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**Inspection Report**

<b>Provider Name:</b> The Ark Childcare Center Corporation	<b>Provider Information</b>	<b>CLR No:</b> L383621
<b>Provider Address:</b> 41 Jordan's Way, Somerset, KY, 42501	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 40(Bldg 1: 40)
<b>Owner(s):</b> The Ark ChildCare Center Corporation		<b>Director(s):</b> Whitescarver, Cindy Lynn

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 244516
<b>Date Initiated:</b> 04/17/2018 9:40 AM	<b>Date Concluded:</b> 04/17/2018 12:30 PM	
	<b>No. of Children Present:</b> 39	

Inspection Report	
<b>Background Checks</b>	<b>In Compliance</b>
<b>Supervision</b>	<b>In Compliance</b>
<b>Staffing Requirements</b>	<b>In Compliance</b>
<b>General Administration</b>	<b>In Compliance</b>
<b>Director Requirements</b>	<b>Not In Compliance</b>

**340 - 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 and interview, the surveyor was not presented with documentation of staff meetings that occurred within the last year. The Director reported that staff meetings are held monthly; however, she had not documented them.

**345 - Staff Evaluation** **Not In Compliance**

**922 KAR 2:090. Section 10. Director Requirements and Responsibilities.**  
**(1) A director shall:**  
**(j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;**

**Findings:**

General: Based on review of documentation and interview, the following were found:

1. A staff file (DOH: 3/6/17) presented for review did not contain an annual performance evaluation. The Director reported that an evaluation had not been completed for the staff member.
2. A staff file (DOH: 3/6/17) contained an annual performance evaluation dated for 11/7/17; however, it was not valid as the staff member had not signed or dated the evaluation. The Director was not aware that the staff member had not signed the evaluation.

**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 observation and interview, the following were found:

1. A seven-month-old child was observed sitting on the floor of the Nursery Classroom eating from a pile of fruit puffs that were on the floor between the child's feet. Staff reported that they do sometimes serve the children food in this manner.
2. The surveyor observed a four-month-old child be placed in a bouncy seat in the Nursery Classroom. Staff did not utilize the safety restraint to secure the child inside of the bouncy seat. Another staff member secured the safety restraints after the child had wiggled around to the point that the child's legs and bottom were hanging off of the bottom portion of the seat.
3. There was one (1) unprotected electrical outlet located by the play kitchen in the Toddler Classroom. Staff reported that there are extra outlet covers available.
4. There was one (1) unprotected electrical outlet located by the green table in the One's Classroom. Staff reported that there are extra outlet covers available.
5. There were approximately twenty-five (25) bags of trash and five (5) card board boxes on the deck on the way down to the playground. Upon interview, the Director reported that the center does not have a dumpster and the trash is loaded up daily and transported to the local dump. The Director stated that the last time trash was taken to the dump was the day prior to the day of the inspection.

**Employee Records**

**In Compliance**

**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 the following:**

- 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 and interview, the surveyor found that the lesson plan posted in the Toddler Classroom was dated for 4/9/18 - 4/13/18. Staff stated they had not yet completed the updated lesson plan for the current week.

**Premises**

**Not In Compliance**

**520 - 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 and interview, the following were found:

1. A toilet plunger was in the corner next to the toilet in the restroom off of the Toddler Classroom. The plunger was accessible to children as staff stated that children do utilize the restroom.
2. There was a bottle of Bleach Gel Cleaner and a can of Disinfectant spray sitting on the counter next to the sink in the restroom located off of the Toddler Classroom. The items were accessible to the children as staff reported that the restroom is utilized by children.

**525 - Items Accessible Only During Activity**

**Not In Compliance**

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

**(8) The following shall be inaccessible to a child in care unless under direct supervision and part of planned program of instruction:**

- (a) Knives and sharp objects;**
- (b) Litter and rubbish;**
- (c) Bar soap; and**
- (d) Plastic bags not used for personal belongings.**

**Findings:**

General: Based on observation and interview, the following were found:

1. A tape dispenser with a sharp edge was on top of the play kitchen in the Toddler Classroom where it was accessible to the children.
2. A pair of non-safety scissors was stored in a clear plastic bin on a shelf next to the door leading to the hallway. The scissors were accessible to the children.

The Director stated that the items are supposed to be stored out of reach of the children.

**550 - Fire Exits Clear**

**Not In Compliance**

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

**(3) Fire and emergency exits shall be kept clear of debris.**

**Findings:**

General: Based on observation and interview, the surveyor observed that there were multiple car seats and large vinyl blocks being utilized to contain the children inside the Nursery Classroom and keep them from getting out into the hallway. The car seats and blocks were protruding into the hallway partially blocking the path down the hallway and creating a possible tripping hazard. Upon interview, the Director stated that they have not been able to locate a safety gate that is wide enough to fit the doorway.

**565 - 35 Square Feet per Child**

**Not In Compliance**

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

**(6) Exclusive of the kitchen, bathroom, hallway, and storage area, there shall be a minimum of thirty-five (35) square feet of space per child.**

**Findings:**

General: Based on observation, and interview, the surveyor observed that there were seventeen (17) children in the Toddler Classroom which only measures for fourteen (14) children; therefore, there was not thirty-five (35) square feet available for each child present in the classroom. The Director stated she was not aware that there could only be fourteen (14) children in the classroom

**580 - 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 and interview, the following were found:

1. The walls in the Toddler Classroom were not in good repair as there was a significant amount of paint that had peeled off of the wall. Upon interview, the Director was aware of the condition of the wall.
2. The linoleum flooring was rolling up at the threshold of the door between the restroom and the One's Classroom; therefore, the floor was not in good repair. The Director was aware of the condition of the floor.

