



**Andy Beshear**  
GOVERNOR

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

**Eric Friedlander**  
SECRETARY

**Melissa A. Moore, Director**  
Division of Regulated Child Care  
Eastern Branch  
455 Park Place, Suite 120A  
Lexington, KY 40511

**Adam Mather**  
INSPECTOR GENERAL

Phone: (859) 246-2301 Fax: (859) 246-2307  
<https://chfs.ky.gov/agencies/os/oig>

**Inspection Report**

<b>Provider Name:</b> Educare Learning Center	<b>Provider Information</b>	<b>CLR No:</b> L352380
<b>Provider Address:</b> 2832 Snow Road, Lexington, KY, 40517	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 80
<b>Owner(s):</b> Educare Learning Center Of Lexington, Inc.		<b>Director(s):</b> McGee, Linda Lou

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 220471
<b>Date Initiated:</b> 07/31/2017 9:26 AM	<b>Date Concluded:</b> 07/31/2017 11:10 AM	
	<b>No. of Children Present:</b> 37	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	Not In Compliance
<b>40 - Ratios and Group Size</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:120. Section 2. Child Care Services.</b>                      (2) Minimum staff-to-child ratios and group size for an operating child-care center shall be maintained as follows:  <b>Age of Children Ratio Maximum Group Size*</b></p> <p><b>Infant</b>                      1 staff for 5 children 10</p> <p><b>Toddler</b>                      1 staff for 6 children 12</p> <p><b>Preschool-age 2 to 3 years</b>                      1 staff for 10 children 20</p> <p><b>Preschool-age 3 to 4 years</b>                      1 staff for 12 children 24</p> <p><b>Preschool-age 4 to 5 years</b>                      1 staff for 14 children 28</p> <p><b>School-age 5 to 7 years</b>                      1 staff for 15 children 30</p> <p><b>School-age 7 and older</b>                      1 staff for 25 children                      (for before and after school) 30</p> <p><b>1 staff for 20 children</b>                      (full day of care) 30</p> <p><b>*Maximum Group Size shall be applicable only to Type I child-care centers.</b></p>	
<b>Findings:</b>	
<p>General: Based on Observation at approximately 9:30 a.m., the surveyor observed a total of twenty-six (26) children ages two to four (2-4) years old with three (3) staff on the playground. All of the children were intermingled and playing together. Therefore, the group was over group size by six (6) children because the youngest child in the group was two (2) years old.</p>	
<b>General Administration</b>	<b>In Compliance</b>

**Inspection Report**

**Director Requirements**

**Not In Compliance**

**275 - Caregiver Alone**

**Not In Compliance**

**922 KAR 2:110. Section 4. Director Requirements and Responsibilities.**

**(1) Effective with the adoption of this administrative regulation, a director shall:**

**(n) Assure that a person acting as a caregiver of a child in care shall not be left alone with a child, if the licensee has not received the results of the background checks as described in Section 3(1)(e)6 of this administrative regulation;**

**Findings:**

General: Based on Observation, the surveyor observed a staff person who was re-hired on 8/1/17 working alone with eight (8) children ages two to three (2-3) years old at approximately 9:50 a.m. and at 10:50 a.m. The staff person stated that she had been gone for a few months and today was her first day back to work. She stated that she started her shift at 8:00 a.m. File review found background checks (criminal records check and CA/N check) on file dated 7/1/15 and 6/18/15. The staff person in charge stated that the staff person had quit a couple of months ago in order to go and work at the day care facility located down the street. She stated that she did not realize that new background checks were required.

**Employee Records**

**Not In Compliance**

**300 - Background checks/left alone**

**Not In Compliance**

**922 KAR 2:090. Section 6. License Issuance.**

**(5) An individual described in subsection (4) of this section shall:**

**(a) Submit to background checks described in paragraph (b) of this subsection;**

**(b) May be employed or work with a child on a probationary basis for up to ninety (90) calendar days, pending completion of a:**

- 1. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;**
- 2. Criminal records check required by KRS 199.896(19);**
- 3. Criminal records check for any previous state of residence if the person resided outside the state of Kentucky in the last five (5) years; and**
- 4. An address check of the Sex Offender Registry; and**

**(c) Not be left alone in the presence of a child until copies of the background checks in accordance with paragraph (b) of this subsection have been received by the licensee.**

**Findings:**

General: Based on Observation, the surveyor observed a staff person who was re-hired on 8/1/17 working alone with eight (8) children ages two to three (2-3) years old at approximately 9:50 a.m. and at 10:50 a.m. The staff person stated that she had been gone for a few months and today was her first day back to work. She stated that she started her shift at 8:00 a.m. File review found background checks (criminal records check and CA/N check) on file dated 7/1/15 and 6/18/15. The staff person in charge stated that the staff person had quit a couple of months ago in order to go and work at the day care facility located down the street. She stated that she did not realize that new background checks were required.

