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Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Beth Haven Child Development Center	Provider Information	CLR No: L353615
Provider Address: 5515 Johnsontown Road, Louisville, KY, 40272	Provider Type: LICENSED TYPE I	Capacity: 227
Owner(s): Beth Haven Baptist Church, Inc.		Director(s): Sharp, Melissa Kay

Inspection Type: Renewal Application	Inspection Information	Inspection No: 220338
Date Initiated: 06/07/2017 8:20 AM	Date Concluded: 06/07/2017 12:10 PM	
	No. of Children Present: 63	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	Not In Compliance
40 - Ratios and Group Size	Not In Compliance
<div>922 KAR 2:120. Section 2. Child Care Services. (2) Minimum staff-to-child ratios and group size for an operating child-care center shall be maintained as follows: Age of Children Ratio Maximum Group Size* Infant 1 staff for 5 children 10 Toddler 1 staff for 6 children 12 Preschool-age 2 to 3 years 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.</div>	
Findings: General: Based on observation and interview, the child care center failed to comply with regulations regarding Staffing Requirements. In the Three's room there were thirteen (13) three-year-old children in the classroom with staff member with hire date 08/20/2012 at the initial start of the survey (8:30am). The aforementioned staff member did admit to the HSS that she was aware she was out of ratio and needed to call the director to notify she needed more staff assistance in her classroom. When the HSS returned at 8:37am, there were then fourteen (14), three-year-old children with the same aforementioned staff member being the only teacher in the classroom. At 8:37am, it was then observed that the staff member with hire date 09/20/2013 entered the classroom, making the classroom within child to staff ratio. Interview with the director indicated she was not aware the classroom was out of ratio at that time.	
General Administration	In Compliance

Inspection Report**Director Requirements****Not In Compliance****255 - Staff Meeting****Not In Compliance****922 KAR 2:110. Section 4. Director Requirements and Responsibilities.****(1) Effective with the adoption of this administrative regulation, a director shall:****(i) Conduct, manage, and document in writing staff meetings;****Findings:**

General: Based on review of documentation, the child care center failed to comply with regulatory requirements. The documented staff meeting from April 2017 was not available with staff members' signatures. When asked, the director indicated she does not keep record of who attends the staff meetings.

260 - Staff Evaluation**Not In Compliance****922 KAR 2:110. Section 4. Director Requirements and Responsibilities.****(1) Effective with the adoption of this administrative regulation, 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, the child care center failed to comply with regulations for Director Requirements. An annual written performance evaluation was not presented for a staff member with hire date 04/04/2016.

265 - Health, Safety, Comfort**Not In Compliance****922 KAR 2:110. Section 4. Director Requirements and Responsibilities.****(1) Effective with the adoption of this administrative regulation, a director shall:****(l) Provide for the health, safety, and comfort of each child;****Findings:**

General: Based on observation, the child care center failed to comply with regulations regarding Director Requirements/Health, Safety, and Comfort as follows:

- 1) The Three's bathroom, Infant bathroom, K-4B bathroom, and Men's bathroom contained a plunger in the bathrooms next to the toilet.
- 2) The K-3B bathroom contained a toilet brush next to the toilet.
- 3) The child care center's hallway had three (3) electrical outlets that had no cover.
- 4) The K-4A room had a bottle of Hand Sanitizer indicating "keep out of reach of children" on the label.
- 5) In the Infant room there was an electrical extension cord that was hanging above a crib, making it accessible to a child's reach.

Employee Records**Not In Compliance****300 - Background checks/left alone****Not In Compliance****922 KAR 2:090. Section 6. License Issuance.****(5) An individual described in subsection (4) of this section shall:****(a) Submit to background checks described in paragraph (b) of this subsection;****(b) May be employed or work with a child on a probationary basis for up to ninety (90) calendar days, pending completion of a:**

1. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;
2. Criminal records check required by KRS 199.896(19);
3. Criminal records check for any previous state of residence if the person resided outside the state of Kentucky in the last five (5) years; and
4. An address check of the Sex Offender Registry; and

(c) Not be left alone in the presence of a child until copies of the background checks in accordance with paragraph (b) of this subsection have been received by the licensee.**Findings:**

General: Based on review of documentation and interview, the child care center failed to comply with regulations for employee records. The following three (3) staff members with the hire dates 02/21/2017, 05/29/2017, and 03/13/2017, did not have a personnel file which contained proof of a criminal record check or child abuse and neglect check. None of the aforementioned staff members were observed to be alone with children.

