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**Inspection Report**

<b>Provider Name:</b> Karla's Kiddy Kare	<b>Provider Information</b>	<b>License No:</b> L381987
<b>Provider Address:</b> 400 Park Place, Lexington, KY, 40511	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 25
<b>Owner(s):</b> Karla's Kiddy Kare, LLC		<b>Director(s):</b> Blakey, Karla

<b>Inspection Type:</b> Investigation	<b>Inspection Information</b>	<b>Inspection No:</b> 53174
<b>Visit Start Date:</b> 11/15/2013 8:15 AM	<b>Visit End Date:</b> 11/20/2013 4:30 PM	
	<b>No. of Children Present:</b> 6	

Inspection Report	
Supervision	
<b>5 - Children Supervised</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:120. Section 2. Child Care Services.</b></p> <p><b>(3)(a) Each center shall maintain a child-care program that assures each child will be:</b></p> <p><b>1. Provided with adequate supervision at all times by a qualified staff person who:</b></p> <p><b>a. Ensures the child is within scope of vision and range of voice; or</b></p> <p><b>b. For a school-age child, within scope of vision or range of voice;</b></p>	
<b>Findings:</b>	
<p>General: Based on Observation, record review and interview, this regulatory requirement was not met. On 11/20/13 three (3) DRCC surveyors and two facility staff members watched video footage from the facility's surveillance system to observe an incident that took place inside the facility on 11/13/13. A summary of the video footage viewed from three (3) different camera angles inside the facility revealed that the director/owner was the only adult observed working with the children from 11:47AM - 12:45PM. During that time there was no other staff person or adult present in the facility. The video confirmed that the director/owner then exited the facility at 12:21PM and left in a Chevy Trail Blazer. Additional video showed a female adult enter the facility via the front door at 12:29PM, walk toward the back of the facility and pause beside the area where the children were sleeping. The director/owner returned to the facility at 12:30PM carrying a bag that resembled food. The female adult that entered the facility at 12:29PM was identified during interview as someone that does not work at the facility, but was gaining access to the building for Columbia Gas employees to enter for necessary repairs. No other adults were present in the facility during the timeframe the director had left the building; therefore, the children were left alone without adult supervision for approximately nine (9) minutes. A review of the facility's attendance records found that six (6) children (age range: two (2) - four (4) years old) were present in the facility during this timeframe.</p>	
Staffing Requirements	
<b>40 - Ratios and Group Size</b>	<b>In Compliance</b>



## Inspection Report

### 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.

## General Administration

85 - Cooperate with state agency

Not In Compliance

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

(11) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:

(f) Cooperate with the cabinet, the cabinet's designee, or another agency with regulatory authority during:

1. An investigation of an alleged complaint, including an allegation of child abuse or neglect pursuant to KRS 620.030(4); and
2. Unannounced inspections; and

#### Findings:

General: Based on Observation, record review and interview, this regulatory requirement was not met. As evidenced in the following statements, the director/owner provided false/inaccurate information during the investigation to the surveyor and the DCBS Worker. 1. On 11/15/13 the director/owner stated during interview that on 11/13/13 she left a staff person alone with the children for approximately ten (10) minutes while she left to get something to eat and indicated that the staff person was not aware that anyone knocked on the door or came inside the facility because she was in the bathroom with an earpiece in. The director/owner further stated, "She asked me if there was anything she could do to help me out while I was gone. I told her she could clean the bathroom if she wanted to. After the person from the other building left, I heard a moaning noise coming from the bathroom. I opened the door and found my staff person lying on the bathroom floor. She had busted a stitch from recent child birth. She had a baby two (2) weeks ago. I took her baby with me when I went to get something to eat". The director/owner also stated, "I told her I was going to call 911, but she wanted me to call her fiance' instead. I knew I shouldn't have left her alone with the kids. Amazon had already allowed her to return to work, so I thought it was okay". On 11/20/13 three (3) DRCC surveyors watched video footage from the facility's surveillance system to observe the activity that took place inside the facility on 11/13/13. A summary of the video footage viewed from three (3) different camera angles inside the facility revealed that the director/owner was observed working alone with the children from 11:47AM - 12:45PM. The director/owner exited the facility at 12:21PM and left in the Chevy Trail Blazer. A female adult entered the facility via the front door at 12:29PM, walked toward the back of the facility and paused beside the area where the children were sleeping. The director/owner returned to the facility at 12:30PM carrying a bag that resembled food. The female adult that entered the facility at 12:29PM was identified during interview as someone that does not work at the facility, but was gaining access to the building for Columbia Gas employees to enter for necessary repairs. No other adults were present in the facility during this timeframe and the director/owner did not have an infant with her when she exited or re-entered the facility as she stated during interview. 2. During the 11/15/13 interview, the director/owner was asked how many children were present on 11/13/13 when she left to get something to eat. The director/owner stated that there were two (2) children present in the facility when she left. However, a review of the facility attendance records found that there were six (6) children present when she exited the facility at 12:21PM. 3. During a visit at the facility on 11/19/13 the surveyor asked to review the transportation documentation from 11/18/13 and 11/19/13. The director/owner stated, "We are not transporting children right now. I told all the parents we couldn't because we're understaffed and they understood. The parents are temporarily transporting their own children to and from the facility". Staff interview during the investigation revealed that the director/owner transported children to and from Gattitown on 11/18/13. 4. On 11/20/13 the director/owner told the three (3) DRCC surveyors present at the facility that she had not been working with the children except for the one (1) night at Gattitown on 11/18/13. However, on 11/19/13 the director/owner reportedly cared for a child alone in her Chevy Trail Blazer in the facility parking lot while waiting on the child's uncle to pick him up and on 11/20/13 the surveyors watched video footage from the facility's surveillance system and observed the director/owner present in the facility with the children on 11/19/13 at 8:30AM.

