



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> Kinder Care Learning Center #419	<b>Provider Information</b>	<b>CLR No:</b> L350185
<b>Provider Address:</b> 628 Wellington Way, Lexington, KY, 40503	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 110
<b>Owner(s):</b> Kindercare Learning Center #936		<b>Director(s):</b> Countz, Megan

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 320900
<b>Date Initiated:</b> 06/21/2022 8:40 AM	<b>Date Concluded:</b> 06/21/2022 10:45 AM	
	<b>No. of Children Present:</b> 44	

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>
<b>360 - Staff Evaluation</b>	<b>Not In Compliance</b>
<b>922 KAR 2:090. Section 10. Director Requirements and Responsibilities.</b> (1) A director shall: (j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;	
<b>Findings:</b>	
General: Based on review of documentation, staff hired on 11/17/17, 08/16/89, 04/21/21, and 04/26/21 did not have current staff evaluations on file.	
<b>Employee Records</b>	<b>Not In Compliance</b>
<b>400 - Educational Requirements</b>	<b>Not In Compliance</b>
<b>922 KAR 2:090. Section 11. Staff Requirements.</b> (1) Child-care center staff: (a) Hired after January 1, 2009, who have supervisory power over a minor and are not enrolled in secondary education, shall have a: 1. High school diploma; 2. GED or qualifying documentation from a comparable educational entity; or 3. Commonwealth Child Care Credential as described in 922 KAR 2:250;	
<b>Findings:</b>	
General: Based on review of documentation, staff hired on 03/01/2022, and 04/27/2022, did not have education documentation on file.	

Inspection Report

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 hired on 07/07/2021, and 10/18/2021, did not have documentation on file from a health care professional stating they were free of active tuberculosis.

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, staff hired on 09/21/15, 11/17/17, 08/16/1989, 04/21/2021, 04/26/2021, 04/20/2021, and 09/03/1992 did not have the required 15 hours of cabinet approved training on file. The ECE-TRIS was reviewed and confirmed this finding.

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, the kitchen door was propped open during part of the inspection. The surveyor found a knife sitting out on the counter, a ClickSan Disinfectant solution was found in an unlocked cabinet. In addition, the oven and a stove top burner were on and hot to the touch. All of these areas were accessible to the children.

615 - Pest Control

Not In Compliance

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

- (7) Measures shall be utilized to control the presence of:
  - (a) Rodents;
  - (b) Flies;
  - (c) Roaches; and
  - (d) Other vermin.

Findings:

General: Based on observation, there were numerous mouse droppings found in a kitchen cabinet.

**Inspection Report**

**Hygienic Practices**

**Not In Compliance**

**705 - Staff Hygiene/Handwashing**

**Not In Compliance**

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

**(5) Staff shall:**

- (a) Maintain personal cleanliness;**
- (b) Conform to hygienic practices while on duty;**
- (c) Except as established in paragraph (d) of this subsection, wash their hands with liquid soap and running water:**
  - 1. Upon arrival at the center;**
  - 2. After toileting or assisting a child in toileting;**
  - 3. Before and after diapering each child;**
  - 4. After wiping or blowing a child's or own nose;**
  - 5. After handling animals;**
  - 6. After caring for a sick child;**
  - 7. Before and after feeding a child or eating;**
  - 8. Before dispensing medication;**
  - 9. After smoking or vaping; and**
  - 10. If possible, before administering first aid; and**

**(d) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (c) of this subsection. The staff shall wash the staff's hands as soon as practicable once liquid soap and warm running water are available.**

**Findings:**

General: Based on observation, a staff person in the Discovery Preschool classroom did not wash her hands after wiping a child's nose.

**First Aid/Medication**

**In Compliance**

**Outdoor Play Area**

**Not In Compliance**

**795 - 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, there were numerous weeds coming through the weed cloth on the playground; this poses a tripping hazard to the children. In addition, there were large weeds along the fence line.

**800 - 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, a Little Tykes plastic slide on the playground was sitting on grass. There was no protective surface underneath the slide.

**Equipment**

**In Compliance**

**Transportation**

**Not Applicable**

**Kitchen Requirements**

**In Compliance**

**Food Service**

**Not In Compliance**

**1070 - Bottle Feeding**

**Not In Compliance**

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

**(11) While bottle feeding a child, the:**

- (a) Child shall be held; and**
- (b) Bottle or beverage container shall not be:**
  - 1. Propped;**
  - 2. Left in the mouth of a sleeping child; or**
  - 3. Heated in a microwave.**

**Findings:**

General: Based on observation, a one-year-old child in the Toddler A classroom was found walking around the classroom and playing with toys while drinking milk from a bottle.

**Meal Planning/Center Provides Meals**

**In Compliance**

**Meal Planning/Center Does Not Provide Meals**

**In Compliance**

**Inspection Report**

**Children's Records**

**Not In Compliance**

**1245 - Immunization**

**Not In Compliance**

**922 KAR 2:090. Section 9. Records.**

**(1) A child-care center shall maintain:**

**(a) A current immunization certificate for each child in care within thirty (30) days of the child's enrollment, unless an attending physician or the child's parent objects to the immunization of the child pursuant to KRS 214.036;**

**Findings:**

General: Based on review of documentation, children enrolled on 11/18/21, and 04/26/22, did not have current immunization records on file.

**Written Documentation**

**Not In Compliance**

**1285 - 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 interview, the staff person in charge was unable to locate documentation of fire drills for the months of March, April, and May 2022.

**1295 - Confidentiality/Maintenance/Access**

**Not In Compliance**

**922 KAR 2:090. Section 9. Records.**

**(2) A child-care center shall:**

**(a) Maintain the confidentiality of a child's record and information concerning a child or the child's parent;**

**(b) Maintain all records for five (5) years; and**

**(c) Provide the cabinet access and information in the completion of the investigation pursuant to KRS 620.030.**

**Findings:**

General: Based on observation, the following was found:

- 1) A Topical Ointment Authorization Form with a child's information listed was posted in the Discovery Classroom.
- 2) There were several children's names listed on a board in the Toddler B classroom listing items the children were not to drink or eat.

The information in both classrooms was not kept confidential.

**Posted Documentation**

**In Compliance**

**Animals**

**Not Applicable**

Signature of Provider/Representative

Title

Date