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Adam Mather
INSPECTOR GENERAL

Inspection Report

| | | |
|---|--|--|
| Provider Name: The Learning Tree Daycare | Provider Information Provider Type: LICENSED TYPE I | CLR No: L384018 |
| Provider Address: 2624 New Hartford Rd, Bldg C, Owensboro, KY, 42303 | | Capacity: 35 |
| Owner(s): The learning tree daycare LLC | | Director(s): Bolton, Christina Danielle |

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|---|---|------------------------------|
| Inspection Type: Renewal Application | Inspection Information | Inspection No: 319636 |
| Date Initiated: 11/22/2021 10:00 AM | Date Concluded: 11/22/2021 2:15 PM | |
| | No. of Children Present: 19 | |

| Inspection Report | |
|---|--------------------------|
| Background Checks | Not In Compliance |
| 10 - Submit background check | Not In Compliance |
| <p>922 KAR 2:280 - Section 4. Procedures and Payments.</p> <p>(1) To initiate the process for obtaining background checks on a prospective child care staff member, the child care provider shall:</p> <p>(a) Request that the prospective child care staff member provide a copy of his or her driver's license or other government-issued photo identification and verify that the photograph clearly matches the prospective child care staff member;</p> <p>(b) Request that the prospective child care staff member complete and sign the:</p> <ol style="list-style-type: none"> 1. DCC-500, Applicant Child Care Staff Member Waiver Agreement and Statement; and 2. DCC-501, Disclosures to Be Provided to and Signed by the Applicant Child Care Staff Member; and <p>(c) Log on to the NBCP portal and enter the prospective child care staff member's demographic information for a check of the:</p> <ol style="list-style-type: none"> 1. Child abuse and neglect central registry pursuant to 922 KAR 1:470; 2. National Crime Information Center's National Sex Offender Registry in accordance with 34 U.S.C. 20921; and 3. Sex Offender Registry established in accordance with KRS 17.500 through 17.580. | |
| Findings: | |
| General: Based on review of documentation, a sixteen-year-old caregiver hired on 11/8/21, did not submit a child abuse/neglect check and a criminal records check. In addition, the caregiver was not alone, but supervised children in the preschool room. A caregiver hired on 11/17/21, had not submitted fingerprints and was present in the infants' room. | |
| Supervision | In Compliance |
| Staffing Requirements | In Compliance |
| General Administration | Not In Compliance |
| 180 - Plan of Correction/15 days | Not In Compliance |
| Findings: | |
| A PLAN OF CORRECTION WAS DUE ON 02/15/2022 AND AS OF 02/24/2022, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED. | |
| Director Requirements | In Compliance |

Inspection Report

Employee Records

Not In Compliance

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, a caregiver hired on 11/17/21, did not have TB documentation on file.

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, a caregiver hired on 7/18/21, did not complete six (6) hours of cabinet approved orientation training. A caregiver hired on 8/17/20, did not complete Pediatric Abusive Head Trauma Training within the first year of employment.

Programming

Not In Compliance

455 - 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 and 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, the planned program of activities was not developed in the preschool room.

480 - Waiting Period

Not In Compliance

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

- (9) A child shall not be required to stand or sit for a prolonged period of time:
 - (a) During an activity;
 - (b) While waiting for an activity to start; or
 - (c) As discipline.

Findings:

General: Based on observation, a three-year-old child sat in a highchair from 10:00 a.m. to 10:31 a.m. while other children played in the preschool room.

Premises

In Compliance

Inspection Report

Hygienic Practices

Not In Compliance

700 - Child Personal Care/Handwashing

Not In Compliance

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

(4) A child shall:

- (a) Be helped with personal care and cleanliness based upon his or her developmental skills;**
- (b) Except as established in paragraph (c) of this subsection, wash his or her hands with liquid soap and warm running water:**
 - 1. a. Upon arrival at the center; or**
 - b. Within thirty (30) minutes of arrival for school-age children;**
 - 2. Before and after eating or handling food;**
 - 3. After toileting or diaper change;**
 - 4. After handling animals;**
 - 5. After touching an item or an area of the body soiled with body fluids or wastes; and**
 - 6. After outdoor or indoor play time; and**
- (c) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (b) of this subsection. The child shall wash the child's hands as soon as practicable once liquid soap and warm running water are available.**

Findings:

General: Based on observation, fourteen (14) children did not wash their hands with liquid soap and warm, running water after eating lunch in the preschool room.

First Aid/Medication

In Compliance

Outdoor Play Area

Not In Compliance

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 Step2 Slide was placed on asphalt in the outdoor play area.

Equipment

Not In Compliance

835 - Crib/Mattress/Sheet

Not In Compliance

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

(3) Rest time shall occur in an adequate space according to 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, a pink stain and dark stains were on a yellow sheet on a crib mattress in the infants' room. Dark stains were a deer print sheet had on a crib mattress in the infants' room.

865 - Indoor/Outdoor Equipment

Not In Compliance

922 KAR 2:120. Section 13. 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, white smears were on an acrylic panel on a gate in the two-year-olds' room. Vinyl was torn in several places on an Airzone Band Trampoline in the outdoor play area. The frame of a lime green and gray car was cracked and had sharp points in the outdoor play area. Dried liquid and dried food particles were on the bottom shelf and on a shelf located on the door of the refrigerator in the preschool room.

Transportation

Not Applicable

Kitchen Requirements

In Compliance

Food Service

In Compliance

Meal Planning/Center Provides Meals

In Compliance

Meal Planning/Center Does Not Provide Meals

Not Applicable

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, a child enrolled on 3/19/21, did not have an immunization certificate on file.

1250 - 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, a child enrolled on 5/11/21, did not have contact information on file for staff to contact the child's physician.

Written Documentation

Not In Compliance

1270 - 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 observation and review of documentation, nineteen (19) children were present at the center, and seventeen (17) children had a documented arrival time. Therefore, two (2) children did not have a documented arrival time.

1280 - 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, a caregiver hired on 12/9/19, had a written annual professional development plan on file that was dated 7/22/20.

1305 - Fire Drills

Not In Compliance

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

(12) A fire drill shall be:

- (a) Conducted during hours of operation at least monthly; and
- (b) Documented.

(13) An earthquake drill, shelter-in-place or lockdown drill, and tornado drill shall be:

- (a) Conducted during hours of operation at least quarterly; and
- (b) Documented.

Findings:

General: Based on review of documentation, a quarterly, practiced earthquake drill, tornado drill, and lockdown drill were not conducted during the third quarter of 2021.

Posted Documentation

In Compliance

Animals

Not Applicable

Signature of Provider/Representative

Title

Date