



Andy Beshear
GOVERNOR

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

Melissa A. Moore, Director
Division of Regulated Child Care
Eastern Branch
455 Park Place, Suite 120A
Lexington, KY 40511
Phone: (859) 246-2301 Fax: (859) 246-2307
<https://chfs.ky.gov/agencies/os/oig>

Eric Friedlander
SECRETARY

Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Southland Kids Kare	Provider Information	CLR No: L356134
Provider Address: 2094 Harrodsburg Road, Lexington, KY, 40503	Provider Type: LICENSED TYPE I	Capacity: 94
Owner(s): Southland Kids Kare, Inc.		Director(s): Ramey, Manila

Inspection Type: Renewal Application	Inspection Information	Inspection No: 319971
Date Initiated: 04/11/2022 9:06 AM	Date Concluded: 04/11/2022 11:45 AM	
	No. of Children Present: 21	

Inspection Report		
Background Checks		In Compliance
Supervision		In Compliance

Inspection Report**Staffing Requirements****Not In Compliance****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, this regulatory requirement was not met. Upon arrival (9:06AM), the surveyor observed six children and one staff person in the infant/toddler classroom. The youngest child in the group was an infant, the minimum staff to child ratio would need to be one staff person for five children. The staff person in charge stated during interview that she forgot that the second staff person assigned to the group was scheduled off work for an appointment. The staff person working alone in the infant classroom stated that the group had been over ratio approximately 30 minutes because her sixth child arrived at approximately 8:35AM.

General Administration**Not In Compliance****225 - 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 review of documentation, observation and interview, this regulatory requirement was not met. The following was found:

1. One uncovered electrical outlet was observed beside of a swing in the infant/toddler classroom.
2. Uncovered electrical outlets were observed in two of the children's play areas (dramatic play and blocks) in the two-year-old classroom. Also, the face plate on the outlet in the block area was broken and contained sharp edges.
3. Uncovered electrical outlets were observed in two of the children's play areas (classroom table and under television) in the preschool classroom. Also, there was no face plate on the outlet below the television and the electrical cord from the television was hanging loose and lying on the floor.
4. Uncovered electrical outlets were observed in three of the children's play areas in the school-age classroom on the main floor of building #1. One of the outlets had a broken face place, the second outlet did not have a face place, and the third outlet, that was positioned on the floor, had a loose face plate that was not secure.
5. Uncovered electrical outlets were observed next to an exterior door in the school age classroom located in the basement of building #1.

Director Requirements**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, observation and interview, this regulatory requirement was not met. One staff person (hire date: 9/3/19) had an "Application for Employment" in her file stating that she did not graduate high school and no other educational documentation was available; however, she was observed working alone with children in the preschool classroom during the visit. A review of Division of Regulated Child Care files found that this regulatory violation was previously issued for this same staff person as a result of renewal inspections conducted on 2/22/21 and 2/12/20. The director had indicated on the Plan of Correction connected to the 2/22/21 renewal that the employee is currently working on getting her GED and stated, "The employee will remain on staff at the center, but will not have any supervisory control over any children. She will be helping with cleaning and preparing/setting up for snacks and meals until she successfully completes her GED".

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, three staff files (hire dates: 9/3/19, 8/28/17, and 5/25/21) contained results of negative T.B. tests that are no longer current. The tests were dated 8/19/19, 7/27/18, and 2017, which exceeds the two year time frame.

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 and the Training Records Information System (TRIS), the following was found:

1. One staff person (hire date: 5/25/21) did not complete the required Orientation training. This staff person has been employed for more than three months.
2. Four staff (hire dates: 10/30/97, 10/23/14, 8/28/17, and 3/3/18) did not complete the required 15 hours of cabinet-approved training hours between 7/1/2020 and 6/30/21.

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, this regulatory requirement was not met. A review of the transportation documentation on file found that the three staff identified as van drivers did not have a driver history record through the state transportation agency.

Inspection Report**Programming****Not In Compliance****465 - Electronic Viewing/Listening Devices****Not In Compliance****922 KAR 2:120. Section 2. Child Care Services.****(4) The child-care center shall provide a daily planned program:**

(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 the following:

12. The use of screen time, electronic viewing and listening devices if the:

- a. Material is developmentally appropriate to the child using the equipment;**
- b. Material is not a replacement for active play or a substitute for engagement and interaction with other children and adults;**
- c. Material does not include any violence, adult content viewing, or inappropriate language;**
- d. Child is over twenty-four (24) months of age;**
- e. Viewing or listening is discussed with parents beforehand; and**
- f. Viewing or listening is designed as an educational tool used to help children explore, create, problem solve, interact, and learn with and from one another.**

(5) Screen time shall be:**(a) Utilized for:**

- 1. A maximum of thirty (30) minutes per day in a half-day program;**
- 3. The time needed for school-age children to complete assigned non-traditional instruction; and**
- (b) Prohibited for a child under twenty-four (24) months of age.**

(6) A child who does not wish to use an electronic device during the planned program shall be offered other appropriate activities.

