



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

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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): Rainbow Child Care Center		Director(s): Kerns, Jennifer Megan

Inspection Type: Investigation	Inspection Information	Inspection No: 291506
Date Initiated: 09/30/2019 12:00 PM	Date Concluded: 09/30/2019 3:00 PM	
	No. of Children Present: 81	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	In Compliance
Director Requirements	Not In Compliance
335 - Staff Management/Policy Development/Supervision	Not In Compliance

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.
(1) A director shall:
(e) Manage the staff in their individual job descriptions;
(f) Assure the development, implementation, and monitoring of child-care center plans, policies, and procedures;
(g) Supervise staff conduct to ensure implementation of program policies and procedures;

Findings:

General: Based on observation and interview, this regulatory requirement was not met. On 9/20/19, it was reported by the staff member with a hire date of 8/27/19, that she had been informed on 9/20/19, that a staff person working in the Toddler I room was observed cussing in front of the children. This same staff person was also observed smacking a one-year-old child on the hand with the child's shoe because the child repeatedly took off her shoes. After smacking the child with her shoe, a red mark was observed by another staff person. It was also stated that after hitting the child on the hand with the child's shoe, the staff person then commented she hit the child too hard. This same staff person was also observed picking up a crying one-year-old male child from the table and then tossing him onto his stomach into the cozy area. The staff person was also observed spanking another one-year-old male child on the hand and bottom because he would not sit down for circle time. This staff person then sat the child down on his bottom in a rough manner. The child then cried and started grabbing at his hips. This staff person was also observed dragging a one-year-old child to the changing table after the child would not come to her in a quick manner. The incidents reported happened between 9/16/19 and 9/19/19. An interview with the staff person hired 8/27/19, found she was not at the facility from 9/16/19 to 9/19/19.

It was also found through interview that a staff person was in charge during that time period and did not receive any reports regarding the inappropriate discipline and mishandling of four one-year-old children between 9/16/19 and 9/19/19. A review of the facility's policy for reporting abuse and neglect indicates that staff should make themselves familiar with the laws and regulations. The policy also references specific handouts provided to each staff person with information regarding the reporting of suspected abuse and neglect.

350 - Health, Safety, Comfort

Not In Compliance

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

(1) A director shall:

(I) Assure the health, safety, and comfort of each child;

Findings:

General: Based on observation and interview, this regulatory requirement was not met. On 9/20/19, it was reported by the staff with a hire date of 8/27/19, that she had been informed on 9/20/19 that a staff person working in the Toddler I room was observed cussing in front of the children. This same staff person was also observed smacking a one-year-old child on the hand with the child's shoe because the child repeatedly took off her shoes. After smacking the child with her shoe a red mark was observed by another staff person. It was also stated that after hitting the child on the hand with the child's shoe the staff person then commented she hit the child too hard. This same staff person was also observed picking up a crying one-year-old male child from the table and then tossing him onto his stomach into the cozy area. The staff person was also observed spanking another one-year-old male child on the hand and bottom because he would not sit down for circle time. This staff person then sat the child down on his bottom in a rough manner. The child then cried and started grabbing at his hips. This staff person was also observed dragging a one-year-old child to the changing table after the child would not come to her in a quick manner. The incidents reported happened between 9/16/19 and 9/19/19.

It should be noted that after the staff person with a hire date of 8/27/19, was notified of the inappropriate actions of the staff person, the staff person was sent home for the remainder of the day. It was also found that on 9/23/19, this staff person was notified she was no longer employed.

Programming

Not In Compliance

420 - 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) Unless the child-care center is a before- or after-school program that operates part day or less, that offers a variety of creative activities

including:

- 1. Art or music;**
- 2. Math or numbers;**
- 3. Dramatic play;**
- 4. Stories and books;**
- 5. Science or nature;**
- 6. Block building or stacking;**
- 7. Tactile or sensory activity;**
- 8. Multi-cultural exposure;**
- 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 review of documentation, this regulatory requirement was not met. On 9/20/19, it was reported by the staff with a hire date of 8/27/19, that she had been informed on 9/20/19, that a staff person working in the Toddler I room was observed cussing in front of the children. This same staff person was also observed smacking a one-year-old child on the hand with the child's shoe because the child repeatedly took off her shoes. After smacking the child with her shoe, a red mark was observed by another staff person. It was also stated that after hitting the child on the hand with the child's shoe, the staff person then commented she hit the child too hard. This same staff person was also observed picking up a crying one-year-old male child from the table and then tossing him onto his stomach into the cozy area. The staff person was also observed spanking another one-year-old male child on the hand and bottom because he would not sit down for circle time. This staff person then sat the child down on his bottom in a rough manner. The child then cried and started grabbing at his hips. This staff person was also observed dragging a one-year-old child to the changing table after the child would not come to her in a quick manner. The incidents reported happened between 9/16/19 and 9/19/19. Written statements also confirmed the inappropriate discipline used by the staff person and gave an account of each incident. The staff persons actions and responses to the behaviors of each of these children is not appropriate and does not meet the needs of the child.

455 - Discipline

Not In Compliance

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

(10) A child shall not be subjected to:

(a) Corporal physical discipline pursuant to KRS 199.896(18);

(b) Loud, profane, threatening, frightening, humiliating, or abusive language; or

(c) Discipline that is associated with:

- 1. Rest;**
- 2. Toileting; or**
- 3. Food.**

Findings:

General: Based on observation, interview and review of documentation this regulatory requirement was not met. On 9/20/19, it was reported by the staff with a hire date of 8/27/19, that she had been informed on 9/20/19, that a staff person working in the Toddler I room was observed cussing in front of the children. This same staff person was also observed smacking a one-year-old child on the hand with the child's shoe because the child repeatedly took off her shoes. After smacking the child with her shoe, a red mark was observed by another staff person. It was also stated that after hitting the child on the hand with the child's shoe, the staff person then commented she hit the child too hard. This same staff person was also observed picking up a crying one-year-old male child from the table and then tossing him onto his stomach into the cozy area. The staff person was also observed spanking another one-year-old male child on the hand and bottom because he would not sit down for circle time. This staff person then sat the child down on his bottom in a rough manner. The child then cried and started grabbing at his hips. This staff person was also observed dragging a one-year-old child to the changing table after the child would not come to her in a quick manner. The incidents reported happened between 9/16/19 and 9/19/19. Written statements also confirmed the inappropriate discipline used by the staff person and gave an account of each incident.

Signature of
Provider/Representative

Title

Date