



**CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL**

Andy Beshear
Governor

Melissa A. Moore, Director
Division of Regulated Child Care
Eastern Branch
1055 Wellington Way
Lexington, KY 40513
Phone: (859) 246-2301 Fax: (859) 246-2307
<https://chfs.ky.gov/agencies/os/oig>

Eric C. Friedlander
Secretary

Adam Mather
Inspector General

Inspection Report

Provider Name: Rainbow Child Care Center	Provider Information	CLR No: L383214
Provider Address: 1515 Sleepy Hollow Road, Ft. Wright, KY, 41011	Provider Type: LICENSED TYPE I	Capacity: 141
Owner(s): REE Midwest, Inc.		Director(s): Bishop, Sara Lynn

Inspection Type: Renewal Application	Inspection Information	Inspection No: 244564
Date Initiated: 05/31/2018 9:40 AM	Date Concluded: 05/31/2018 12:05 PM	
	No. of Children Present: 72	

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, it was found that the file for an employee hired on 4-9-18 did not contain evidence of the required background check being completed. It was later found that the employee had the background check completed under a sister facility, however, she was not listed in KARES as being an eligible employee under the facility being inspected as required.	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
Director Requirements	Not In Compliance
350 - Health, Safety, Comfort	Not In Compliance
922 KAR 2:090. Section 10. Director Requirements and Responsibilities. (1) A director shall: (l) Assure the health, safety, and comfort of each child;	
Findings:	
General: Based on Observation, it was found that a five-month-old child was sleeping in a bouncy seat in the Infant 1 classroom. The facility did not have written documentation stating that the child was required to sleep in this piece of equipment. In addition, it was found that a plunger in the Preschool bathroom was accessible to the children.	

Inspection Report

Employee Records

Not In Compliance

395 - 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, it was found that the file for an employee hired on 10-19-16 contained the results of a TB skin test that was read on 9-30-15. This date is not within the two (2) year timeframe required by the regulation.

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 within the first three (3) months of employment;**
 - (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment, 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 during each subsequent year of employment, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.**

Findings:

General: Based on Review of Documentation, it was found that 1) the file for an employee hired on 1-6-14 contained evidence of only nine (9) hours of training being completed during the last completed training year; 2) the file for a second employee hired on 1-6-14 contained evidence of only fourteen (14) hours of training being completed during the last completed training year; 3) the file for an employee hired on 11-4-16 contained evidence of only six (6) hours of additional training being completed during the first year of employment; 4) the file for an employee hired on 10-19-16 contained evidence of zero (0) hours of additional training being completed during the first year of employment; 5) the files for employees hired on 5-26-16, 8-22-16 and 6-5-17 contained evidence of Pediatric Abusive Head Trauma training being completed on 2-27-13, 2-28-13 and 2-10-13. These dates are not within the five (5) year timeframe required by the regulation.

Programming

In Compliance

Premises

Not In Compliance

540 - 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, it was found that 1) the plastic outlet cover in the indoor gross motor room was broken on one (1) corner, creating a sharp edge; 2) rust stains from metal cabinets were found on the floors of the Toddler 1 classroom and the Pre-K Academy classroom; 3) the vent by the sink in the Montessori classroom was found to be rusting through the blue paint; 4) there was a very strong urine smell in the bathrooms located in the Preschool and Pre-K Academy classrooms.

580 - Floors, Walls, Ceilings

Not In Compliance

922 KAR 2:120. Section 4. Premises Requirements.

- (9) Floors, walls, and ceilings shall be smooth, in good repair, and constructed to be easily cleaned.**

Findings:

General: Based on Observation, it was found that 1) the tiles on the floor by the sink and water fountain in the Pre-K Academy classroom were not laid properly. In two (2) places, there were one (1) foot by half inch gaps between tiles, exposing the subfloor; 2) a tile by the sink in the Pre-K Academy classroom was broken on the corner; 3) the vinyl flooring in the bathroom located in the Preschool classroom was found to be ripped and severely buckled behind the toilet. The buckling along a three (3) inch area raised the flooring approximately one (1) inch off the subfloor; 4) the wall by the art station in the Young Preschool classroom was found to be deeply gouged and pitted across a four (4) feet long section; 5) the wall above the baseboard near the sink located in the Montessori classroom was deteriorating and crumbling; 6) the carpet of the Montessori classroom was found to be running in a large T shape in the corner by the TV and the board games. The T shape was approximately three (3) feet by four (4) feet.

650 - Toilet

Not In Compliance

922 KAR 2:120. Section 10. 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, it was found that the caulking around the bases of the toilets in the Preschool and Pre-K Academy classrooms was discolored to a dark yellow-orange color. The teachers stated that the discoloration most likely was the result of children urinating on the floor.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Inspection Report

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, it was found that the two (2) electrical outlets near the air conditioning unit were missing the plastic cover.

Equipment

Not In Compliance

790 - Crib/Mattress/Sheet

Not In Compliance

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

- (3) Rest time shall include adequate space specified by the child's age as follows:
 - (a) For an infant:
 - 1. An individual non-tiered crib that meets Consumer Product Safety Commission standards established in 16 C.F.R. 1219-1220;
 - 2. A firm crib mattress in good repair with a clean tight-fitted sheet that shall be changed:
 - a. Weekly; or
 - b. Immediately if it is soiled or wet;

Findings:

General: Based on Observation, it was found that the sheets on two (2) of the crib mattresses in the Infant 1 classroom were very loose and wrinkled.

815 - Toys/Furniture

Not In Compliance

922 KAR 2:120. Section 11. 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, it was found that 1) two (2) bucket seats in the Infant 2 classroom did not have the manufacturer required safety straps installed; 2) in the Toddler 1 classroom, the bottom of a metal cabinet was found to be rusting; 3) the paint on the side of the sink vanity in the Young Preschool classroom was found to be peeling; 4) the plastic coating on a white magnetic strip in the Varsity Club classroom was found to be peeling off. This strip is approximately three (3) feet from the floor. The children being cared for in the classroom during the survey were three to five-years-old.

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, it was found that the chains to the swings were rusting. The rust was found to easily rub off on skin when touched.

Transportation

Not In Compliance

960 - 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, it was found that the sign on and off logs for the field trips that occurred on 6-8-17, 6-28-17, 8-1-17 and 8-8-17 included only check marks, not the actual times each child got on and off the vehicle. In addition, the sign on and off logs for field trips that occurred on 6-16-17, 7-14-17 and 7-26-17 were unable to be located or reviewed.

Food Service/Food Program

Not Applicable

Food Service

In Compliance

Inspection Report

Children's Records

Not In Compliance

1140 - 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, it was found that one (1) child's file out of ten (10) children's files reviewed did not contain information regarding the parent's preferred hospital. It was also found that one (1) child's file out of ten (10) children's files reviewed did not contain a physician's telephone number.

1145 - Documentation for Off Premises Trip

Not In Compliance

922 KAR 2:090. Section 9. 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, it was found that twenty-nine (29) children were taken on a field trip to the waterpark on 6-8-17. Permission forms for sixteen (16) of the children were unable to be located.

Written Documentation

In Compliance

Posted Documentation

Not In Compliance

1215 - Daily Activities

Not In Compliance

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

(1) A director shall:

(h) Post a schedule of daily activities, to include dates and times of activities to be conducted with the children in each classroom;

Findings:

General: Based on Observation, it was found that a schedule of dated activities was not posted in the Toddler 1 classroom. The teacher stated that she had not yet printed out the document.

Animals

In Compliance

Signature of
Provider/Representative

Title

Date