310 - Personnel File

Not In Compliance

922 KAR 2:110. Section 3. Records.

(1) A child-care center shall maintain:

(e) A current personnel file for each child-care center staff person to include:

- 1. Name, address, date of birth, and date of employment;**
- 2. Proof of educational qualifications;**
- 3. Record of annual performance evaluation;**
- 4. Written record of training participation to include:**
 - a. The training source;**
 - b. Location;**
 - c. Date; and**
 - d. Number of clock hours completed;**
- 5. Every two (2) years, a:**
 - a. Statement from a health professional that the individual is free of active tuberculosis; or**
 - b. Copy of negative tuberculin results; and**
- 6. For a director, employee, volunteer, or any person with supervisory or disciplinary control over, or having unsupervised contact with, a child in care, the results of a:**
 - a. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;**
 - b. Criminal records check required by KRS 199.896(19);**
 - c. Criminal records check from any previous state of residence completed once if:**
 - (i) The individual resided outside the state of Kentucky in the last five (5) years; and**
 - (ii) No criminal records check has been completed for the individual's previous state of residence; and**
 - d. An address check of the Sex Offender Registry;**

Findings:

General: Based on review of documentation and interview, the child care center failed to comply with regulations for employee records. The staff member with the hire date 03/13/2017, did not have a personnel file which contained proof of a statement from a health professional that the individual is free of active tuberculosis, a criminal records check, or a child abuse and neglect check. Interview with the director revealed there was no documentation or a personnel file at the time of survey.

320 - TB Verification

Not In Compliance

922 KAR 2:110. Section 5. 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, the child care center failed to maintain employee records in accordance with regulations. Review of staff files revealed staff members with the hire date of 05/29/2017 and 03/13/2017 failed to have records of a negative tuberculin result.

340 - Training

Not In Compliance

922 KAR 2:110. Section 5. Staff Requirements.

(14) 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 within the first three (3) months of employment;**
- (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment, including one and one-half (1 ½) hours of pediatric abusive head trauma training; and**
- (c) Fifteen (15) hours of cabinet-approved early care and education training during each subsequent year of employment, including one and one-half (1 ½) hours of pediatric abusive head trauma training completed once every five (5) years.**

Findings:

General: Based on review of documentation, the child care center failed to maintain employee records in accordance with regulations. Review of staff files and ECE-TRIS report revealed that fifteen (15) hours of cabinet approved training was not presented for review at the time of survey for staff members with hire dates 08/19/2014 and 09/20/2013.

Programming

Not In Compliance

375 - Waiting Period

Not In Compliance

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

(8) 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 punishment.**

Findings:

General: Based on observation, the child care center failed to comply with regulations regarding Programming. In the Toddler A room there were four (4) children seated in highchairs at the initial start of the survey (8:30am). When the HSS returned to the classroom (9:05am), those same four (4) children were still seated in the same highchairs causing the children to be restricted for a long period of time from 8:30am-9:05am.

Inspection Report**Premises****Not In Compliance****460 - Inaccessible Items****Not In Compliance****922 KAR 2:120. Section 3. General Requirements.****(7) Except in accordance with subsection (8) of this section, the following shall be inaccessible to a child in care:**

- (a) Toxic cleaning supplies, poisons, and insecticides;**
- (b) Knives and sharp objects;**
- (c) Matches, cigarettes, lighters, and flammable liquids;**
- (d) Plastic bags;**
- (e) Litter and rubbish;**
- (f) Bar soap; and**
- (g) Personal belongings and medications of staff.**

Findings:

General: Based on observation, the child care center failed to comply with regulations regarding Premises as follows:

- 1) In the Infant room bathroom, there were four (4) bottles of toxic cleaning supplies (shower cleaner, Glade air freshener, odor eliminator, carpet fresh) and three (3) bottles of personal belongings that indicate "keep out of reach or children" on the label (hair spray, firm hold hair spray, and baby powder).
- 2) There were also several plastic bags on the bathroom floor, accessible to a child's reach.

515 - Protected Openings**Not In Compliance****922 KAR 2:120. Section 4. Premises Requirements.****(8) An opening to the outside shall be effectively protected against the entrance of vermin by:**

- (a) Self-closing doors;**
- (b) Closed windows;**
- (c) Screening;**
- (d) Controlled air current; or**
- (e) Other effective means.**

Findings:

General: Based on observation, the child care center failed to comply with regulations regarding Premises. In the 2B room the window screen had a hole opening to the outside, preventing protection against the entrance of vermin into the classroom.

520 - 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 child care center failed to comply with regulations regarding Premises as follows:

- 1) Baseboards were separating away from the wall in the K-4A and 2B classrooms.
- 2) In the K-4A room there was a torn baseboard exposing the wall insulation.
- 3) In the Toddler A room the carpet was torn around the edges, exposing fabric at the seams.
- 4) In the K3-B room and Toddler B room there were several areas of paint chipping on the book shelves.

Hygienic Practices**Not In Compliance****625 - Diaper Changing Area/Surface****Not In Compliance****922 KAR 2:120. Section 10. 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, the child care center failed to comply with regulations regarding Hygienic Practices. In the Infant room there was debris underneath the changing pad on top of the diaper changing table.

