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Inspection Report

Provider Name: Kids N Kapers Daycare Center	Provider Information	CLR No: L352362
Provider Address: 1896 Courtland Drive, Lexington, KY, 40505	Provider Type: LICENSED TYPE I	Capacity: 40
Owner(s): Kids-n-kapers Daycare Center, Llc		Director(s): Marcum, Ester Elizabeth

Inspection Type: Renewal Application	Inspection Information	Inspection No: 289329
Date Initiated: 05/28/2019 9:15 AM	Date Concluded: 05/28/2019 11:35 AM	
	No. of Children Present: 15	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
Director Requirements	Not In Compliance
320 - Operation instruction/Regulation copy	Not In Compliance
<p>922 KAR 2:090. Section 8. General. (2) Child-care center staff shall be: (a) Instructed by the child-care center’s director regarding requirements for operation; and (b) Provided with a copy of this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280.</p> <p>Findings: General: Based on review of documentation, this regulatory requirement was not met. A review of documentation presented for review found that the copy of the regulations provided was dated 3/22/11. This is not a copy of the most current regulations.</p>	
Employee Records	Not In Compliance
395 - TB Verification	Not In Compliance
<p>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.</p> <p>Findings: General: Based on review of documentation, this regulatory requirement was not met. A review of staff files found that a staff person with a hire date of 6/25/15 had the results of a T.B. test read on 5/9/17. This exceeds the two year time-frame for a T.B. test.</p>	

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 and ECE-TRIS records, this requirement was not met. A review of staff files found the following:

- 1) A staff person hired 6/25/15 had evidence of having completed only two (2) hours of annual training.
- 2) A staff person hired 9/28/78 did not have evidence of having completed fifteen (15) hours of annual training.
- 3) A staff person hired 9/1/74 had evidence of having only completed six and one-half (6 1/2) hours of annual training.
- 4) A staff person hired 9/28/78 did not have evidence of having completed fifteen (15) hours of annual training.
- 5) A staff person hired 3/12/88 did not have evidence of having completed fifteen (15) hours of annual training.

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 observation, this regulatory requirement was not met. The planned program of activities posted in the 2's room at the time of the survey was dated for May 20-24, 2019.

430 - 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. Use of electronic viewing and listening devices if the:**
 - a. Material is appropriate to the child using the equipment;**
 - b. Material does not include any violence, adult content viewing, or inappropriate language;**
 - c. Viewing or individual listening is limited to two (2) hours per day;**
 - d. Viewing or listening is discussed with parents prior to viewing or listening; and**
 - e. Viewing or listening is designed as an educational tool.**

- (5) A child who does not wish to use the electronic devices during the planned program shall be offered other appropriate activities.**

Findings:

General: Based on observation, this regulatory requirement was not met. In the Pre-K room a television and several DVD's were observed. One of the DVD's observed was the movie Shrek which is rated PG. An interview with the teacher found that television is viewed no more than thirty (30) minutes a day.

Premises

In Compliance

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Inspection Report

Outdoor Play Area

Not In Compliance

755 - 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, this regulatory requirement was not met. The mulch under the climbing structures located on both playgrounds was very sparse. Large areas of dirt were visible in areas where the children would climb, slide or swing.

Equipment

In Compliance

Transportation

In Compliance

Food Service/Food Program

In Compliance

Food Service

In Compliance

Children's Records

In Compliance

Written Documentation

Not In Compliance

1175 - 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 observation and review of documentation, this regulatory requirement was not met. A review of documentation for review for quarterly practiced earthquake drills and quarterly practiced tornado drills for 2019 did not have information to distinguish what type of drill was conducted. In addition the names of the children who participated were not documented. The staff person in charge was asked if there was documentation for 2018. The staff person indicated that the documents have been filed away in the attic.

1195 - 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 and a 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. A review of documentation for monthly practiced fire drills for 2019 did not have information to distinguish what type of drill was conducted. In addition the names of the children who participated were not documented. The staff person in charge was asked if there was documentation for 2018. The staff person indicated that the documents have been filed away in the attic.

Posted Documentation

In Compliance

Animals

Not Applicable

Signature of Provider/Representative

Title

Date