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Inspection Report

Provider Name: Kinder Care Learning Center #963	Provider Information	CLR No: L353073
Provider Address: 3199 Custer Drive, Lexington, KY, 40517	Provider Type: LICENSED TYPE I	Capacity: 157
Owner(s): Kindercare Learning Center #936		Director(s): Mapson, Holly

Inspection Type: Renewal Application	Inspection Information	Inspection No: 320990
Date Initiated: 07/11/2022 10:15 AM	Date Concluded: 07/11/2022 1:30 PM	
	No. of Children Present: 91	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
Director Requirements	In Compliance
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on review of documentation, three staff hired 9/21/2015, 8/28/2020, and 9/8/2020, had TB documentation on file that was no longer valid.

415 - CPR/First Aid Required Training **Not In Compliance**

922 KAR 2:120. Section 7. First Aid and Medicine.
(8) Each center shall ensure that every staff member has received training on first aid and cardiopulmonary resuscitation (CPR).

Findings:
General: Based on review of documentation and ECE-TRIS, staff hired 2/17/2020, 9/8/2020, 9/28/2020, and 10/6/2021, have not completed First Aid and Cardiopulmonary Resuscitation (CPR) training.

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 and ECE-TRIS, three staff hired 9/27/2021, 10/6/2021, and 12/2/2021, have not completed the six-hour cabinet approved orientation training. These staff have been employed more than ninety days.

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, two staff identified as bus drivers, did not have a current driving record. The documentation presented for review was no longer valid as of 4/20/2022.

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 surveyor found only three books available to the 10 children present in the Toddler B classroom. The staff person stated that she did not have any more books to offer the children. It should be noted that all three books were torn.

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:

Based on observation, Neutral Floor Cleaner and a can of Sure Scents air freshener were on a low table in the school-age classroom. These items were within reach of the children.

605 - 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:

Based on observation, there was an overhead light fixture that contained two blown fluorescent light bulbs in Toddler B classroom.

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 surveyor found the following:

- 1) Black stains were found around ceiling vents located in Infant B, Pre-K B, and Pre-K C classrooms.
- 2) Stained and unsecured ceiling tiles were located in a restroom shared by Pre-K B and C classrooms.
- 3) A large hole in the wall next to the entrance of Pre-K C classroom.
- 4) Dirty and sticky grout was located around toilet in restroom located in the school-age classroom.
- 5) There was ceiling dust from recent repair on the stairs.

695 - Toilet

Not In Compliance

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

(4) Each toilet shall:

- (a) Be kept in clean condition;
- (b) Be kept in good repair;
- (c) Be in a lighted room; and
- (d) Have ventilation to outside air.

Findings:

General: Based on observation, the surveyor found an abundance of rust around a toilet in the restroom shared by Pre-K B and Pre-K C.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Outdoor Play Area

Not In Compliance

790 - Playground Clean

Not In Compliance

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

(20) An outdoor play area shall be:

(c) Free from:

- 1. Litter;
- 2. Glass;
- 3. Rubbish; and
- 4. Flammable materials;

Findings:

General: Based on observation, the surveyor found an opened bag of trash on the school-age playground. There were several pieces of trash scattered around the playground area.

795 - 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, the surveyor found the following:

- 1) An excessive amount of grass protruding through the mulch on the toddler/preschool playground.
- 2) Several branches next to the caterpillar tunnel on the toddler/preschool playground.
- 3) An open concrete drain (missing a drain cap) adjacent to the toddler/preschool playground. This poses a safety hazard to the children.
- 4) Two sensory tables that contained standing water, dirt, and sticks.
- 5) Two Igloo beverage coolers containing Styrofoam cups, Styrofoam bowls, and standing water.

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 surveyor found a ripped child-sized couch and chair in Pre-K C classroom.

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 surveyor found a stained area rug in Discovery Preschool room.

875 - Children/Staff Seating

Not In Compliance

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

- (5) Tables and chairs shall be of suitable size for children.**
(6) Chairs appropriate for staff shall be provided to use when feeding, holding, or playing with a child.

Findings:

General: based on observation, the surveyor found no adequate seating for staff in Infant B classroom. At approximately 10:20 a.m., the surveyor observed a staff person sitting on a child-sized table holding and comforting a female toddler.

Transportation

Not In Compliance

960 - Pre-trip Inspection

Not In Compliance

922 KAR 2:120. Section 14. Transportation.

- (8) A daily inspection of the vehicle shall be performed prior to the vehicle's use and documented for:**
(a) Tire inflation consistent with tire manufacturer's recommended air pressure;
(b) Working lights, signals, mirrors, gauges, and wiper blades;
(c) Working safety restraints;
(d) Adequate fuel level; and
(e) Cleanliness and good repair.

Findings:

General: Based on interview and review of documentation, pre-trip inspections for Bus #18062 and #18063 had not been completed or maintained.

Inspection Report

Kitchen Requirements

Not In Compliance

1040 - Refrigerator

Not In Compliance

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

- (4) A cold-storage facility used for storage of perishable food in a nonfrozen state shall:**
 - (a) Have an indicating thermometer or other appropriate temperature measuring device;**
 - (b) Be in a safe environment for preservation; and**
 - (c) Be forty (40) degrees Fahrenheit or below.**

Findings:

General: Based on observation, the surveyor did not find a thermometer or other temperature measuring device inside the two small refrigerators located in the hallway. The surveyor noted that both refrigerators contained cartons of milk.

1065 - Bottles

Not In Compliance

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

- (9) Bottles shall be:**
 - (a) Individually labeled;**
 - (b) Promptly refrigerated;**
 - (c) Covered while not in use; and**
 - (d) Consumed within one (1) hour of being heated or removed from the refrigerator.**

Findings:

General: Based on observation, the surveyor found the following:

- 1) Two uncovered bottles and three unlabeled bottles inside the refrigerator located in Infant A classroom.
- 2) One uncovered bottled inside the refrigerator located in Infant B classroom.

Food Service

In Compliance

Meal Planning/Center Provides Meals

In Compliance

Meal Planning/Center Does Not Provide Meals

Not Applicable

Children's Records

In Compliance

Written Documentation

In Compliance

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 review of documentation and interview, the the surveyor found the following:

- 1) The current rates were not posted, but kept in the desk drawer.
- 2) A daily planned program (lesson plan) was not posted or available for review in the following classrooms: Infant B, Discovery (three-year-old), Discovery Preschool, Pre-K C (four-year-old), Pre-K B (five-year-old), and School-Age. Interviews with staff found that they were either revising the lesson plans or had not completed the lesson plan for the week.

Animals

In Compliance

Signature of Provider/Representative

Title

Date