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**Inspection Report**

|  |                                       |   |
|--|---------------------------------------|---|
| <b>Provider Name:</b> Trinity Hill Child Care Center               | <b>Provider Information</b>           | <b>CLR No:</b> L352894                  |
| <b>Provider Address:</b> 210 E. Reynolds Rd., Lexington, KY, 40517 | <b>Provider Type:</b> LICENSED TYPE I | <b>Capacity:</b> 120                    |
| <b>Owner(s):</b> Trinity Hill Child Care Center, Inc.              |                                       | <b>Director(s):</b> Mangione, Mary Lynn |

|  |   |                              |
|--|---|------------------------------|
| <b>Inspection Type:</b> Investigation      | <b>Inspection Information</b>             | <b>Inspection No:</b> 293218 |
| <b>Date Initiated:</b> 02/26/2020 10:00 AM | <b>Date Concluded:</b> 02/26/2020 3:00 PM |                              |
|  | <b>No. of Children Present:</b> 46        |                              |

| Inspection Report   |                          |
|---|--------------------------|
| Supervision   | Not In Compliance        |
| <b>90 - Children Supervised</b>   | <b>Not In Compliance</b> |
| <p><b>922 KAR 2:120. Section 2. Child Care Services.</b><br/> <b>(3)(a) Each center shall maintain a child-care program that assures each child will be:</b><br/> <b>1. Provided with adequate supervision at all times by a qualified staff person who ensures the child is:</b><br/> <b>a. Within scope of vision and range of voice; or</b><br/> <b>b. For a school-age child, within scope of vision or range of voice;</b></p>   |                          |
| <p><b>Findings:</b><br/>                     General: Based on interviews it was determined that the children in the two-year-old classroom would be left unsupervised while the staff member in this classroom completed diaper changes in the diaper changing room. The children were not visible to the staff person responsible for their care. Additionally, the surveyor conducted an on-site visit on 2/26/2020, and observed a staff member in the infant classroom changing a child's diaper. There were four infants in the classroom who were not in this staff member's line of sight while the diaper change occurred. Further, on 2/26/2020, the surveyor observed the three-year-old classroom children to be playing in the Art room, the Transportation room, and the Reading room. The staff member in charge of this group had positioned herself in the Art room, but was unable to view the all of the children in the two adjoining spaces.<br/><br/>                     On 3/3/2020, the surveyor visited the facility at approximately 1:00 pm, and observed that the one-year-old classroom and the two-year-old classrooms were too dark to properly supervise the children as they slept.</p> |                          |

**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 center did not maintain staff-to-child ratios in compliance with state regulations. The surveyor visited the facility on 2/26/2020, and observed 13 students with one staff member. The surveyor asked what ages the children were, and the staff person in charge of this group stated that the youngest in the group was age four years. The surveyor observed two children who appeared to be younger, and asked for their names. The surveyor determined through file review that the two children in question were age three years. The classroom was over ratio by one student.

It was determined through staff interviews that the one-year-old classroom staff would have the infant room staff supervise both classrooms at one time, while diaper changes occurred in the adjacent diaper changing room. The staff member stated that the infant room staff would be responsible for up to ten children while diaper changes occurred. The infant room teacher would be out of ratio by up to five children while the one-year-old classroom staff completed the diapering.

Several staff report that the center does not maintain staff-to-child ratios while staff take lunch breaks. Additionally, it was reported that on 2/25/2020, that two children were removed from the four-year-old classroom and "hidden" in the toddler bathroom to maintain the appearance of staff-to-child ratio compliance while a DCBS worker was present in the building. Staff members report that children are moved into classrooms for an age they have not met, however; the ratios for the youngest child in the group are not maintained.

**General Administration**

**Not In Compliance**

**205 - Reports to Cabinet**

**Not In Compliance**

**922 KAR 2:090. Section 12. Reports.**

**(1) The following shall be reported to the cabinet or designee and other agencies specified in this section within twenty-four (24) hours from the time of discovery:**

- (a) Communicable disease, which shall also be reported to the local health department pursuant to KRS 214.010;**
- (b) An accident or injury to a child that requires medical care initiated by the child-care center or the child's parent;**
- (c) An incident that results in legal action by or against the child-care center that:**
  - 1. Affects a child or staff person; or**
  - 2. Includes the center's discontinuation or disqualification from a governmental assistance program due to fraud, abuse, or criminal conviction related to that program;**
- (d) An incident involving fire or other emergency, including a vehicular accident when the center is transporting a child receiving child care services;**
- (e) A report of child abuse or neglect that:**
  - 1. Has been accepted by the cabinet in accordance with 922 KAR 1:330; and**
  - 2. Names a director, employee, volunteer, or person with supervisory or disciplinary control over, or having unsupervised contact with a child in care as the alleged perpetrator; or**
- (f) An individual specified in Section 6(4) of this administrative regulation meeting a disqualifying criterion or background check result pursuant to 922 KAR 2:280.**

**Findings:**

General: Based on interview, the childcare center did not notify the cabinet that a child required medical attention on an unknown date in February. The child obtained an injury to their arm and was later taken to the doctor by a parent and determined to have nursemaids elbow. A review of DRCC records confirmed the incident was not reported.

**Inspection Report**

**Director Requirements**

**Not In Compliance**

**335 - Staff Management/Policy Development/Supervision**

**Not In Compliance**

**922 KAR 2:090. Section 10. Director Requirements and Responsibilities.**

**(1) A director shall:**

- (e) Manage the staff in their individual job descriptions;**
- (f) Assure the development, implementation, and monitoring of child-care center plans, policies, and procedures;**
- (g) Supervise staff conduct to ensure implementation of program policies and procedures;**

**Findings:**

General: Based on review of documentation, the staff person in charge did not ensure that the center policies and procedures were implemented. The surveyor was provided with a copy of the staff policies, including a section under discipline which reads, "Do not subject children to harsh or physical discipline, Abusive language will NOT be used, nor will any method of discipline that is frightening. Do not associate discipline with rest or food." The job description for a Teacher reads, "Responsible for supervision of a group in the bathroom." Further, the policies state that mistreatment of a child at the center is grounds for immediate dismissal of a staff member. Multiple staff members reported going to the staff in charge about concerns regarding a staff person's actions towards the children. Staff reported seeing this person handle children harshly and speak to them inappropriately. The procedures outlined in the policies were not implemented.

**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, several electrical outlets throughout the facility did not have outlet covers.

**Programming**

**Not In Compliance**

**455 - Discipline**

**Not In Compliance**

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

**(10) A child shall not be subjected to:**

- (a) Corporal physical discipline pursuant to KRS 199.896(18);**
- (b) Loud, profane, threatening, frightening, humiliating, or abusive language; or**
- (c) Discipline that is associated with:**
  - 1. Rest;**
  - 2. Toileting; or**
  - 3. Food.**

**Findings:**

General: Based on interview, it was determined that a staff member hired 8/26/1994, used corporal physical discipline as well as humiliating and abusive language with the children in the two-year-old classroom. It was reported that the staff member would grab the children in an aggressive manner, mock the children with speech impediments, and roll the children into their mats at naptime while placing her leg across them to prevent the child from moving. This staff member forced a child to pick their feces off from the floor, and taunted the child afterward.

Signature of Provider/Representative

Title

Date