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**Inspection Report**

<b>Provider Name:</b> The Magnificent Child Care Center	<b>Provider Information</b>	<b>CLR No:</b> L383920
<b>Provider Address:</b> 7503 Industrial Road, Florence, KY, 41042	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 39
<b>Owner(s):</b> The Magnificent Child Care Center		<b>Director(s):</b> Kounta, Fanta B

<b>Inspection Type:</b> Investigation	<b>Inspection Information</b>	<b>Inspection No:</b> 290953
<b>Date Initiated:</b> 09/06/2019 11:00 AM	<b>Date Concluded:</b> 09/06/2019 12:05 PM	
	<b>No. of Children Present:</b> 16	

Inspection Report	
Staffing Requirements	Not In Compliance
<b>115 - Cooking/Cleaning Staffing</b>	<b>Not In Compliance</b>
<b>922 KAR 2:090. Section 10. Director Requirements and Responsibilities.</b>	
<b>(1) A director shall:</b>	
<b>(k) Assure that additional staff are available during cooking and cleaning hours, if necessary, to maintain staff-to-child ratios pursuant to 922 KAR 2:120;</b>	
<b>Findings:</b>	
<p>General: Based on observation, this regulatory requirement was not met. Upon arrival at the facility at approximately 11:00 a.m. the surveyor observed a staff person entering the building. Once inside the surveyor found ten (10) children ages eighteen-months-old to four-years-old in the Preschool room. The staff person with a date of hire of 4/15/19 indicated there was another staff person in the bathroom located in the hallway, changing a child's diaper. An interview with the staff person that arrived when the surveyor arrived found the staff person left the facility at approximately 9:50 a.m. to get her T.B. test done. This staff person went into the preschool room when she arrived. Therefore the staff person with a date of hire of 4/15/19 had ten (10) children with the age of the youngest child being eighteen-months-old by herself. The staff to child ratio with the age of the youngest child being eighteen-months old is one (1) staff for six (6) children. This made the staff-to-child ratio over by four (4) children until the additional staff person arrived at the facility. It was not determined how long the staff person was in the bathroom changing the child's diaper. It was also observed that once the staff person who was changing the child's diaper completed the task she returned the child to the infant room and then left the infant room and went to the preschool room. This left the staff person in the infant room with six (6) infants and toddlers ages four-months-old to eighteen-months-old. The staff to child ratio with the age of the youngest child being four-months-old is one (1) staff for five (5) children. This made the infant room over by one (1) child. It should be noted that the staff person who was changing the child's diaper was back and forth in the infant room and the preschool room making the infant room out of ratio for short periods of time. It should also be noted that the staff person with a hire date of 4/15/19 started preparing lunch leaving the one (1) staff person who arrived when the surveyor arrived in the preschool area with ten (10) children ages eighteen-months-old to four-years-old. The additional staff person who was changing a child's diaper when the surveyor arrived moved two (2) children from the infant room to eat lunch with the children in the Preschool room twelve (12) children ages eighteen-months-old to four-years-old while the staff person with a hire date of 4/15/19 prepared lunch. Again, this same staff person moved back and forth from the infant room to the preschool room leaving the one (1) staff person in the Preschool room out of ratio by six (6) children once the two (2) children were moved from the infant room. Although there was an additional staff person available while the staff person with a hire date of 4/15/19 prepared lunch the staff person did not remain in the Preschool room consistently to assure staff to child ratios were met.</p>	

