one gallon cans of paint were observed on the floor, and a quart of paint thinner on the counter in the kitchen. The kitchen door was observed open allowing accessibility of the children. Cleaning products were observed hanging on cabinet doors including hydrogen peroxide. Sitting on the green and white cabinets was a 1lb 1 oz container of Disinfectant Wipes, and next to the changing table was a hairspray bottle, which had been covered and relabeled, reading Disinfectant-Alcohol @ 50%. An 8 lb. bag of Epsom salts was sitting on the floor in front of an exit door. A staff member's phone cord was plugged into an electrical outlet without being plugged in to a phone leaving the electrical live wire exposed and accessible to the children.

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, the child care center failed to maintain the outdoor play area. Observation revealed a large hole approximately 14 inches wide and 12 inches deep in the play area resulting in a tripping hazard.

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, the child care center failed to comply with outdoor play area requirements. Observation revealed no protective surface under two (2) small sliding boards and one (1) swing. Observation revealed all equipment to be sitting on a grassy surface only.

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, the child care center failed to maintain equipment in accordance with regulatory requirements. Observation revealed a ceiling vent in the Girls bathroom containing an extreme amount of gray dust accumulation.

Transportation

Not Applicable

Food Service/Food Program

In Compliance

Food Service

Not In Compliance

1010 - Kitchen Requirements

Not 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.**

Findings:

General: Based on observation, the child care center failed to comply with regulatory food service requirements. Observation in the kitchen revealed the kitchen was unclean and contained multiple storage tubs and additional items stored on shelving and counter tops which did not pertain to food preparation.

1040 - Kitchen Equipment Clean and Sanitary

Not 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.**

Findings:

General: Based on observation, the child care center failed to comply with food service requirements. Observation revealed countertops which were cluttered with a variety of items including pet food and paint thinner, failing to be clean with space to allow for the food to be prepared in a sanitary manner. The oven contained a large amount of brown baked-on food and liquids on the racks, door and bottom surface.

Children's Records

In Compliance

Written Documentation

Not In Compliance

1175 - Earthquake/Tornado/Fire Drills

Not In Compliance

922 KAR 2:090. Section 9. 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;**
- (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;**

Findings:

General: Based on interview and review of documentation, the child care center failed to maintain written documentation in accordance with regulatory requirements. A review of documentation failed to reveal a written record of quarterly practiced earthquake, tornado, and monthly fire drills detailing the date, time, and participants. Upon request the documentation of drills was not available at the time of the survey.

Inspection Report

Posted Documentation

Not In Compliance

1200 - Posting Requirements

Not In Compliance

922 KAR 2:090. Section 8. General.

(6) 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) The provider's preliminary or regular license;**
- (b) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;**
- (c) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;**
- (d) Information on the Kentucky Consumer Product Safety Program and the program's Web site as specified in KRS 199.897;**
- (e) 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;**
- (f) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and**
- (g) Daily planned program.**

Findings:

General: Based on review of documentation, the child care center failed to post documentation in accordance with regulatory requirements. A review of postings failed to reveal the Plan of Corrections submitted by the provider to the cabinet for the current licensure year.

Animals

In Compliance

Emergency Regulation

Not In Compliance

1260 - Emergency Regulation

Not In Compliance

922 KAR 2:410E. 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 2:410E, to prevent the spread of COVID-19.

Findings:

General: Based on observation, interview and review of documentation, the child care center failed to comply with emergency regulations. KAR 922: 410e states: (Section 7) Children and adults shall be screened for fever and contagious symptoms upon entry into the child care center. Observation revealed the surveyor's temperature failed to be taken upon entering the facility. (Section 8) Each adult including parents and guardians at drop-off and pick-up shall wear a mask while inside a child care center. Observation revealed a staff member who repeatedly failed to wear a mask covering the nose and mouth throughout the length of the survey. (Section 4) Temporary walls dividing classrooms shall be at least 6 feet tall and not be classroom furniture rearranged to divide classroom space. Observation revealed no walls dividing the classrooms, only cubbies, toy kitchen sets, and changing tables were used to divide classroom space. Interview with staff revealed the classrooms were used in each of the divided spaces to comply with regulations when needed to maintain ratios. (Section 11) New staff shall undergo name-based background checks upon hiring and not be left alone with children until the named based background checks have been approved and returned. Based on observation a staff member with a hire date of 12/16/20 was working alone with thirteen (13) children ranging in age from two (2) years to eleven (11) years when the surveyor arrived. A review of staff files failed to reveal an approved CAN result for the aforementioned staff member. In a phone interview conducted on 3/11/2021 the staff member with a hire date of 12/16/2020 stated she was alone with children, but "within ratio".

Signature of Provider/Representative

Title

Date