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GOVERNOR

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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: 307300
Date Initiated: 09/22/2021 11:35 AM	Date Concluded: 09/22/2021 2:48 PM	
	No. of Children Present: 49	

Inspection Report	
Background Checks	Not In Compliance
5 - Background check/left alone/dismissed/relocated	Not In Compliance
<p>922 KAR 2:280. Section 3. Implementation and Enforcement.</p> <p>(1) A person who is a child care staff member prior to January 1, 2018, shall submit to and complete background checks in accordance with this administrative regulation no later than September 30, 2018.</p> <p>(2) A child care staff member hired on or after April 1, 2018, shall:</p> <p>(a) Have completed the background checks required in accordance with this administrative regulation and been found to have no disqualifying offense prior to becoming a child care staff member; or</p> <p>(b) 1. Have submitted to the background checks required in accordance with this administrative regulation;</p> <p>2. Not be left unsupervised with a child in care pending the completion of the background checks in accordance with this administrative regulation; and</p> <p>3. Be dismissed or relocated from the residence if the person is found to have a disqualifying background check result.</p>	
Findings:	
<p>General: Based on review of the Kentucky National Background Check Service, the surveyor found that a staff person's (DOH: 08/05/21) determination status was listed as "not eligible" with a determination date of 09/20/21. Based on review of the Kentucky National Background Check Service, the staff person submitted to fingerprints on 08/05/21. The surveyor observed the staff person working alone with children in the Three Year Old Classroom. During interview, staff-in-charge stated that she was unaware that the determination status was listed as "not eligible" on the Kentucky National Background Check Service. The staff's file did not contain a completed Child Abuse/Neglect Background Check or completed Criminal Records Background Check.</p>	
Supervision	In Compliance
Staffing Requirements	In Compliance

Inspection Report

General Administration

Not In Compliance

210 - 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 and review of documentation, the surveyor found the following:

1. A staff's (DOH: 04/14/21) file did not contain documentation of a completed Child Abuse/Neglect Background Check (CAN) or completed Criminal Records Background Check (CRC). The staff's file contained a Child Abuse/Neglect Background Check signed by the staff person and marked "no reportable incidences found;" however, the CAN check did not contain a date or signature of who completed the form. During interview, staff-in-charge stated that the staff person has not worked alone with children. The surveyor observed the staff person working with another staff person (DOH: 06/25/21) who had completed background checks on file. Staff-in-charge stated that the staff person should have a completed CAN check and CRC on file. Based on review of the Kentucky National Background Check Service, the staff person was listed as "provisional" and the determination status was listed as "closed-fingerprints not taken."
2. Two (2) tall storage shelves with several food items stored on the shelves placed inside a room without a door located beside the office in the hallway. The storage shelves were observed to be shaky when pushed on and appeared to not be secured to the wall.
3. A breakable gray/white diffuser and breakable white cup placed in a clear container on a shelf in a room located inside the One Year Old Classroom. The diffuser and cup were observed to be within reach and accessible to the children.
4. The surveyor found that the lighting was not adequate light during naptime to view the children as they slept in the One Year Old Classroom; therefore, staff could not adequately see the children. During interview, staff-in-charge stated that they would open a curtain to have additional lighting during naptime.

Director Requirements

Not In Compliance

360 - Caregiver Alone

Not In Compliance

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

(1) A director shall:

- (m) Assume that a person acting as a caregiver of a child in care shall not be left alone with a child, if the licensee has not received the results of the background checks as described in 922 KAR 2:280;**

Findings:

General: Based on review of the Kentucky National Background Check Service, the surveyor found that a staff persons (DOH: 08/05/21) determination status was listed as "not eligible" with a determination date of 09/20/21. Based on review of the Kentucky National Background Check Service, the staff person submitted to fingerprints on 08/05/21. The surveyor observed the staff person working alone with children in the Three Year Old Classroom. During interview, staff-in-charge stated that she was unaware that the determination status was listed as "not eligible" on the Kentucky National Background Check Service. The staff's file did not contain a completed Child Abuse/Neglect Background Check or completed Criminal Records Background Check.

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 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 ECE-TRIS, the surveyor found the following:

1. A staff (DOH: 07/01/19) obtained six (6) hours of the required fifteen (15) hours of cabinet-approved early care and education training for the review period 07/01/20 – 06/30/21. The staff's file contained training certificates that had not been entered into TRIS.
2. A staff (DOH: 01/04/18) obtained ten and three-fourths (10 ¾) hours of the required fifteen (15) hours of cabinet-approved early care and education training for the review period 07/01/20 – 06/30/21. The staff's file contained training certificates that had not been entered into TRIS.
3. Four staff (DOH: 03/20/18, 06/19/18, 03/20/19, and 04/11/18) completed zero (0) hours of cabinet-approved early care and education training for the review period 07/01/20 – 06/30/21. The staff's files contained training certificates that had not been entered into TRIS.

