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Inspection Report

Provider Name: Noah's Ark Daycare Center	Provider Information	CLR No: L356929
Provider Address: 117 North 17th Street, Middlesboro, KY, 40965	Provider Type: LICENSED TYPE I	Capacity: 80
Owner(s): Kelly, Edith Sue		Director(s): Ballenger, Angel Renee

Inspection Type: Renewal Application	Inspection Information	Inspection No: 318681
Date Initiated: 02/10/2022 1:25 PM	Date Concluded: 02/10/2022 3:30 PM	
	No. of Children Present: 35	

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 documentation presented, the surveyor found a staff's (DOH: 04/26/2020) file did not contain documentation of background checks submitted through the Kentucky National Background Check Service. Based on review of the Kentucky National Background Check Service, the staff member did not have a completed background check; therefore, the staff person was hired prior to clearance for employment. During interview, staff-in-charge stated that the staff person has not worked alone with children. The surveyor did not observe the staff person working alone with children. The staff's file did not contain a completed Child Abuse/Neglect Background Check or a completed Criminal Records Background Check.</p>	

10 - Submit background check

Not In Compliance

922 KAR 2:280 - Section 4. Procedures and Payments.

- (1) To initiate the process for obtaining background checks on a prospective child care staff member, the child care provider shall:**
- (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;**
 - (b) Request that the prospective child care staff member complete and sign the:**
 - 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**
 - (c) Log on to the NBCP portal and enter the prospective child care staff member's demographic information for a check of the:**
 - 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 presented, the surveyor found a staff's (DOH: 04/26/2020) file did not contain documentation to verify that the center initiated the process in Kentucky National Background Check Service on the staff member. Based on review of the Kentucky National Background Check Service, the staff member was not submitted for a background check. During interview, staff-in-charge stated that the staff person has not worked alone with children. The surveyor did not observe the staff person working alone with children

Supervision

In Compliance

Staffing Requirements

In Compliance

General Administration

In Compliance

Director Requirements

In Compliance

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 presented, the surveyor found a staff's (DOH: 04/26/2020) file did not contain documentation of staff's educational qualification.

During interview, staff confirmed that the proof of education documents were not in the staff's files. Staff stated that the staff member was a volunteer; however, the staff assist in the classroom with the children as a staff person.

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 presented and ECE-TRIS, the surveyor found the following:

- 1. A staff's (DOH: 10/20/2021) file did not contain documentation of the completion of the six (6) hours of cabinet-approved orientation training; therefore, the training was not obtained during the staff's first three (3) months of employment.
- 2. A staff's (DOH: 02/22/2002) file did not contain documentation of the completion of fifteen (15) hours of annual training for the time period of 06/30/2020 through 07/01/2021. Review of ECE-TRIS revealed that the staff obtained twelve and a one-half (12 1/2) of the required fifteen (15) hours of annual training.

During interview, staff stated she would ensure staff complete trainings as soon as possible.

Programming

In Compliance

Inspection Report

Premises

Not In Compliance

585 - 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 during a tour of the center, the surveyor found two (2) used face masks on the floor in the school age room. Therefore, the premises was not kept clean.

During interview, staff stated that they would immediately dispose of the face masks.

685 - Toilet Room

Not In Compliance

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

- (2) A toilet room shall:**
 - (a) 1. Be provided for each gender; or**
 - 2. A plan shall be implemented to use the same toilet room at separate times;**
 - (b) Have a supply of toilet paper; and**
 - (c) Be cleaned and disinfected daily.**

Findings:

General: Based on observation during a tour of the center, the surveyor found the following:

1. In the School Age Room's restroom, there was a brownish type of substance located on the lower half of the wall beside the toilet. The substance was approximately two and one-half (2 ½) inches in height and six (6) inches in length.
2. In the School Age Room's restroom, a car air freshener was placed on the floor.

During interview, staff stated that the restrooms will be thoroughly cleaned.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Outdoor Play Area

In Compliance

Equipment

In Compliance

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

In Compliance

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 presented, the surveyor found a child's (DOE: 01/30/2012) file contained an immunization certificate that was no longer current as of 01/27/2022.

During interview, staff stated this was the most recent immunization certificate provided to the center.

Written Documentation

In Compliance

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 during a tour of the center, the surveyor found that the daily planned program posted in the Two Year Room was dated for December 2021; therefore, the daily planned program was not current.

During interview, staff stated that an updated daily planned program was not available at the time of the survey.

Animals

In Compliance

Signature of Provider/Representative

Title

Date