Findings:

General: Based on observation, this regulatory requirement was not met. The surveyor toured the infant/toddler classroom during the visit and observed a television with children's cartoons playing in an area where a one-year-old child was observed sleeping. None of the children present in the room were 24-months-old. It is also important to note that neither the staff nor children were watching the television.

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, this regulatory requirement was not met. The following was found:

- 1. At 9:06AM, the surveyor and the staff person in charge toured the infant/toddler classroom. One infant, identified as being five-months-old, was observed asleep in a bouncy seat that had been positioned inside of a crib. The child had a blanket on top of him that was positioned close to his face. The surveyor observed a second infant, identified as being six-months-old, lying on a Boppy pillow that had been positioned inside of a crib.
- 2. At 11:12AM, the surveyor toured the infant/toddler classroom and observed an infant asleep on a Boppy pillow that had been positioned inside of a crib. The child had a bottle in his mouth that was being propped up by the Boppy pillow.

Premises**Not In Compliance****585 - 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:

Based on observation, this regulatory requirement was not met. The following was found:

- 1. A metal exit sign was observed hanging loose next to the exterior door. Two sharp screws were observed sticking out of a connecting box on the sign.
- 2. A fire alarm control panel box was observed hanging loose. The metal box was positioned on top of a stack of three plastic shelves and a wooden storage shelf.
- 3. One electrical outlet box was observed sticking out from the wall and did not contain a face plate.
- 4. Two light switches did not contain face plates.
- 5. An electrical outlet box was observed hanging loose from a wire running through the ceiling. An extension cord lying on the floor was observed plugged into the outlet at the time.

605 - Building Requirements

Not In Compliance

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

(5) The building shall be constructed to ensure the:

(a) Building is:

1. Dry;
2. Ventilated; and
3. Well lit, including clean light fixtures that are:
 - a. In good repair in all areas; and
 - b. Shielded or have shatter-proof bulbs installed; and

(b) Following are protected:

1. Windows;
2. Doors;
3. Stoves;
4. Heaters;
5. Furnaces;
6. Pipes; and
7. Stairs.

Findings:

General: Based on observation and interview, this regulatory requirement was not met. The surveyor toured the school age classrooms in the basement of building #1 and observed several pipes in the corner of the room that ran from the ceiling to the floor were exposed. The staff person in charge stated that a door had recently been removed from the storage area where the pipes are located because the facility is in process of replacing it.

625 - 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, this regulatory requirement was not met. The surveyor observed four holes in the wall in the two-year-old classroom that were approximately one half inch in diameter. A staff person working in the classroom stated that a television had recently been removed from the wall.

690 - Sink

Not In Compliance

922 KAR 2:120. Section 12. Toilet, Diapering, and Toiletry Requirements.

(3) A sink shall be:

- (a) Located in or immediately adjacent to toilet rooms;
- (b) Equipped with hot and cold running water that allows for hand washing;
- (c) Equipped with hot water at a minimum temperature of ninety (90) degrees Fahrenheit and a maximum of 120 degrees Fahrenheit;
- (d) Equipped with liquid soap;
- (e) Equipped with hand-drying blower or single use disposable hand drying material;
- (f) Equipped with an easily cleanable waste receptacle; and
- (g) Immediately adjacent to a changing area used for infants and toddlers.

Findings:

General: Based on observation, this regulatory requirement was not met. During a tour of the facility, the surveyor found that there were no paper towels at the sink in the two-year-old classroom, the preschool classroom or the school-age classroom in the basement.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Outdoor Play Area

In Compliance

Equipment

Not In Compliance

855 - Individual Bedding Storage

Not In Compliance

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

(9) Individual bedding shall be stored in a sanitary manner.

Findings:

General: Based on observation, this regulatory requirement was not met. During a tour of the facility prior to nap time, it was observed that children's sheet-covered mats were stacked on top of each other, and that several of the children's individual bedding was positioned in between the mats. These stacks of nap mats were observed positioned on the floor in the children's cubby room in building #2. Children's bedding stored in this manner is not sanitary and promotes the spread of germs and bacteria.