**Programming**

**Not In Compliance**

**350 - 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) That offers a variety of creative activities including the following:**

- 1. Art;**
- 2. Music;**
- 3. Dramatic play;**
- 4. Stories and books;**
- 5. Science;**
- 6. Block building;**
- 7. Tactile activity;**
- 8. Culture;**
- 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, the surveyor inquired about the daily plan of activities (lesson plan) in the three-year-old classroom and was directed to a posted July calendar. The only activity listed on the day of the inspection (July 31st) was "water play". The surveyor noted that there was only one activity listed for each day of the month of July. For instance, one of the activities listed was just "eat popsicles" and another activity listed was "make trail mix". The surveyor found that a July calendar was posted in each of the classrooms with only one activity listed for each day of the month. An example of an activity listed for the day in the two-year-old classroom was "paint pictures." Based on the documentation, the surveyor could not determine what other types of planned activities are being offered throughout the day. In short, a variety of activities must be planned and offered daily. The staff person in charge indicated that she was told that a detailed lesson plan was not necessary during the Summer months.

**Inspection Report**

**Premises**

**Not In Compliance**

**460 - Inaccessible Items**

**Not In Compliance**

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

**(7) Except in accordance with subsection (8) of this section, the following shall be inaccessible to a child in care:**

- (a) Toxic cleaning supplies, poisons, and insecticides;**
- (b) Knives and sharp objects;**
- (c) Matches, cigarettes, lighters, and flammable liquids;**
- (d) Plastic bags;**
- (e) Litter and rubbish;**
- (f) Bar soap; and**
- (g) Personal belongings and medications of staff.**

**Findings:**

General: Based on Observation, the surveyor observed a bottle of Vaseline lotion in a child's cubby located in the two-year-old classroom. The lotion was accessible to the children in care. The staff person in charge stated that the lotion belonged to a teacher and she immediately removed the item. Additionally, the surveyor observed a jar of Equate Petroleum Jelly (Vaseline) on top of a ledge adjacent to the diaper changing area in the toddler classroom. The Vaseline was accessible to the children in care. The surveyor asked the staff person if the Vaseline belonged to a child in care and she replied, "No."

**Hygienic Practices**

**In Compliance**

**First Aid/Medication**

**Not In Compliance**

**660 - Medication Administration**

**Not In Compliance**

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

**(4) Prescription and nonprescription medication shall be administered to a child in care:**

- (a) With a daily written request of the child's parent.**
- (b) According to the directions or instructions on the medication's label.**

**Findings:**

General: Based on the sunscreen (blanket permission) forms presented for review, the surveyor found that the forms had a time-frame of administration listed as May 1, 2016-August 30, 2016. The form read: "The sunscreen must be applied prior to outdoor play and repeated according to the directions on the product label during water activities from May 1, 2016- August 30, 2016." The forms were signed and dated by the parents for 2017. The staff person in charge stated that the date on the form should have reflected the months of May-August 2017 not 2016.

**Outdoor Play Area**

**Not In Compliance**

**685 - Playground Clean**

**Not In Compliance**

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

**(20) An outdoor play area shall be:**

- (c) Free from:**
  - 1. Litter;**
  - 2. Glass;**
  - 3. Rubbish; and**
  - 4. Flammable materials;**

**Findings:**

General: Based on Observation, the surveyor observed some litter along the fence row which included but was not limited to the following: three (3) plastic grocery bags, a Cheez-It wrapper, a Fritos chip bag, a Frosted Donuts wrapper, Little Debbie granola bar wrapper, and a blue plastic lid.

**Equipment**

**Not In Compliance**

**760 - 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, the surveyor found the crevices on top of two (2) white plastic step stools positioned at the hand-washing sink in the three-year-old classroom were embedded with dirt and grime. Additionally, a two (2) step wooden step stool positioned at the hand-washing sink in the two-year-old classroom had an excessive amount of dirt and grime accumulated around the red tape adhesive that was not secured to the step.

**Transportation**

**In Compliance**

**Food Service**

**In Compliance**

**Children's Records**

**In Compliance**

**Written Documentation**

**In Compliance**

**Posted Documentation**

**In Compliance**

**Animals**

**Not Applicable**

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Signature of Provider/Representative

Title

Date