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Inspection Report

Provider Name: The Ark ChildCare Center #2	Provider Information	CLR No: L383786
Provider Address: 67 Parkers Mill Road, Somerset, KY, 42501	Provider Type: LICENSED TYPE I	Capacity: 70 (Bldg 1: 0)
Owner(s): The Ark Childcare Center Corporation		Director(s): Whitescarver, Cindy Lynn

Inspection Type: Renewal Application	Inspection Information	Inspection No: 289702
Date Initiated: 09/03/2019 12:18 PM	Date Concluded: 09/03/2019 4:08 PM	
	No. of Children Present: 53	

Inspection Report	
Background Checks	In Compliance
Supervision	Not In Compliance
90 - Children Supervised	Not In Compliance
<p>922 KAR 2:120. Section 2. Child Care Services.</p> <p>(3)(a) Each center shall maintain a child-care program that assures each child will be:</p> <p>1. Provided with adequate supervision at all times by a qualified staff person who ensures the child is:</p> <p>a. Within scope of vision and range of voice; or</p> <p>b. For a school-age child, within scope of vision or range of voice;</p> <p>Findings:</p> <p>General: Based on observation during a tour of the childcare center, the surveyor found the following:</p> <p>1. During a tour of the three-year-old's classroom at naptime, the surveyor found that the room was too dark to see the sleeping children.</p> <p>2. Upon arrival to the childcare center at 12:12 p.m., the surveyor observed that a staff person left nine (9) three-year-old children unsupervised while she walked down a long hallway to open the center's door. The staff person stated that there was not enough available staff to provide supervision of the children while opening the door. The children were unsupervised for one and one-half to three (1 ½ - 3) minutes.</p>	
Staffing Requirements	In Compliance
General Administration	In Compliance
Director Requirements	Not In Compliance
345 - Staff Evaluation	Not In Compliance
<p>922 KAR 2:090. Section 10. Director Requirements and Responsibilities.</p> <p>(1) A director shall:</p> <p>(j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;</p> <p>Findings:</p> <p>General: Based on review of documentation, the surveyor found the following:</p> <p>1. The surveyor found no annual written performance evaluation for a staff (DOH: 3/6/17). Through interview, the surveyor learned that the plan was not available for review.</p> <p>2. The surveyor found no annual written performance evaluation for a staff (DOH: 6/1/18). Through interview, the surveyor learned that the plan was not available for review.</p> <p>3. The surveyor found no annual written performance evaluation for a staff (DOH: 1/27/18). Through interview, the surveyor learned that the plan was not available for review.</p>	

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 during a tour of the classroom for the one-year-old children, the surveyor found the following:

1. Three (3) children had bottles on their mats at naptime. Staff confirmed the children use the bottles when going to sleep.
2. A child was sleeping on a mat with a pacifier that had a strap attached to their clothing.

Employee Records

Not In Compliance

410 - 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 within the first three (3) months of employment;**
- (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment, 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 during each subsequent year of employment, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.**

Findings:

General: Based on review of documentation and ECE-TRIS, the surveyor found the following:

1. A staff (DOH: 6/5/18) completed six (6) hours of cabinet-approved orientation training on 10/3/18; thus, not within the first three (3) months of employment.
2. A staff (DOH: 4/19/19) completed six (6) hours of cabinet-approved orientation training on 8/19/19; thus, not within the first three (3) months of employment.
3. No verification was found that a staff (DOH: 1/27/18) has completed six (6) hours of cabinet-approved orientation training.
4. Verification of only twelve and one-half (12 ½) hours of cabinet-approved early care and education annual training was found for a staff (DOH: 6/19/18).
5. Verification of only ten and one-half (10 ½) hours of cabinet-approved early care and education annual training was found for a staff (DOH: 8/6/18).
6. Verification of only one and one-half (1 ½) hours of cabinet-approved early care and education annual training was found for a staff (DOH: 1/27/18).
7. A staff (DOH: 1/27/18) completed one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training on 8/26/19; thus, not within the first year of employment.

Programming

Not In Compliance

495 - Bedding/Toys in Crib

Not In Compliance

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.

(3) Rest time shall include adequate space specified by the child's age as follows:

- (a) For an infant:**
- 3. No loose bedding, such as a bumper or a blanket; and**
- 4. No toys or other items except the infant's pacifier;**

Findings:

General: Based on observation during a tour of the Infant Room, the surveyor observed that an infant child was sleeping in a crib while wearing a strap attachment for a pacifier.

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 during a tour of the childcare center, the surveyor found the following:

1. The surveyor observed two (2) kitchen knives in an unlocked cabinet drawer located in the kitchen area. The kitchen was not locked or gated: therefore, and the knives were accessible to the children.
2. The surveyor observed that two (2) air fresheners were plugged into electrical outlets in the hallway of the childcare center. The air fresheners were within reach and accessible to the children.
3. The surveyor observed empty plastic bags, Mr. Clean and Lysol in an unlocked cabinet located under the sink in the two-year-old children's classroom.
4. The surveyor observed that a staff's purse was on the top of a shelf located in the two-year-old children's classroom. The purse was within reach and accessible to the children.

Inspection Report

Hygienic Practices

Not In Compliance

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, the surveyor found tears in the vinyl covering on the diaper changing pad located in the classroom for the two-year-old children.

710 - Toy Sanitation Procedure

Not In Compliance

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

(4) A toy or another item that is considered a mouth contact surface by a child not toilet trained shall be sanitized daily by:

- (a) 1. Scrubbing in warm, soapy water using a brush to reach into crevices;**
- 2. Rinsing in clean water;**
- 3. Submerging in a sanitizing solution for at least two (2) minutes; and**
- 4. Air dried; or**
- (b) Cleaning in a dishwasher if the toy or other item is dishwasher safe.**

Findings:

General: Based on interview, the surveyor learned the following:

- 1. Staff in the classroom for one-year-old children, stated they use a cloth to wash the mouth contact toys in warm soapy water, submerge in a sanitizing solution for at least two (2) minutes and air dry.
- 2. Staff in the Infant Room stated they use a cloth or paper towel to clean the mouth contact toys in warm soapy water, submerge in a sanitizing solution for at least two (2) minutes and air dry.