**Hygienic Practices**

**Not In Compliance**

**680 - Soiled Diapers/Clothing**

**Not In Compliance**

**922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.**

**(8) Diapers or clothing shall be:**

- (a) Changed when soiled or wet;**
- (b) Stored in a covered container temporarily; and**
- (c) Washed or disposed of at least once a day.**

**Findings:**

General: Based on observation and interview, the surveyor found that soiled diapers were stored in a trash can in the restroom off of the Toddler Classroom. The trash can did not have a lid or cover. Staff reported that they were not sure what happened to the lid for the trash can.

**685 - Diaper Changing Area/Surface**

**Not In Compliance**

**922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.**

**(10) When a child is diapered, the child shall:**

- (b) Be placed on a surface that is:**
  - 1. Clean;**
  - 2. Padded;**
  - 3. Free of holes, rips, tears, or other damage;**
  - 4. Nonabsorbent;**
  - 5. Easily cleaned; and**
  - 6. Free of any items not used for diaper changing.**

**Findings:**

General: Based on observation and interview, the surveyor found that the changing pad on the changing table in the restroom off of the Toddler Classroom was soiled with a brown/black substance. Staff stated that the children had been painting and might have smeared paint on it.

**Inspection Report**

**First Aid/Medication**

**Not In Compliance**

**715 - First Aid Supplies**

**Not In Compliance**

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

**(1) First aid supplies shall:**

- (a) Be available to provide prompt and proper first aid treatment;**
- (b) Be stored out of reach of a child;**
- (c) Be periodically inventoried to ensure the supplies have not expired;**
- (d) If reusable, be:
  - 1. Sanitized; and**
  - 2. Maintained in a sanitary manner; and****
- (e) Include:
  - 1. Liquid soap;**
  - 2. Adhesive bandages;**
  - 3. Sterile gauze;**
  - 4. Medical tape;**
  - 5. Scissors;**
  - 6. A thermometer;**
  - 7. Flashlight;**
  - 8. Cold pack;**
  - 9. First aid book;**
  - 10. Disposable gloves; and**
  - 11. A cardiopulmonary resuscitation mouthpiece protector.****

**Findings:**

General: Based on observation and interview, the surveyor found that the center's first aid supplies did not contain disposable gloves or a cardiopulmonary resuscitation mouthpiece protector. The Director stated the items may be in the storage closet but she did not locate them at time of inspection.

**Outdoor Play Area**

**Not In Compliance**

**750 - Playground Conditions**

**Not In Compliance**

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

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

- (d) Safe from foreseeable hazard;**
- (e) Well drained;**
- (f) Well maintained;**
- (g) In good repair; and**
- (h) Visible to staff at all times.**

**Findings:**

General: Based on observation and interview, the surveyor found that the playground was not safe from foreseeable hazard as there was part of a plastic mulch bag sticking up out of the mulched area. The bag was partially buried by the mulch and could not be easily pulled up. The bag created a tripping hazard. Upon interview, the Director was not aware of the presence of the bag.

**Equipment**

**Not In Compliance**

**815 - Toys/Furniture**

**Not In Compliance**

**922 KAR 2:120. Section 11. Toys and Furnishings.**

**(1) All toys and furniture contacted by a child shall be:**

- (a) Kept clean and in good repair; and**
- (b) Free of peeling, flaking, or chalking paint.**

**Findings:**

General: Based on observation and interview, the following were found:

- 1. The play kitchen located in the One's Classroom was soiled with a wet sticky looking substance in the sink basin.
- 2. The tan table located in the One's Classroom had a large spilled substance on top of it, in addition to dried paint.

Staff reported that she usually cleans the larger equipment every Monday, Wednesday, and Friday; however, she had not been at work the previous week so she was not sure if it had been cleaned.

**Transportation**

**Not Applicable**

**Food Service/Food Program**

**In Compliance**

**Inspection Report**

**Food Service**

**Not In Compliance**

**1070 - Food Protected From Contamination**

**Not In Compliance**

**922 KAR 2:120. Section 9. Food and Meal Requirements.**

- (1) Food shall be:**
- (h) Protected against contamination from:**
  - 1. Dust;**
  - 2. Flies;**
  - 3. Rodents and other vermin;**
  - 4. Unclean utensils and work surfaces;**
  - 5. Unnecessary handling;**
  - 6. Coughs and sneezes;**
  - 7. Cuts in skin;**
  - 8. Communicable disease;**
  - 9. Flooding;**
  - 10. Drainage; and**
  - 11. Overhead leakage.**

**Findings:**

General: Based on observation and interview, the surveyor found a waffle inside of a child's cubby in the Nursery Classroom. The waffle was not stored in any type of sealed container but laying in the open on the shelf; therefore, it was not protected from contamination. Staff reported that the child's mother must have layed the waffle in the cubby when dropping the child off at the center.

**1130 - Menu**

**Not In Compliance**

**922 KAR 2:120. Section 9. Food and Meal Requirements.**

- (16) 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 observation and interview, the surveyor found that the menu posted in a conspicuous location was dated for 4/9/18 - 4/13/18. The Director reported that there is an updated menu; however, it was not posted.

**Children's Records**

**In Compliance**

**Written Documentation**

**Not In Compliance**

**1170 - 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 and interview, the surveyor found that a staff file (DOH: 3/1/17) presented for review did not contain an annual professional development plan. The Director stated that she had forgotten that the professional development needed to be completed.

**Posted Documentation**

**In Compliance**

**Animals**

**In Compliance**

Signature of Provider/Representative

Title

Date