Inspection Report**First Aid/Medication****Not In Compliance****670 - Medication****Not In Compliance****922 KAR 2:120. Section 7. First Aid and Medicine.****(6) Medication, including refrigerated medication, shall be:**

- (a) Stored in a separate and locked place, out of the reach of a child;
- (b) Kept in the original bottle; and
- (c) Properly labeled.

(7) Medication shall not be given to a child if the expiration date on the bottle has passed.**Findings:**

General: Based on observation, the child care center failed to comply with regulations regarding medication. In the 2B room there was a bottle of "A&D" ointment and "Max Strength diaper cream" on the top shelf by the supply of diapers, that were not in a locked place.

Outdoor Play Area**In Compliance****Equipment****Not In Compliance****755 - Toys/Equipment/Furniture****Not In Compliance****922 KAR 2:120. Section 11. Toys and Furnishings.****(1) All toys, equipment, 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 child care center failed to comply with regulations regarding Equipment. In the Toddler A room there were three (3) high chairs torn with fabric exposed at the seams. There was also a high chair with duct tape completely surrounding the height back of the chair, with a toddler observed to be seated in the highchair.

Transportation**Not Applicable****Food Service****Not In Compliance****940 - Frozen Food****Not In Compliance****922 KAR 2:120. Section 8. Kitchen Requirements.****(5) Frozen food shall be:**

- (a) Kept at a temperature of zero degrees Fahrenheit or below; and
- (b) Thawed:

- 1. At refrigerator temperatures;
- 2. Under cool, potable running water;
- 3. As part of the cooking process; or
- 4. By another method in accordance with the Department of Public Health's food safety standards and permits, established in KRS Chapter 217.

Findings:

General: Based on observation, the child care center failed to comply with regulations regarding Food Service. The Infant Room freezer thermometer registered thirty-two (32) degrees Fahrenheit.

950 - Kitchen Equipment Clean and Sanitary**Not In Compliance****922 KAR 2:120. Section 8. Kitchen Requirements.****(7) The following shall be clean and sanitary:**

- (a) Eating and drinking utensils;
- (b) Kitchenware;
- (c) Food contact surfaces of equipment;
- (d) Food storage utensils;
- (e) Food storage containers;
- (f) Cooking surfaces of equipment; and
- (g) Nonfood contact surfaces of equipment.

Findings:

General: Based on observation and interview, the child care center failed to comply with regulations regarding Food Service. In the Infant room there was debris in the microwave on the counter top. Interview with staff member with date of hire 08/10/2015 did indicate that the microwave is used to prepare infant meals.

Inspection Report**Children's Records****Not In Compliance****1075 - Enrollment Information****Not In Compliance****922 KAR 2:110. Section 3. 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 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 situation 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, the child care center failed to maintain children's records in accordance with regulatory requirements. The record for a child with the enrollment date of 08/17/2015 did not contain information for an emergency contact.

Written Documentation**Not In Compliance****1095 - Daily Attendance Records****Not In Compliance****922 KAR 2:110. Section 3. 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 review of documentation and interview, the child care center failed to comply with regulations regarding Written Documentation. The attendance records and interview with the director revealed sixty-three (63) children were present during time of survey and only sixty-one (61) signed into the daily attendance record for that day.

Posted Documentation**Not In Compliance****1155 - Posting Requirements****Not In Compliance****922 KAR 2:110. Section 2. General.**

(7) 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) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;**(b) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;****(c) Information on the Kentucky Consumer Product Safety Program and the program's website as specified in KRS 199.897;****(d) 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;****(e) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and****(f) Daily schedule.****Findings:**

General: Based on review of documentation and interview, the child care center failed to comply with regulations regarding Posted Documentation. The Statement of Deficiencies issued by the cabinet during the current licensure year and Plan of Correction submitted to the cabinet were not posted in a conspicuous place. Interview with the director indicated the Statement of Deficiencies and Plan of Correction were posted in the director's office behind the desk, hanging on a bulletin board. When further interviewed, the director indicated that parents were not allowed into the director's office to review any documentation without the director's permission.

1165 - Daily Activities**Not In Compliance****922 KAR 2:110. Section 4. Director Requirements and Responsibilities.****(1) Effective with the adoption of this administrative regulation, a director shall:**

(h) Post a schedule of daily activities, to include dates and times of activities to be conducted with the children in each classroom;

Findings:

General: Based on observation, the child care center failed to post documentation in accordance with regulations. The Infant room and 2A room had no daily activities posted.

1170 - Diapering/Handwashing**Not In Compliance****922 KAR 2:120. Section 10. 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, the child care center failed to post documentation in accordance with regulations. The 2A room had no diaper changing procedure posted near the diaper changing area.

Signature of Provider/Representative

Title

Date