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Inspection Report

Provider Name: Kindercare Education LLC	Provider Information	CLR No: L384110
Provider Address: 4104 Dixie Highway, Erlanger, KY, 41018	Provider Type: LICENSED TYPE I	Capacity: 145
Owner(s): Kindercare Education Llc		Director(s): Combs, Natasha

Inspection Type: Renewal Application	Inspection Information	Inspection No: 319210
Date Initiated: 11/04/2021 10:24 AM	Date Concluded: 11/04/2021 2:05 PM	
	No. of Children Present: 48	

Inspection Report	
Background Checks	Not In Compliance
20 - Out of state background checks	Not In Compliance
<p>922 KAR 2:280. Section 5. Checks of Other States. (1) In accordance with 45 C.F.R. 98.43(b)(3), a prospective child care staff member who resides in or has resided in another state within the last five (5) years shall: (a) Request from each state of current or prior residency, in accordance with the state's laws, policies, and procedures, with a courtesy notice to the cabinet: 1. An in-state criminal records check by: a. Means of fingerprints for the state of residence; or b. Any means accepted by a state of prior residency; 2. A check of the state's sex offender registry or repository; and 3. A check of the state-based child abuse and neglect registry and database; and (b) Direct results of the checks required in paragraph (a) of this subsection to the Department for Community Based Services, Division of Child Care, 275 East Main Street, 3C-F, Frankfort, Kentucky 40601.</p>	
Findings:	
General: Based on review of documentation, the following was found:	
1.) A staff member hired 6/1/2021, lived in Florida within the past five years. There was no evidence of submission or results of a central registry check or sex offender registry check from the state of Florida on file at the facility.	
2.) A staff member hired 9/2/21, lived in Indiana within the past five years. There was no evidence of submission or results of a background check, central registry check, sex offender registry check from the state of Indiana on file at the facility.	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
225 - Licensee Responsibility	Not In Compliance
<p>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.</p>	
Findings:	
General: Based on observation, there was one uncovered electrical outlet in the Toddler 2 classroom and the Toddler 1 classroom.	

Inspection Report

290 - Abuse/Neglect Report Procedure

Not In Compliance

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

(3)(b) The program shall include:

- 1. A procedure to ensure compliance with and inform child care staff of the laws of the Commonwealth pertaining to child abuse or neglect set forth in KRS 620.030;

Findings:

General: Based on review of documentation, an Abuse and Neglect policy directing staff members on the laws pertaining to child abuse and neglect/reporting was not available for review.

Director Requirements

Not In Compliance

335 - Operation instruction/Regulation copy

Not In Compliance

922 KAR 2:090. Section 8. General.

(2) Child-care center staff shall be:

- (a) Instructed by the child-care center's director regarding requirements for operation; and
- (b) Provided with a copy of this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280.

Findings:

General: Based on review of documentation, a copy of KAR 2:280 and KAR 2:120 were not present at the facility; additionally, a copy of KAR 2:090 was dated for 2018 and was not current.

360 - 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, staff members hired 8/14/15 and two staff hired 8/24/18, did not have an evaluation in their personnel file.

Employee Records

Not In Compliance

400 - Educational Requirements

Not In Compliance

922 KAR 2:090. Section 11. Staff Requirements.

(1) Child-care center staff:

- (a) Hired after January 1, 2009, who have supervisory power over a minor and are not enrolled in secondary education, shall have a:
 - 1. High school diploma;
 - 2. GED or qualifying documentation from a comparable educational entity; or
 - 3. Commonwealth Child Care Credential as described in 922 KAR 2:250;

Findings:

General: Based on review of documentation, staff members hired 9/23/20, 6/1/20, and 11/3/21, did not have proof of educational qualifications in their personnel file.

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, Five staff members did not have documentation of a negative tuberculin skin result; nor a physician's statement clearing these individuals of active tuberculosis. The dates of hire for these individuals are: 6/17/2021, 6/1/21, 9/2/21, 5/10/21, and 11/3/2021.

Additionally, five staff members had a negative tuberculin skin result that exceeded two years; these individuals were hired: 9/23/21, 8/14/15, 8/22/19, 8/24/18, and 1/4/19.

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, the following was found:

- 1.) Staff members hired on 9/23/2020, 8/22/19, and 8/24/18 did not complete the required PAHT training. These staff member have been employed for more than one year. Additionally, staff members hired 8/14/15, 8/22/19, and 8/24/18 have a documented PAHT training that exceeds five years and is no longer current.
- 2.) Staff members hired 9/23/2020, 8/14/2015, 8/24/18, and 8/22/19 did not complete 15 hours of cabinet-approved early care and education training for the July 1, 2020 – June 30, 2021 training year. These four individuals are considered existing staff members on ECE-TRIS.
- 3.) Staff members hired 6/1/2021, 8/24/18, 8/24/18, and 5/10/21 did not complete the required Orientation. These staff members have been employed for more than three months. Additionally, a staff member hired 6/17/2021, did not take Orientation within three months of employment. The course was taken 11/11/21.

The ECE-TRIS system was reviewed and confirmed these findings.

450 - Driver Requirements

Not In Compliance

922 KAR 2:120. Section 14. 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 that resulted in the death of a person.**

Findings:

General: Based on review of documentation, an annual driver history check was not completed for the individual identified to be the van driver.

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 review of documentation, a daily lesson plan was not posted in the Toddler 2 classroom. Additionally, the lesson plans in the Toddler 1 classroom and Discovery Preschool did not contain a date, the surveyor was unable to determine whether the plans were current.

Inspection Report

540 - Bedding/Toys in Crib

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:

- 3. No bedding other than a clean tight-fitted sheet; and
- 4. No toys or other items except the infant's pacifier;

Findings:

General: Based on observation, one crib contained a loose sheet in the Infant 2 classroom.