During interview, staff-in-charge stated that the staff mentioned have completed all of their training; however, it has not been uploaded to ECE-TRIS. Staff-in-charge stated that they have sent the training certificates several times to be uploaded to ECE-TRIS.

Programming

In Compliance

Inspection Report

Premises

Not In Compliance

540 - Premises Requirements

Not In Compliance

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

- (1) The premises shall be:**
 - (a) Suitable for the purpose intended;**
 - (b) Kept clean and in good repair;**

Findings:

General: Based on observation, the surveyor found the following:

1. A blue square rug that contained stains in the Two Year Old Classroom; therefore, the rug was not kept clean.
2. A blue round rug that contained stains and debris in the Two Year Old Classroom; therefore, the rug was not kept clean.
3. A round blue rug and gray square rug that contained debris in the Three Year Old Classroom; therefore, the rugs were not kept clean.
4. A blue square rug that contains debris in the Afterschool Classroom; therefore, the rug was not kept clean.
5. The sink contained what appeared to be paint stains in the Four Year Old Classroom; therefore, the sink was not kept clean.
6. The sink appeared to not be draining good while running the water in the Four Year Old Classroom; therefore, the sink was not kept in good repair.
7. The sink contained paint stains in the girls' restroom located in the hallway; therefore, the sink was not kept clean.
8. The floor contained a sticky substance beside the dryer in the restroom located beside the kitchen; therefore, the floor was not kept clean.
9. Red, blue, green, and pink paint stains on the wall behind the sinks located in the boys' restroom in the hallway; therefore, the wall was not kept clean.

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, the surveyor found one (1) ceiling tile located in the Three Year Old Classroom above a door that was popped out and appeared to be swayed; therefore, the ceiling tile was not kept in good repair.

645 - Sink

Not In Compliance

922 KAR 2:120. Section 10. 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 surveyor found the following:

1. The hot water temperature at two (2) sinks in the boys' restroom located in the hallway measured approximately 128 degrees Fahrenheit; therefore, the hot water was not a minimum temperature of ninety (90) degrees Fahrenheit and a maximum of 120 degrees Fahrenheit.
2. The hot water temperature at the sink located in the Infant Classroom measured approximately 125 degrees Fahrenheit; therefore, the hot water was not a minimum temperature of ninety (90) degrees Fahrenheit and a maximum of 120 degrees Fahrenheit.

650 - Toilet

Not In Compliance

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

- (4) Each toilet shall:**
 - (a) Be kept in clean condition;**
 - (b) Be kept in good repair;**
 - (c) Be in a lighted room; and**
 - (d) Have ventilation to outside air.**

Findings:

General: Based on observation, the surveyor found the following:

1. The toilet seat moved easily and was not tightly secured to the toilet in the girls' restroom located in the hallway; therefore, the toilet was not kept in good repair.
2. The toilet seat contained what appeared to be pink dried on paint in the boys' restroom located in the hallway; therefore, the toilet was not kept in clean condition.
3. The urinal contained stains in the boys' restroom located in the hallway; therefore, the urinal was not kept in clean condition.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Inspection Report

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, the surveyor found the following:

1. A loose board on the fence roll along the side of the playground with two (2) exposed nails.
2. Two (2) half tires with wooden boards attached to them with two (2) nails that were popped out from the wood and exposing the flat part of the nail located on the playground.
3. A small piece of white tin located on the bottom of the building at the back of the playground was sticking out from the building and exposing a sharp edge.
4. A wooden canopy that had exposed nails coming through the roof of the canopy. A small yellow structure was observed placed underneath the canopy. During interview, staff-in-charge stated that After School children do utilize the playground.

Equipment

In Compliance

Transportation

In Compliance

Food Service/Food Program

In Compliance

Food Service

In Compliance

Children's Records

In Compliance

Written Documentation

Not In Compliance

1150 - 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, the surveyor found that the written evacuation plan was last updated on 04/26/18; therefore, the plan needs to be updated. During interview, staff-in-charge stated that the written evacuation plan was updated and there were no changes; however, she was unable to locate the documentation.

Posted Documentation

In Compliance

Animals

In Compliance

Signature of Provider/Representative

Title

Date