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Inspection Report

Provider Name: Marino's Day Care Center	Provider Information	CLR No: L350183
Provider Address: 130 West Fifth Street, Lexington, KY, 40508	Provider Type: LICENSED TYPE I	Capacity: 28
Owner(s): Marian Berry		Director(s): Berry, Marian Jones

Inspection Type: Renewal Application	Inspection Information	Inspection No: 318389
Date Initiated: 10/14/2021 1:10 PM	Date Concluded: 10/14/2021 3:30 PM	
	No. of Children Present: 3	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
150 - Fire Marshal	Not In Compliance
922 KAR 2:090. Section 6. License Issuance. (8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall: (b) Be approved by the Office of the State Fire Marshal or designee;	
Findings:	
General: Based on review of documentation, there was no evidence of a current fire marshal inspection on file at the facility at the time of survey.	
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 observation, one plug was found uncovered in the preschool classroom and is accessible to children.	
Director Requirements	Not In Compliance
355 - Staff Meeting	Not In Compliance
922 KAR 2:090. Section 10. Director Requirements and Responsibilities. (1) A director shall: (i) Conduct, manage, and document in writing recurring staff meetings;	
Findings:	
General: Based on review of documentation, there was no documentation of staff meetings being conducted during the current licensure year presented at the time of the survey.	

Inspection Report

380 - Parental/Family Involvement Activity

Not In Compliance

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

- (1) A director shall:
 - (o) Coordinate at least one (1) annual activity involving parental or family participation;

Findings:

General: Based on review of documentation, there was no evidence of family involvement activities at the time of survey.

Employee Records

Not In Compliance

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, staff person hired on 3/3/21 did not have evidence of negative TB on file at the facility.

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, two staff did not have evidence of the required 15 hours of annual training. All three staff have failed to renew their PAHT within the five years. . A review of ECE-TRIS confirmed this finding.

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, the staff person designated as the van driver did not have evidence of an annual driving record on file at the facility.

Programming

In Compliance

Premises

Not In Compliance

565 - Inaccessible Items

Not In Compliance

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

- (7) The following shall be inaccessible to a child in care:
 - (a) Toxic cleaning supplies, poisons, and insecticides;
 - (b) Matches, cigarettes, lighters, and flammable liquids; and
 - (c) Personal belongings and medications of staff.

Findings:

General: Based on observation, a bottle of lotion was found in the after school classroom and is labeled keep out of reach of children. It was on a low shelf and accessible to children.

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, it was found that one light fixture in the preschool room and one lamp in the school age room had exposed bulbs that are not shatterproof. The facility is not well lit despite using a lamp in each classroom.

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, it was found that several of the carpets being used were heavily stained in both classrooms.

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, the sink used in the after school classroom did not drain well.

Hygienic Practices	In Compliance
First Aid/Medication	In Compliance
Outdoor Play Area	In Compliance
Equipment	In Compliance
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, there was no evidence at the time of survey of a record of any emergency drills being preformed.

925 - Vehicle Equipment

Not In Compliance

922 KAR 2:120. Section 14. Transportation.

(4) A vehicle used to transport children shall be equipped with:

- (a) A fire extinguisher;**
- (b) First aid supplies as established in Section 7 of this administrative regulation;**
- (c) Emergency reflective triangles; and**
- (d) A device to cut the restraint system, if necessary.**

Findings:

General: Based on observation, the first aid kit on the van was missing a cold pack, cpr mouthpiece protector, soap to clean a wound/hands and thermometer.

Inspection Report

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, there was no evidence presented at the time of survey to indicate there was a record being kept of when the children get on/off of the van.

Kitchen Requirements

In Compliance

Food Service

In Compliance

Meal Planning/Center Provides Meals

Not In Compliance

1220 - Menu

Not In Compliance

922 KAR 2:120. Section 10. Meal Planning Requirements for a Center that Provides Meals.

(9) A weekly menu shall be:

(a) Prepared;

(b) Dated;

(c) Posted in advance in a conspicuous place;

(d) Kept on file for thirty (30) days; and

(e) Amended in writing with any substitutions on the day the meal is served.

Findings:

General: Based on review of documentation, a menu was presented at the time of the survey but was not dated.

Meal Planning/Center Does Not Provide Meals

In Compliance

Children's Records

In Compliance

Written Documentation

Not In Compliance

1260 - Evacuation Plan

Not In Compliance

922 KAR 2:090. Section 5. Evacuation Plan.

(1) A licensed child-care center shall have a written evacuation plan in the event of a fire, natural disaster, or other threatening situation that may pose a health or safety hazard for a child in care in accordance with KRS 199.895 and 42 U.S.C. 9858c(c)(2)(U).

Findings:

General: Based on review of documentation, there was no evidence of an Emergency Preparedness plan on file at the facility or if it had been submitted to the proper authority for review.

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, one staff did not have evidence of a professional development plan on file at the facility.

Posted Documentation

Not In Compliance

1320 - Disaster Course of Action

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

(j) A written plan and diagram outlining the course of action in the event of a natural or manmade disaster, posted in a prominent place;

Findings:

General: Based on observation, there was not a written plan to go along with the diagram for emergencies posted at the facility.

Animals

In Compliance

Signature of Provider/Representative

Title

Date