Therefore, the two (2) classrooms were not sanitizing the mouth contact toys as required.

First Aid/Medication

In Compliance

Outdoor Play Area

Not In Compliance

755 - 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 during a tour of the playground, the surveyor found no protective surface under or around a slide used by the children.

Equipment

In Compliance

Transportation

Not Applicable

Food Service/Food Program

In Compliance

Food Service

Not In Compliance

1025 - Refrigerator

Not In Compliance

922 KAR 2:120. Section 8. Kitchen Requirements.

(4) A cold-storage facility used for storage of perishable food in a nonfrozen state shall:

- (a) Have an indicating thermometer or other appropriate temperature measuring device;**
- (b) Be in a safe environment for preservation; and**
- (c) Be forty (40) degrees Fahrenheit or below.**

Findings:

General: Based on observation, the surveyor found no thermometers in the refrigerators located in the Infant's Room and in the classroom for the three-year-old children. The surveyor was unable to determine the interior temperatures of the refrigerators.

1135 - 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, the surveyor found that a child's (DOE: 4/10/19) immunization certificate was no longer current as of 8/26/19. Through interview with staff, the surveyor learned that current verification of immunization was not available for review.

1140 - Enrollment Information

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

(b) A written record for each child:

- 1. Completed and signed by the child's parent;**
- 2. Retained on file on the first day the child attends the child-care center; and**
- 3. To contain:**
 - a. Identifying information about the child, which includes, at a minimum, the child's name, address, and date of birth;**
 - b. Contact information to enable a person in charge to contact the child's:**
 - (i) Parent at the parent's home or place of employment;**
 - (ii) Family physician; and**
 - (iii) Preferred hospital;**
 - c. The name of each person who is designated in writing to pick-up the child;**
 - d. The child's general health status and medical history including, if applicable:**
 - (i) Allergies;**
 - (ii) Restriction on the child's participation in activities with specific instructions from the child's parent or health professional; and**
 - (iii) Permission from the parent for third-party professional services in the child-care center;**
 - e. The name and phone number of each person to be contacted in an emergency involving or impacting the child;**
 - f. Authorization by the parent for the child-care center to seek emergency medical care for the child in the parent's absence;**

Findings:

General: Based on review of documentation, the surveyor found the following:

1. The enrollment application for child (DOE: 9/24/18) was not signed by the child's parent.
2. A child's (DOE: 9/24/18) enrollment information did not have written authorization by the parent for the child-care center to seek emergency medical care for the child in the parent's absence.
3. A child's (DOE: 9/24/18) enrollment application did not have contact information to enable a person in charge to contact the child's family physician.
4. A child's (DOE: 9/24/18) enrollment application did not have contact information to enable a person in charge to identify or contact the preferred hospital.
5. A child's (DOE: 7/10/18) enrollment application did not have contact information to enable a person in charge to identify or contact the preferred hospital.
6. A child's (DOE: 6/26/19) enrollment application did not have contact information to enable a person in charge to identify or contact the preferred hospital.

Written Documentation

Not In Compliance

1160 - Daily Attendance Records

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

(c) Daily attendance records documenting the arrival and departure time of each child, including records that are required in accordance with 922 KAR 2:160, Section 13, if a child receives services from the child-care center through the Child Care Assistance Program;

Findings:

General: Based on review of documentation, the surveyor found the following:

1. During a tour of the classroom for the four-year-old children, the surveyor found that ten (10) children were present. Review of the daily attendance record found that staff had documented the attendance of only eight (8) children.
2. During a tour of the classroom for the one-year-old children, the surveyor found that ten (10) children were present. Review of the daily attendance record found all but one (1) of the children had arrival at 7:00 a.m. Through interview, a staff confirmed that she had falsely documented the children's arrival times as 7:00 a.m. Staff had not documented one (1) child's arrival time.
3. During a tour of the classroom for the two-year-old children, the surveyor found that sixteen (16) children were present. Review of the daily attendance record found that staff had documented the attendance of only fifteen (15) children.

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, the surveyor found the following:

- 1. The surveyor found no written annual plan for a staff's (DOH: 3/1/17) professional development. Through interview, the surveyor learned that the plan was not available for review.
- 2. The surveyor found no written annual plan for a staff's (DOH: 3/6/17) professional development. Through interview, the surveyor learned that the plan was not available for review.
- 3. The surveyor found no written annual plan for a staff's (DOH: 6/1/18) professional development. Through interview, the surveyor learned that the plan was not available for review.
- 4. The surveyor found no written annual plan for a staff's (DOH: 1/27/18) professional development. Through interview, the surveyor learned that the plan was not available for review.

Posted Documentation

In Compliance

Animals

Not In Compliance

1225 - Animals in the Presence of Children

Not In Compliance

922 KAR 2:120. Section 13. Animals.

(1) An animal shall not be allowed in the presence of a child in care:

(a) Unless:

- 1. The animal is under the supervision and control of an adult;
- 2. Written parental consent has been obtained; and
- 3. The animal is certified as vaccinated against rabies; or

(b) Except in accordance with subsection (3) of this section.

Findings:

General: Based on observation, the surveyor found a fish in the classroom for the one-year-old children. Through interview, the surveyor learned that the childcare center had not obtained written parental consent for the children to be in the presence of the fish.

Signature of Provider/Representative

Title

Date