220 - Person Under Investigation by DCBS

Not In Compliance

### 922 KAR 2:110. Section 2. General.

(8) If a director, employee, volunteer, or any person with supervisory or disciplinary control over, or having unsupervised contact with a child in care is named as the alleged perpetrator in a child abuse or neglect report accepted by the cabinet in accordance with 922 KAR 1:330, the individual shall be removed from direct contact with a child in care:

(a) For the duration of the family-in-need-of-services assessment or investigation; and

(b) Pending completion of the administrative appeal process for a cabinet substantiation of child abuse or neglect in accordance with 922 KAR 1:320 or 922 KAR 1:480.

#### Findings:

General: Based on Observation, and interview, the following was found: 1. The director/owner, who is currently under investigation by the cabinet for abuse/neglect, continued to have direct contact with the children at the facility on 11/18/13 and 11/19/13 after being notified on 11/15/13 that this could not happen. On 11/18/13 the director/owner reportedly transported children alone in her Chevy Trail Blazer from the facility to Gattitown and back to the facility and also cared for the children while at Gattitown that evening. On 11/19/13 the director/owner reportedly cared for a child alone in her Chevy Trail Blazer in the facility parking lot while waiting on the child's uncle to pick him up. On 11/20/13 the surveyor watched video footage from the facility's surveillance system and observed the director/owner present in the facility with the children on 11/19/13 at 8:30AM. 2. The director/owner was also notified by the DCBS Worker during the 11/15/13 interview that a staff person with a hire date of 3/8/13 had also been included in the investigation as an alleged perpetrator. On 11/18/13 at 8:50PM this staff person was reportedly working alone at the facility with the children when a parent arrived to pick up her child. The staff person had a conversation with the parent about her new baby and stated that her doctor had not yet released her to come back to work.

## Inspection Report

### Director Requirements

#### 240 - Director Qualifications

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:

- (a) Be twenty-one (21) years of age;
- (b) Have a high school diploma, a general equivalency diploma (GED), or qualifying documentation from a comparable educational entity;
- (c) Not be employed in a position other than an on-site child care director, or director of multiple facilities, during the hours the child-care center is in operation;

###### Findings:

General: Based on Observation and interview this regulatory requirement was not met. During an unannounced visit on 11/19/13 at 5:55 PM the surveyor observed an adult female present in the facility with the director/owner. The director/owner identified the person as a "mentally disabled thirty-four (34) year old woman that she cares for through an agency called The Arc" and the director/owner stated, "It's my second job. She comes with me to the facility sometimes in the evenings". The owner/director indicated that the three (3) children in care during the 11/19/13 visit were her own. However, in an application submitted by the owner to the Cabinet in 2011 she indicated that she did not have any children. In addition, the facility is typically open in the evening until 9:00PM and the director/owner was identified during staff interviews as the main staff person that works during the evening shift. Therefore, the director/owner is employed in a position, other than an on-site child care director, during the hours the center is in operation.

