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Inspection Report

Provider Name: Flutterby Discovery Center	Provider Information	CLR No: L383133
Provider Address: 10 Canary Lane, Winchester, KY, 40391	Provider Type: LICENSED TYPE I	Capacity: 99
Owner(s): Flutterby Discovery Center, LLC		Director(s): Andreas, Shannon Elizabeth

Inspection Type: Renewal Application	Inspection Information	Inspection No: 319959
Date Initiated: 03/11/2022 10:10 AM	Date Concluded: 03/11/2022 1:05 PM	
	No. of Children Present: 32	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
150 - Fire Marshal	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: (b) Be approved by the Office of the State Fire Marshal or designee;	
Findings: General: Based on observation, there was no documentation made available at the time of survey regarding a Fire Marshal report or that a inspection had been requested.	
Director Requirements	Not In Compliance
360 - 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 review of documentation, staff members hired on 8/29/13 and 1/2/18, did not have evidence of an annual evaluation on file at the facility.	
Employee Records	Not In Compliance
400 - 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, one staff hired on 11/22/21, did not have proof of education on file at the facility.	

405 - TB Verification

Not In Compliance

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

(1) Child-care center staff:

(b) Shall provide, prior to employment and every two (2) years thereafter:

- 1. A statement from a health professional that the individual is free of active tuberculosis; or**
- 2. A copy of negative tuberculin results.**

Findings:

General: Based on review of documentation, one staff hired on 1/2/18, did not have documentation of a negative TB skin test or statement from a health care professional on file at the facility. The previous result expired 4/5/21.

415 - CPR/First Aid Required Training

Not In Compliance

922 KAR 2:120. Section 7. First Aid and Medicine.

(8) Each center shall ensure that every staff member has received training on first aid and cardiopulmonary resuscitation (CPR).

Findings:

General: Based on review of documentation, staff members hired on 1/2/18 and 1/6/20, did not have the required CPR/First Aid training.

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, the following was found:

- 1.) Four staff with hire dates of 8/29/13, 8/1/13, 2/2/15, and 1/2/18, did not complete the required 15 hours of training for the year.
- 2.) One staff hired on 2/1/21, did not complete the required Pediatric Abusive Head Trauma training. The staff member has been employed for more than one year.

A review of ECE-TRIS was reviewed and confirmed these findings.

450 - Driver Requirements

Not In Compliance

922 KAR 2:120. Section 14. Transportation.

(18) A driver of a vehicle transporting a child for a center shall:

- (a) Be at least twenty-one (21) years old;**
- (b) Complete:**
 - 1. The background checks as described in 922 KAR 2:280; and**
 - 2. An annual check of the:**
 - a. Kentucky driver history records in accordance with KRS 186.018; or**
 - b. Driver history records through the state transportation agency that issued the driver's license;**
- (c) Hold a current driver's license which has not been suspended or revoked during the last five (5) years; and**
- (d) Not caused an accident that resulted in the death of a person.**

Findings:

General: Based on review of documentation, the staff person designated to drive the bus did not have a current DMV check. The one on file expired on 1/1/21; therefore, it was not completed annually as required.

Programming

Not In Compliance

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, there was an infant asleep in their crib wearing a bib. Nothing shall be in a crib with a child other than a pacifier.

Inspection Report	
Premises	Not In Compliance
605 - Building Requirements	Not In Compliance
<p>922 KAR 2:120. Section 4. Premises Requirements.</p> <p>(5) The building shall be constructed to ensure the:</p> <p>(a) Building is:</p> <ol style="list-style-type: none"> 1. Dry; 2. Ventilated; and 3. Well lit, including clean light fixtures that are: <ol style="list-style-type: none"> a. In good repair in all areas; and b. Shielded or have shatter-proof bulbs installed; and <p>(b) Following are protected:</p> <ol style="list-style-type: none"> 1. Windows; 2. Doors; 3. Stoves; 4. Heaters; 5. Furnaces; 6. Pipes; and 7. Stairs. 	
<p>Findings:</p> <p>General: Based on observation, the following was found:</p> <ol style="list-style-type: none"> 1.) None of the lights were not working in the Two's classroom. 2.) The light or fan did not work in the Two's toilet room. 3.) There was a broken light in the School Age Classroom. 4.) In the Toddler classroom, one of the lights was not working. 5.) In the Preschool classroom, they had a window open with no screen. 6.) The emergency lights located in the School-Age classroom were in disrepair. They were hanging down, which left wires exposed. 	
625 - Floors, Walls, Ceilings	Not In Compliance
<p>922 KAR 2:120. Section 4. Premises Requirements.</p> <p>(9) Floors, walls, and ceilings shall be smooth, in good repair, and constructed to be easily cleaned.</p>	
<p>Findings:</p> <p>General: Based on observation, the following was found:</p> <ol style="list-style-type: none"> 1.) There is excessive marker marks and missing paint on the walls in the School Age classroom. 2.) The wall behind the sink used for the Preschool classroom had chipping paint and grime on it. 3.) The ceiling in the Infant classroom had excessive tape residue. 4.) The baseboard was missing in the Two's classroom toilet room. 	
695 - Toilet	Not In Compliance
<p>922 KAR 2:120. Section 12. Toilet, Diapering, and Toiletry Requirements.</p> <p>(4) Each toilet shall:</p> <ol style="list-style-type: none"> (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. 	
<p>Findings:</p> <p>General: Based on observation, the toilet in the Two's classroom was broken, there was a large chunk missing from the tank.</p>	
Hygienic Practices	In Compliance
First Aid/Medication	In Compliance

Inspection Report**Outdoor Play Area****Not In Compliance****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 playground had not been maintained. The following was found:

- 1.) The playground had a black drain pipe that was exposed and is a tripping hazard to the children.
- 2.) There was an old trash can laying on the playground that had rusted.

