



CABINET FOR HEALTH AND FAMILY SERVICES  
OFFICE OF INSPECTOR GENERAL

**Andy Beshear**  
Governor

**Melissa A. Moore, Director**  
Division of Regulated Child Care  
Northern Branch  
908 W. Broadway, 10-W  
Louisville, KY 40203  
Phone: (502) 595-5781 Fax: (502) 595-5773  
<https://chfs.ky.gov/agencies/os/oig>

**Eric C. Friedlander**  
Secretary

**Adam Mather**  
Inspector General

**Inspection Report**

<b>Provider Name:</b> Johnson's Day Care	<b>Provider Information</b>	<b>CLR No:</b> L352585
<b>Provider Address:</b> 5533 Bruce Avenue, Louisville, KY, 40214	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 58
<b>Owner(s):</b> Johnson Day Care, Inc.		<b>Director(s):</b> Mattingly, Amanda Marie

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 247809
<b>Date Initiated:</b> 12/10/2018 8:45 AM	<b>Date Concluded:</b> 12/10/2018 12:00 PM	
	<b>No. of Children Present:</b> 33	

<b>Inspection Report</b>	
<b>Background Checks</b>	<b>In Compliance</b>
<b>Supervision</b>	<b>In Compliance</b>

**Inspection Report**

**Staffing Requirements**

**Not In Compliance**

**125 - Ratios and Group Size**

**Not In Compliance**

**922 KAR 2:120. Section 2. Child Care Services.**

**(2) For an operating child-care center, minimum staff-to-child ratios and group size shall be maintained as established in the table established in this subsection.**

**Age of Children Ratio Maximum Group Size\***

**Infant**

**1 staff for 5 children 10**

**Toddler 12 to 24 months**

**1 staff for 6 children 12**

**Toddler 24 to 36 months**

**1 staff for 10 children 20**

**Preschool-age 3 to 4 years**

**1 staff for 12 children 24**

**Preschool-age 4 to 5 years**

**1 staff for 14 children 28**

**School-age 5 to 7 years**

**1 staff for 15 children 30**

**School-age 7 and older**

**1 staff for 25 children**

**(for before and after school) 30**

**1 staff for 20 children**

**(full day of care) 30**

**\*Maximum Group Size shall be applicable only to Type I child-care centers.**

**(b) The age of the youngest child in the group shall determine the:**

- 1. Staff-to-child ratio; and**
- 2. Maximum group size.**

**Findings:**

General: Based on observation and interview, the child care center failed to comply with staffing requirements. Observation of the Tumble Bus on 12/10/18 revealed one (1) staff member was the caregiver of twelve (12) two-year-old children from 9:00am-9:30am while two (2) Tumble Bus employees were present. Interview with director revealed the child care center did not maintain personnel files for the Tumble Bus employees. Therefore, the center employee was the only approved staff member supervising the children during this time, exceeding the minimum staff to child ratio.

**General Administration**

**In Compliance**

**Director Requirements**

**Not In Compliance**

**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 director failed to assure compliance with regulatory requirements. Review of staff files revealed an annual written performance evaluation was not presented for review at the time of survey for three (3) staff members hired 3/24/08, 10/19/15 and 9/13/16. Interview with director revealed an evaluation had not been completed for the staff members.

**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, the child care center director failed to assure compliance with regulatory requirements. Observation of the child care center bathroom revealed a metal and wooden mousetrap located under the bathroom sink accessible to children in care. Continued observation revealed in the Four's classroom a floor fan located next to the children's play area that was accessible to children.

**Employee Records**

**Not In Compliance**

**395 - 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 and interview, the child care center failed to maintain employee records in accordance with regulations. Review of staff files on 12/10/18 revealed the statement of negative tuberculin result on file for a staff member hired 9/13/16 is no longer current as it is dated 9/9/16. Interview with director revealed current documentation was not on file at the time of survey.