**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, this regulatory requirement was not met. Upon arrival at the facility at approximately 11:00 a.m. the surveyor observed a staff person entering the building. Once inside the surveyor found ten (10) children ages eighteen-months-old to four-years-old in the Preschool room. The staff person with a date of hire of 4/15/19 indicated there was another staff person in the bathroom located in the hallway, changing a child's diaper. An interview with the staff person that arrived when the surveyor arrived found the staff person left the facility at approximately 9:50 a.m. to get her T.B. test done. This staff person went into the preschool room when she arrived. Therefore the staff person with a date of hire of 4/15/19 had ten (10) children with the age of the youngest child being eighteen-months-old by herself. The staff to child ratio with the age of the youngest child being eighteen-months old is one (1) staff for six (6) children. This made the staff-to-child ratio over by four (4) children until the additional staff person arrived at the facility. It was not determined how long the staff person was in the bathroom changing the child's diaper. It was also observed that once the staff person who was changing the child's diaper completed the task she returned the child to the infant room and then left the infant room and went to the preschool room. This left the staff person in the infant room with six (6) infants and toddlers ages four-months-old to eighteen-months-old. The staff to child ratio with the age of the youngest child being four-months-old is one (1) staff for five (5) children. This made the infant room over by one (1) child. It should be noted that the staff person who was changing the child's diaper was back and forth in the infant room and the preschool room making the infant room out of ratio for short periods of time. It should also be noted that the staff person with a hire date of 4/15/19 started preparing lunch leaving the one (1) staff person who arrived when the surveyor arrived in the preschool area with ten (10) children ages eighteen-months-old to four-years-old. The additional staff person who was changing a child's diaper when the surveyor arrived moved two (2) children from the infant room to eat lunch with the children in the Preschool room twelve (12) children ages eighteen-months-old to four-years-old while the staff person with a hire date of 4/15/19 prepared lunch. Again, this same staff person moved back and forth from the infant room to the preschool room leaving the one (1) staff person in the Preschool room out of ratio by six (6) children once the two (2) children were moved from the infant room. Although there was an additional staff person available while the staff person with a hire date of 4/15/19 prepared lunch the staff person did not remain in the Preschool room consistently to assure staff to child ratios were met. A review of DRCC files found this regulatory violation had been found during an investigation conducted on 6/26/19.

**General Administration**

**Not In Compliance**

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

**(19) The Department of Housing, Buildings and Construction, State Fire Marshal's Office, and cabinet shall be contacted concerning a planned new building, addition, or major renovation prior to construction.**

**Findings:**

General: Based on observation, this regulatory requirement was not met. At the time of the investigation on 9/6/19 it was found that a half wall had been constructed, blocking the entrance into the infant room from the front entryway. In order to enter the infant room the walk way was through the Preschool room, through two (2) baby gates that block off the open kitchen area and then a doorway located in the hallway. It was found through interview with the staff person with a hire date of 4/15/19 the half wall was added a few months ago. This staff person also stated the entrance was blocked to keep the infants from crawling out of the room. A review of DRCC files found that the facility had not notified the Division of Regulated Child Care of their plans to construct the half wall nor had they contacted The Department for Housing, Buildings and Construction and the State Fire Marshall's Office.

**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:**

- 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, this regulatory requirement was not met. During a tour of the Preschool room and the Toddler room there was a planned program of activities posted on the wall. However, the date on the posted plan was for the week of 7/29/19. A tour of the infant room found that a form for a planned program of activities was posted but the form was blank and did not contain any activities.

**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, this regulatory requirement was not met. A tour of the infant room found three (3) infants sleeping in cribs. Two (2) of the infants had thick blankets there were placed loosely in the cribs.

**560 - Building Requirements**

**Not In Compliance**

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

**(5) The building shall be constructed to ensure the:**

- (a) Building is:**
  - 1. Dry;**
  - 2. Ventilated; and**
  - 3. Well lit, including clean light fixtures that are:**
    - a. In good repair in all areas; and**
    - b. Shielded or have shatter-proof bulbs installed; and**
- (b) Following are protected:**
  - 1. Windows;**
  - 2. Doors;**
  - 3. Stoves;**
  - 4. Heaters;**
  - 5. Furnaces;**
  - 6. Pipes; and**
  - 7. Stairs.**

**Findings:**

General: Based on observation, this regulatory requirement was not met. A tour of the infant room found a light bulb hanging from a hole in the ceiling with exposed wires. An interview with the staff person with a hire date of 4/15/19 found that the light bulb has been hanging in this manner since the facility has been open. The staff person also indicated the property owner has been made aware of the needed repair.