#### 265 - Health, Safety, Comfort

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:

- (l) Provide for the health, safety, and comfort of each child;

###### Findings:

During an evening visit at the facility on 11/19, the surveyor observed the dir/owner and another female adult present with 3 children. The dir/owner identified the female adult as a mentally disabled thirty-four year old woman that was in her care through an agency called "The Arc" and the 3 children identified as the owner's children. The dir/owner stated that she was not caring for any childcare children and indicated that she was in the building "working on the computer/paperwork". During the visit an adult female that the dir/owner identified as her friend approached the front door. The dir/owner stepped out front to talk to her and then asked the woman to take the 3 children with her. The surveyor observed the 3 children exit the facility and leave the premises with the woman during the visit. Further, on 11/19/13 at 6:35 PM, a phone interview was conducted with a parent who confirmed that her child was in the owner/director's care at the time of the interview and was unaware of the child leaving with anyone. Additionally in an application submitted to the Cabinet by the owner/director in 2011 it had been indicated that she does not have any children.

### Programming

#### 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 Interview, and record review, this regulatory requirement is not met. On 11/15/13 the director/owner stated during interview that she often works alone with the children during the evening; therefore, has to take all the children with her while she performs transportation duties. The director/owner stated that she worked alone the afternoon/evening of 11/14/13. The director/owner stated, "I left the facility around 3:00PM. I had to drop off one (1) child to his mom at a dentist office across town between 4:00PM - 4:30PM and a returned to the facility around 5:00PM". A review of the facility attendance records found that a four (4) year old child was in the care of the facility from 10:20AM - 5:20PM on this day and another child (two (2) or three (3) year old) was signed in at 1:15PM; however, he did not have a departure time. The director/owner stated that this child left at 9:00PM. Therefore, these two (2) children would be sitting in the facility vehicle for two (2) hours while the director/owner completed her stops. The children do not have any program activities during this period of time away from the facility; therefore, the regulatory requirement is not met.

#### 365 - Regularity of Routines

Not In Compliance

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

###### (6) Regularity of routines shall be implemented to afford the child familiarity with the daily schedule of activity.

###### Findings:

General: Based on Interview, and record review, this regulatory requirement is not met. On 11/15/13 the director/owner stated during interview that she often works alone with the children in the evening; therefore, has to take all the children with her while she performs transportation duties. The director/owner stated that she worked alone the afternoon/evening of 11/14/13. The director/owner stated, "I left the facility around 3:00PM. I had to drop off one (1) child to his mom at a dentist office across town between 4:00PM - 4:30PM and a returned to the facility around 5:00PM". A review of the facility attendance records found that a four (4) year old child was in the care of the facility from 10:20AM - 5:20PM on this day and another child (two (2) or three (3) year old) was signed in at 1:15PM; however, he did not have a departure time. The director/owner stated that this child left at 9:00PM. Therefore, these two (2) children would be sitting in the facility vehicle for two (2) hours while the director/owner completed her stops. This practice does not provide the children with regularity of routines.

## Inspection Report

### Transportation

#### 785 - Requirements for Transportation Services

Not In Compliance

##### 922 KAR 2:120. Section 12. Transportation.

###### (2) A center providing or arranging transportation service shall:

- (a) Be licensed and approved by the cabinet or its designee prior to transporting a child;
- (b) Have a written plan that details the type of transportation, staff schedule, transportation schedule, and transportation route; and
- (c) Have written policies and procedures, including emergency procedures practiced monthly by staff who transports children.

###### Findings:

General: Based on Review of Documentation, and interview, the following was found: 1. The transportation policy that the facility is currently distributing to parents along with enrollment packet documents does not contain accurate information. The facility's transportation policy states that the facility will use a fifteen (15) passenger van and a 2000 Expedition to transport children; however, the facility has never used these vehicles to transport the children. The facility uses a 2005 Chevy Trail Blazer and a 1999 Ford Winstar Minivan. The director/owner stated during interview that she "copied the transportation policy from a website and forgot to change the type of vehicles used". 2. A review of the vehicle emergency drill log found that the facility did not practice emergency procedures during the month of October 2013; however, children were transported daily during this timeframe.

#### 855 - Pre-trip Inspection

Not In Compliance

##### 922 KAR 2:120. Section 12. Transportation.

###### (8) A daily inspection of the vehicle shall be performed and documented for the following:

- (a) Tires;
- (b) Lights, signals, mirrors, gauges, and wiper blades;
- (c) Safety restraints;
- (d) Fuel; and
- (e) Free of debris.

###### Findings:

General: Based on Review of Documentation, and interview, the facility failed to meet this regulatory requirement. The staff person in charge stated during interview that the facility transports children on a daily basis; however, a review of the facility's transportation notebook found no evidence of daily inspections being conducted on the facility vehicles.

#### 900 - Children's Transportation Records

Not In Compliance

##### 922 KAR 2:120. Section 12. Transportation.

###### (17) Transportation services provided shall:

- (a) Be recorded in writing and include:
  - 1. The first and last name of the child transported; and
  - 2. The time each child gets on and the time each child gets off;
- (b) Be completed by a staff member other than the driver; and
- (c) Be kept for five (5) years.