Premises

Not In Compliance

565 - 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, a staff member's purse was sitting on a shelf used for play, the staff member's purse was accessible to the children.

625 - 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 following was found:

- 1.) The baseboard was separating from the wall in the Pre-Kindergarten classroom, near circle time bulletin board.
- 2.) Crayon marks were observed near the wall in the library of the Discovery Preschool classroom.
- 3.) Areas of chipping paint were observed on the walls in the Pre-Kindergarten classroom.
- 4.) There was a white substance dried onto the carpet in the Pre-kindergarten classroom.

Hygienic Practices

Not In Compliance

730 - Diaper Changing Area/Surface

Not In Compliance

922 KAR 2:120. Section 12. 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, several items were stored on the diaper changing pad in the Toddler 1 classroom.

745 - Children's Individual Items

Not In Compliance

922 KAR 2:120. Section 12. Toilet, Diapering, and Toiletry Requirements.

(14) Combs, towels or washcloths, brushes, and toothbrushes used by a child shall be:

- (a) Individually stored in separate containers; and
- (b) Plainly labeled with the child's name.

Findings:

General: Based on observation, children's items were stored on hooks in the Toddler 2 classroom; several cloth items were overlapping. This method of storage promotes the spread of germs and bacteria.

Inspection Report

First Aid/Medication

Not In Compliance

760 - First Aid Supplies

Not In Compliance

922 KAR 2:120. Section 7. First Aid and Medicine.

(1) First aid supplies shall:

- (a) Be available to provide prompt and proper first aid treatment;**
- (b) Be stored out of reach of a child;**
- (c) Be periodically inventoried to ensure the supplies have not expired;**
- (d) If reusable, be:**
 - 1. Sanitized; and**
 - 2. Maintained in a sanitary manner; and**
- (e) Include:**
 - 1. Liquid soap;**
 - 2. Adhesive bandages;**
 - 3. Sterile gauze;**
 - 4. Medical tape;**
 - 5. Scissors;**
 - 6. A thermometer;**
 - 7. Flashlight;**
 - 8. Cold pack;**
 - 9. First aid book;**
 - 10. Disposable gloves; and**
 - 11. A cardiopulmonary resuscitation mouthpiece protector.**

Findings:

General: Based on observation, the first aid kit did not contain medical tape.

Outdoor Play Area

Not In Compliance

805 - Fence Construction

Not In Compliance

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

(24) Fences shall be:

- (a) Constructed of safe material;**
- (b) Stable; and**
- (c) In good condition.**

Findings:

General: Based on observation, a fence plank on the playground was separated from the fence frame, the plank had protruding nails.

Equipment

Not In Compliance

860 - Toys/Furniture

Not In Compliance

922 KAR 2:120. Section 13. Toys and Furnishings.

(1) All toys and furniture contacted by a child shall be:

- (a) Kept clean and in good repair; and**
- (b) Free of peeling, flaking, or chalking paint.**

Findings:

General: Based on observation, the following was found:

- 1.) A blue vinyl couch within the Discovery Preschool classroom was ripped with exposed foam.
- 2.) Tape residue was observed on the block shelf of the Discovery Preschool classroom; the tape residue had started to accumulate dirt and grime.

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, the following was found:

- 1.) The back of the sink and area around the faucet of the sink in the Pre-kindergarten classroom contained a large amount of dirt and grime.
- 2.) A cup dispenser in the Discovery Preschool classroom was separating from the wall.

Transportation

In Compliance

Kitchen Requirements

In Compliance

Food Service

In Compliance

Inspection Report

Meal Planning/Center Provides Meals
Meal Planning/Center Does Not Provide Meals
Children's Records

In Compliance
In Compliance
Not In Compliance

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, two children did not have a preferred hospital listed in their enrollment information.

Written Documentation

Not In Compliance

1260 - 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 emergency preparedness plan presented for review was dated 2019; there was no documentation indicating that the plan had been submitted to the proper emergency management authority.

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, six professional development plans reviewed did not have a date; therefore, the surveyor was unable to determine if the plan was current. Additionally, two staff members did not have a professional development plan in their personnel file.

1285 - Earthquake/Tornado/Fire Drills

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

- (h) A written record of quarterly practiced earthquake drills and tornado drills detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;**
 - (i) A written record of practiced fire drills conducted monthly detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;**

Findings:

General: Based on review of documentation, there was no evidence that Earthquake and Tornado drills had been practiced at the facility.

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, the monthly Fire Drill documentation did not contain a list of children who had participated.

Inspection Report

Posted Documentation

Not In Compliance

1310 - Posting Requirements

Not In Compliance

922 KAR 2:090. Section 8. General.

(6) In addition to the posting requirement of KRS 199.898(3), a child-care center shall post the following in a conspicuous place and make available for public inspection:

- (a) The provider's preliminary or regular license;**
- (b) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;**
- (c) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;**
- (d) Information on the Kentucky Consumer Product Safety Program and the program's Web site as specified in KRS 199.897;**
- (e) A description of services provided by the child-care center, including:**
 - 1. Current rates for child care; and**
 - 2. Each service charged separately and in addition to the basic rate for child care;**
- (f) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and**
- (g) Daily planned program.**

Findings:

General: Based on observation, information pertaining to the Consumer Product Safety Commission was not posted for public inspection.

1330 - Diapering/Handwashing

Not In Compliance

922 KAR 2:120. Section 12. Toilet, Diapering, and Toiletry Requirements.

(9) The proper methods of diapering and hand-washing shall be posted at each diaper changing area.

Findings:

General: Based on observation, diaper changing and handwashing steps were not posted near the diaper changing station of the Toddler 1 classroom.

Animals

In Compliance

Signature of Provider/Representative

Title

Date