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**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> Jones, Deborah Lynn

<b>Inspection Type:</b> Investigation	<b>Inspection Information</b>	<b>Inspection No:</b> 247649
<b>Date Initiated:</b> 11/14/2018 10:00 AM	<b>Date Concluded:</b> 11/14/2018 11:45 AM	
	<b>No. of Children Present:</b> 32	

Inspection Report	
General Administration	Not In Compliance
<b>165 - Cooperate with state agency</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:090. Section 6. License Issuance.</b></p> <p><b>(8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:</b></p> <p><b>(f) Cooperate with the cabinet, the cabinet's designee, or another agency with regulatory authority during:</b></p> <ol style="list-style-type: none"> <li><b>1. An investigation of an alleged complaint, including an allegation of child abuse or neglect pursuant to KRS 620.030(4); and</b></li> <li><b>2. Unannounced inspections;</b></li> </ol> <p><b>Findings:</b></p> <p>General: Based on Interview, it was determined this regulation was not met. During the course of the investigation the staff person in charge provided conflicting information to the DRCC representative, the Department for Community Based Services (DCBS) representative and a Crimes Against Children officer regarding how a four-year-old child received a circular bruise to her left leg. Initially the staff person reported the child was injured by hitting her leg against a desk. The staff person then reported that the child struck her leg against a box of paper while sitting on the floor. The staff person later stated that the child could have injured her leg while she was underneath the desk in the office.</p>	
<b>275 - Abuse/Neglect Report Procedure</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:120. Section 2. Child Care Services.</b></p> <p><b>(3)(b) The program shall include:</b></p> <ol style="list-style-type: none"> <li><b>1. A procedure to ensure compliance with and inform child care staff of the laws of the Commonwealth pertaining to child abuse or neglect set forth in KRS 620.030;</b></li> </ol> <p><b>Findings:</b></p> <p>General: Based on Interview, it was determined that this regulatory requirement was not met. The facility staff did not follow guidelines in reporting an incident with apparent injury. A child was found to have a bruised leg after being examined by parents. The child stated the facility director had struck her with a red item she keeps in her desk. The facility did not report any type of injury or notify parents that an injury had occurred. The facility director only told parents about the incident after they had called the facility to ask what had happened. The director stated to investigators the child had only had a temper tantrum and she did not complete an incident report. The director told the parents the child had struck her leg against a desk. The director had not completed an incident report, but offered to complete one after speaking to parents about the incident. A report of the incident or injury was never made to the Cabinet by the facility. The director told investigators the child struck her leg against a box of paper in her office floor and then in a separate interview, told investigators the child was underneath her office desk and could have injured her leg.</p>	

**Inspection Report**

**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 Interview, it was determined this regulatory requirement was not met. A child in care was involved in an incident in which she received a bruise on the thigh of her left leg. The child reported that a staff person at the facility had hit her with a red item she keeps in a drawer in the office.

When the parents inquired into the cause of the mark, they were told the child hit her leg on a desk. The parents were not provided with an accident report describing how the injury occurred. It is important to note that a review of documentation found fifteen (15) other accident reports in the child's file.

The staff person in charge initially reported to the DRCC representative, the Department for Community Based Services (DCBS) representative and a Crimes Against Children officer that the child was injured by hitting her leg against a desk. The staff person then reported that the child struck her leg against a box of paper while sitting on the floor. The staff person later stated that the child could have injured her leg while she was underneath the desk in the office.

**Employee Records**

**In Compliance**

**Programming**

**Not In Compliance**

**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 Interview, it was determined this regulatory requirement was not met. A child stated she was hit by a staff person while in the care of the facility. It was reported that the staff person struck the child with a "red object" kept in the office. The child was observed to have a red and yellow in color, quarter-sized bruise after coming home from the facility.

It was reported that the child was having a temper tantrum and was removed from the classroom in order to calm down. Information provided describing the chain of events following the child being removed from the classroom was contradictory. Initially staff stated the child might have been injured by hitting her leg against a desk. It was then reported that the child struck her leg against a box of paper while sitting on the floor. Later it was reported that the child could have injured her leg while she was underneath the desk in the office.

A report from the Department for Community Based Services indicated that there was enough information to confirm that the allegation that a staff person had abused/neglected the child resulting in the bruise to her leg.

Signature of Provider/Representative

Title

Date