Inspection Report	
Transportation	Not In Compliance
890 - Requirements for Transportation Services	Not In Compliance
922 KAR 2:120. Section 14. 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, this regulatory requirement was not met. The facility had written emergency procedures, but no evidence that these procedures are practiced monthly by staff.	
895 - Transportation Notification/Type and Vehicle	Not In Compliance
922 KAR 2:120. Section 14. Transportation. (3) Prior to transporting a child, a center providing transportation services of a child shall notify the cabinet or its designee in writing of the: (a) Type of transportation offered; (b) Type of vehicle used for transportation;	
Findings: General: Based on review of documentation and interview, the facility failed to notify the cabinet in writing of the type of vehicle used for transportation. Two vehicles (2013 Ford 15 passenger van and 2008 Toyota Sienna mini van) were identified as the vehicles used to transport children during the inspection. However, on 2/22/21, the owner sent an email to the surveyor stating that the facility no longer uses the 2008 Toyota Sienna mini van for transportation. As a result, this vehicle was removed from the list of approved vehicles in the DRCC database. The owner stated during the visit that he started using this vehicle again to transport children during the month of January 2022.	
935 - Vehicle Inspection Documentation	Not In Compliance
922 KAR 2:120. Section 14. Transportation. (6) A vehicle used to transport children shall comply with the requirements established in paragraphs (a) through (d) of this subsection. (a) For a twelve (12) or more passenger vehicle, the child-care center shall maintain a current certification of inspection from the Transportation Cabinet.	
Findings: General: Based on review of documentation and interview, this regulatory requirement was not met. At the time of the survey it was found that Transportation Cabinet vehicle documentation could not be provided for the facility's 2013 Ford E350 van. The staff person in charge stated that this vehicle is used to transport children daily during the school year and during field trips in the summer.	
1005 - Children's Transportation Records	Not In Compliance
922 KAR 2:120. Section 14. 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, this regulatory requirement was not met. The facility did not record the first and last name of the three children transported to a local elementary school the morning of 4/11/22, and also did not list the time that each child got on and off the vehicle.	
Kitchen Requirements Food Service	
	In Compliance
	Not In Compliance
1070 - Bottle Feeding	Not In Compliance
922 KAR 2:120. Section 3. General Requirements. (11) While bottle feeding a child, the: (a) Child shall be held; and (b) Bottle or beverage container shall not be: 1. Propped; 2. Left in the mouth of a sleeping child; or 3. Heated in a microwave.	
Findings: General: Based on observation, this regulatory requirement was not met. At 11:12AM, the surveyor toured the infant/toddler classroom and observed an infant asleep on a Boppy pillow that had been positioned inside of a crib. The child had a bottle in his mouth that was being propped up by the Boppy pillow. This is not a proper method for feeding a child.	
Meal Planning/Center Provides Meals Meal Planning/Center Does Not Provide Meals	
	In Compliance
	In Compliance

Inspection Report**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, this regulatory requirement was not met. The following was found:

1. Two children (enrollment dates: 9/3/21 and 10/12/21) did not have an immunization certificate on file.
2. Three children (enrollment dates: 10/19/20, 2/6/18 and 10/8/18) had immunization certificates that were no longer current as of 1/15/21, 1/13/22, and 11/18/21.

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, this regulatory requirement was not met. One child's file/enrollment documentation did not contain information for the family's preferred hospital.

Written Documentation**Not In Compliance****1265 - Policies and Procedures****Not In Compliance****922 KAR 2:090. Section 8. General.****(4) Program policies and procedures shall:****(a) Be in writing; and****(b) Include:**

- 1. Staff policies;**
- 2. Job descriptions;**
- 3. An organization chart;**
- 4. Chain of command; and**
- 5. Other procedures necessary to ensure implementation of:**
 - a. KRS 199.898, Rights for children in child-care programs and their parents, custodians, or guardians - posting and distribution requirements;**
 - b. 922 KAR 2:120, Child-care center health and safety standards;**
 - c. 922 KAR 2:280, Background checks for child care staff members, reporting requirements, and appeals; and**
 - d. This administrative regulation.**

Findings:

General: Based on review of documentation, this regulatory requirement was not met. During a tour of the facility, the surveyor found that the Children and Parent's rights document was not posted.

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, two staff (hire dates: 10/30/97 and 10/23/14) did not have evidence of a current 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, this regulatory requirement was not met. The surveyor reviewed the 2022 emergency drill log and found the following:

1. There was no record of quarterly earthquake and tornado drills conducted at the facility.
2. The facility's last documented fire drill was January 2022; therefore, these drills were not conducted monthly.

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, this regulatory requirement was not met. At the time of the survey it was found that there was no record of lockdown drills conducted at the facility.

Posted Documentation

Not In Compliance

1310 - 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 observation, the infant classroom had a schedule of daily activities (lesson plan) posted that was dated February 2022; therefore, it was no longer current.

1325 - 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 review of documentation, it was found that the two-year-old classroom did not have a schedule of daily activities posted.

Animals

In Compliance

Signature of Provider/Representative

Title

Date