###### Findings:

General: Based on Review of Documentation, and interview, the facility failed to meet this regulatory requirement. The staff person in charge stated during interview that the facility transports children on a daily basis and she identified three (3) children that she transported in her Chevy Trail Blazer on 11/14/13 between 3:00PM - 5:00PM. The staff person in charge stated that she did not document the names of the children that were transported or the times that each child got on and off the vehicle. A review of the Chevy Trail Blazer's transportation log found that 9/24/13 was the last day that children's names had been documented. The log had a time listed identifying what time each child got on the vehicle; however, off times were not listed. A review of the minivan's transportation log for October 2013 found documentation from 10/1/13 and 10/4/13. These two (2) dates had names of children and the times they got on the vehicle; however, the time they got off the vehicle were not listed. The staff person in charge stated that the minivan is not used every day.

### Food Service

#### 925 - 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 and interview, the facility failed to meet this regulatory requirement. During the 11/15/13 visit at the facility the surveyor observed pork patties and biscuits being served to the children for breakfast. The staff person stated that she used a microwave at the facility to heat the food. The staff person stated, "We used to have a catering company provide food for breakfast and lunch, but he flaked out on us this week and hasn't brought food to us since 11/11/13". The staff person further stated that the facility does not have a kitchen or a food service permit.

#### 985 - Milk Requirements

Not In Compliance

##### 922 KAR 2:120. Section 9. Food and Meal Requirements.

###### (3) A serving of milk shall consist of:

- (a) Breast milk or iron-fortified formula for a child age birth to twelve (12) months;
- (b) Pasteurized whole milk for children ages twelve (12) months to twenty-four (24) months; or
- (c) Pasteurized low fat one (1) percent or fat-free skim milk for children ages twenty-four (24) months to school-age.

###### Findings:

General: Based on Observation, the facility failed to meet this regulatory requirement. The surveyor observed 2% milk being served to the four (4) children present at the facility during breakfast on 11/15/13.

**Inspection Report**

**Children's Records**

**1080 - Documentation for Off Premise Trip**

**Not In Compliance**

**922 KAR 2:110. Section 3. Records.**

**(1) A child-care center shall maintain:**

**(b) A written record for each child:**

**3. To contain:**

**g. A permission form for each trip off the premises signed by the child's parent in accordance with 922 KAR 2:120, Section 12;**

**Findings:**

General: Based on Review of Documentation and interview, this regulatory requirement was not met. The permission form used by the facility for field trips and impromptu excursions was extremely broad in nature. The form stated, "While under this contract you, the parent, consent to any transport of your child as deemed necessary by the administrator of Karla's Kiddy Kare; you acknowledge and give all permission for these occurrences". Specific dates, times and destinations for each trip are not listed on the form or documented by the facility. Interviews revealed that the director/owner often calls parents to obtain verbal permission prior to transporting children on impromptu excursions such as a trip to Gattitown on 11/18/13, a trip to Sam's Club or a ride in the facility vehicle to pick up/drop off other children; however, written permission for each trip off the premises is not obtained.

**Written Documentation**

**1095 - Daily Attendance Records**

**Not In Compliance**

**922 KAR 2:110. Section 3. Records.**

**(1) A child-care center shall maintain:**

**(c) Daily attendance records documenting the arrival and departure time of each child, including records that are required in accordance with 922 KAR 2:160, Section 13, if a child receives services from the child-care center through the Child Care Assistance Program;**

**Findings:**

General: Based on Review of Documentation, the following was found: 1. A review of the 11/14/13 attendance records during the 11/15/13 visit found that two (2) children did not have a departure time documented. The staff person in charge stated that she dropped off one (1) of the children to his mom at a dentist office between 4:00PM - 4:30PM that day and the other child was picked up at the facility by the child's parent at 9:00PM. 2. A review of the 11/19/13 attendance records during the evening visit at the facility found that five (5) children did not have a departure time documented. The staff person in charge stated that all five (5) children had left for the day.

**1100 - Staff Schedule**

**Not In Compliance**

**922 KAR 2:110. Section 3. Records.**

**(1) A child-care center shall maintain:**

**(d) A written schedule of staff working hours;**

**Findings:**

General: Based on Review of Documentation, and interview, there was not a written schedule for the staff. The staff person in charge stated that she did not have a written schedule of staff working hours. A review of the facility time cards found that only two (2) staff were currently clocking in and out; however, five (5) different staff were identified as staff that worked with the children during the timeframe of the investigation (11/14/13 - 11/20/13).

Signature of  
Provider/Representative

Title

Date