**Inspection Report**

**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 interview, the child care center failed to maintain employee records in accordance with regulations. Review of staff files and ECE-TRIS report revealed documentation of fifteen (15) hours of cabinet approved training was not presented for review at the time of survey for one (1) staff member hired 6/10/13. Interview with director revealed this documentation was not on file at the time of survey.

**415 - Driver Requirements**

**Not In Compliance**

**922 KAR 2:120. Section 12. 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 which resulted in the death of a person.**

**Findings:**

General: Based on interview and review of documentation, the child care center failed to maintain employee records in accordance with regulations. Interview with director on 12/10/18 revealed a staff member hired 8/23/04 is one of the drivers for the child care center. Review of staff files on 12/10/18 revealed the Kentucky Driver History Record presented for review at the time of survey for the staff member hired 8/23/04 is no longer current as it was requested on 8/6/17. Interview with director revealed a current Kentucky Driver History Record was not available for review at the time of survey.

**Programming**

**In Compliance**

**Premises**

**Not In Compliance**

**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 child care center failed to maintain the premises in accordance with regulatory requirements. Observation of Two's classroom, Kitchen and the One's classroom, revealed several areas where paint was chipping and peeling from the walls.

**Hygienic Practices**

**Not In Compliance**

**675 - Training Chair**

**Not In Compliance**

**922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.**  
**(7) If a toilet training chair is used, the chair shall be:**  
**(a) Used over a surface that is impervious to moisture;**  
**(b) Out of reach of other toilets or toilet training chairs;**  
**(c) Emptied promptly; and**  
**(d) Disinfected after each use.**

**Findings:**

General: Based on observation, the center failed to maintain hygienic practices in accordance with regulations. Observation of the center bathroom revealed two (2) training chairs located directly next to each other and next to the adjacent toilet in reach of each other by children.

**First Aid/Medication**

**In Compliance**

**Outdoor Play Area**

**In Compliance**

**Inspection Report**

**Equipment**

**Not In Compliance**

**820 - Indoor/Outdoor Equipment**

**Not In Compliance**

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

**(2) Indoor and outdoor equipment shall:**

- (a) Be clean, safe, and in good repair;**
- (b) Meet the physical, developmental needs, and interests of children of different age groups;**
- (c) Be free from sharp points or corners, splinters, protruding nails or bolts, loose or rusty parts, hazardous small parts, lead-based paint, poisonous material, and flaking or chalking paint; and**
- (d) Be designed to guard against entrapment or situations that may cause strangulation.**

**Findings:**

General: Based on observation, the child care center failed to maintain outdoor equipment in accordance with regulations. Observation of the outdoor play area revealed on the wooden climbing equipment there were several loose boards that were splintering exposing sharp edges. Continued observation of the wooden equipment revealed several nails protruding from the wood.

**Transportation**

**In Compliance**

**Food Service/Food Program**

**In Compliance**

**Food Service**

**Not In Compliance**

**1040 - Kitchen Equipment Clean and Sanitary**

**Not In Compliance**

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

**(7) The following shall be clean and sanitary:**

- (a) Eating and drinking utensils;**
- (b) Kitchenware;**
- (c) Food contact surfaces of equipment;**
- (d) Food storage utensils;**
- (e) Food storage containers;**
- (f) Cooking surfaces of equipment; and**
- (g) Nonfood contact surfaces of equipment.**

**Findings:**

General: Based on observation, the child care center failed to maintain food service in accordance with regulations. Observation of the kitchen revealed the exterior of the stove was soiled with a buildup of a sticky substance and the inside of the stove door was soiled with a brownish buildup/stain.

**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 child care center failed to maintain written documentation in accordance with regulations. Review of staff files revealed a written annual plan for child care staff professional development was not presented for review at the time of survey for one (1) staff member hired 3/24/08. Interview with director revealed a staff professional development plan had not been completed for this staff member.

**Posted Documentation**

**In Compliance**

**Animals**

**In Compliance**

Signature of  
Provider/Representative

Title

Date