**595 - Plumbing Code**

**Not In Compliance**

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

**(13) All plumbing shall comply with the State Plumbing Code established in KRS Chapter 318.**

**Findings:**

General: Based on observation and interview, this regulatory requirement was not met. An interview with the staff person with a hire date of 4/15/19 confirmed that a handwashing sink and a mop sink had been installed at the facility without proper permits in place. The staff person stated they are not using the handwashing sink that was installed in the open kitchen area.

**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, this regulatory requirement was not met. During the investigation conducted on 9/6/19 the surveyor observed numerous weeds growing around the inside of the chain-link fenced outdoor play area. An abundance of weeds was also observed growing along the edge of the building that is in the fenced area. The grass on the entire outdoor play area was tall and appeared as though it had not been mowed.

**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, this regulatory requirement was not met. During the investigation conducted on 9/6/19 the surveyor observed a wooden play structure in the outdoor play area. It was observed that the structure contained three (3) swings, a ladder to climb to a platform to access the slide and a slanted board on the end that contained hand and foot holds for the children to climb to reach the platform. The entire structure was placed on grass with what appeared to be a scattering of rubber mulch pieces thrown under the swings, around the end of the slide and at the bottom of the slanted wall with the hand and footholds. The tallest point a child could climb was approximately four (4) feet seven (7) inches tall. It was also found that the bottom of the slanted wall that contained the hand and footholds was approximately two (2) feet from the chain link fence. This is not an adequate fall zone based on the highest point to climb on the piece of equipment.

**Equipment**

**Not In Compliance**

**790 - Crib/Mattress/Sheet**

**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:**
  - 1. An individual non-tiered crib that meets Consumer Product Safety Commission standards established in 16 C.F.R. 1219-1220;**
  - 2. A firm crib mattress in good repair with a clean tight-fitted sheet that shall be changed:**
    - a. Weekly; or**
    - b. Immediately if it is soiled or wet;**

**Findings:**

General: Based on observation, this regulatory requirement was not met. During a tour of the infant room five cribs were observed. All five (5) of the cribs had sheets that did not fit tightly over the mattress. At the time of the survey three (3) infants were observed sleeping in the cribs.

**Food Service/Food Program**

**Not In Compliance**

**975 - Milk Requirements**

**Not In Compliance**

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

**(3) A serving of milk shall consist of:**

- (a) Breast milk or iron-fortified formula for a child:**
  - 1. Age birth to twelve (12) months; or**
  - 2. Beyond twelve (12) months of age as documented by the parent or the child's physician;**
- (b) Pasteurized whole milk for children ages twelve (12) months to twenty-four (24) months; or**
- (c) Pasteurized low fat one (1) percent or fat-free skim milk for children ages twenty-four (24) months to school-age.**

**Findings:**

General: Based on observation, this regulatory requirement was not met. At the time of the investigation the children were served lunch. The age of the children who were served lunch was eighteen-months-old to four-years-old. It was observed that all of the children were served one percent (1%) milk. Children who are twelve to twenty-four (12-24) months old are required to be served whole milk.

**Food Service**

**Not In Compliance**

**1015 - Food Service Permit**

**Not In Compliance**

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

**(2) A child-care center required to have a food service permit shall be in compliance with 902 KAR 45:005 and this administrative regulation.**

**Findings:**

General: Based on observation, this regulatory requirement was not met. At the time of the investigation the children were observed eating lunch. An interview with the staff person with a hire date of 4/15/19 found that the food had come from Eddie's BBQ. The food was picked up at the establishment at 9:00 a.m. and transported in insulated bags to the facility. It was stated that the food remained in containers inside the insulated bags until lunch was served. The surveyor arrived at the facility at approximately 11:00 a.m. and lunch was served a short time after that. It should be noted that the Division of Regulated Child Care received information that Eddie's BBQ does not currently have a catering permit.

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Signature of Provider/Representative

Title

Date