800 - 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, there was not an adequate amount of protective surfacing under any of the play equipment. The mulch had washed away and not been replaced.

805 - Fence Construction**Not In Compliance****922 KAR 2:120. Section 4. Premises Requirements.****(24) Fences shall be:**

- (a) Constructed of safe material;**
- (b) Stable; and**
- (c) In good condition.**

Findings:

General: Based on observation, the fence at the back of the playground was in disrepair. The top bar was not connected causing a gap in the fence.

Equipment**Not In Compliance****840 - Individual Bed/Mat/Cot and Bedding****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:**

- (b) For a toddler or preschool-age child:**
 - 1. An individual bed, a two (2) inch thick waterproof mat, or cot in good repair; and**
 - 2. Bedding that is in good repair and is changed:**
 - a. Weekly; or**
 - b. Immediately if it is soiled or wet.**

Findings:

General: Based on observation, there was a napping mat used in the Two's classroom that had holes on the corners; therefore, it could not be properly cleaned and sanitized.

860 - Toys/Furniture**Not In Compliance****922 KAR 2:120. Section 13. Toys and Furnishings.****(1) All toys and furniture contacted by a child shall be:**

- (a) Kept clean and in good repair; and**
- (b) Free of peeling, flaking, or chalking paint.**

Findings:

General: Based on observation, the play sink in the Two's classroom was missing the sink and children were climbing in/on the toy.

865 - Indoor/Outdoor Equipment

Not In Compliance

922 KAR 2:120. Section 13. 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 following was found:

- 1.) The sink in the Toddler classroom is in disrepair. It is very loose and raises up when children try to use it.
- 2.) The sink in the hallway used for the school age children is missing the side plate on the counter, exposing the wood.
- 3.) The cabinet used for the kitchen prep was in disrepair and missing drawers.
- 4.) The bench in the hallway used for the Preschool classroom, was in disrepair exposing the pieces holding it together.
- 5.) The cover to the vent in the hallway was hanging down and not secure.
- 6.) The vent in the Preschool classroom had excessive dust.

Transportation

Not In Compliance

925 - Vehicle Equipment

Not In Compliance

922 KAR 2:120. Section 14. Transportation.

(4) A vehicle used to transport children shall be equipped with:

- (a) A fire extinguisher;**
- (b) First aid supplies as established in Section 7 of this administrative regulation;**
- (c) Emergency reflective triangles; and**
- (d) A device to cut the restraint system, if necessary.**

Findings:

General: Based on observation, the first aid kit in the van used for transportation was missing a flashlight.

Kitchen Requirements

Not In Compliance

1040 - Refrigerator

Not In Compliance

922 KAR 2:120. Section 8. Kitchen Requirements.

(4) A cold-storage facility used for storage of perishable food in a nonfrozen state shall:

- (a) Have an indicating thermometer or other appropriate temperature measuring device;**
- (b) Be in a safe environment for preservation; and**
- (c) Be forty (40) degrees Fahrenheit or below.**

Findings:

General: Based on observation, the refrigerators in the Kitchen, Toddler classroom, and Two's classroom did not have an indicating thermometer or other appropriate temperature measuring device. These refrigerators are used to store children's food and drinks.

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

1245 - Immunization

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

- (a) A current immunization certificate for each child in care within thirty (30) days of the child's enrollment, unless an attending physician or the child's parent objects to the immunization of the child pursuant to KRS 214.036;**

Findings:

General: Based on review of documentation, the following was found:

- 1.) Two children enrolled on 3/1/21, did not have immunization records on file at the facility.
- 2.) Two children enrolled on 6/18/21 and 10/13/19, did not have current immunization records on file at the facility.

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 following was found:

- 1.) One child enrolled on 10/8/21, did not have a preferred hospital on file at the facility.
- 2.) One child enrolled on 6/1/21, did not have physician contact on file at the facility.

Written Documentation

Not In Compliance

1260 - Evacuation Plan

Not In Compliance

922 KAR 2:090. Section 5. Evacuation Plan.

(1) A licensed child-care center shall have a written evacuation plan in the event of a fire, natural disaster, or other threatening situation that may pose a health or safety hazard for a child in care in accordance with KRS 199.895 and 42 U.S.C. 9858c(c)(2)(U).

Findings:

General: Based on review of documentation, there was no evidence that the facility's emergency preparedness plan had been updated and submitted to the proper authority since 2020.

1280 - Professional Development

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

(f) A written annual plan for child-care staff professional development;

Findings:

General: Based on review of documentation, three staff members with hire dates of 8/1/13, 6/15/20, and 1/2/18, did not have evidence of a professional development plan on file at the facility.

1285 - 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 review of documentation, there was no record of quarterly earthquake, tornado, or lockdown drills being conducted at the facility.

1300 - Orientation Procedure

Not In Compliance

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

(3)(b) The program shall include:

2. Written policy that states that the procedures that were taught at the orientation training shall be implemented by each child-care center staff member.

Findings:

General: Based on review of documentation, there was no evidence presented at the time of survey of an orientation policy for staff.

Inspection Report

1305 - Fire Drills

Not In Compliance

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

(12) A fire drill shall be:

- (a) Conducted during hours of operation at least monthly; and
- (b) Documented.

(13) An earthquake drill, shelter-in-place or lockdown drill, and tornado drill shall be:

- (a) Conducted during hours of operation at least quarterly; and
- (b) Documented.

Findings:

General: Based on review of documentation, there was no attendance records for the fire drills conducted in January and February of 2022.

Posted Documentation

In Compliance

Animals

In Compliance

Signature of Provider/Representative

Title

Date