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Inspection Report

Provider Name: Valley Child Care Provider Address: 10105 Dixie Highway, Louisville, KY, 40272 Owner(s): Valley Child Care, Inc.	Provider Information Provider Type: LICENSED TYPE I	CLR No: L359123 Capacity: 136 Director(s): Peyton, Tammy Lynn
Inspection Type: Renewal Application Date Initiated: 08/22/2019 8:30 AM	Inspection Information Date Concluded: 08/22/2019 11:45 AM No. of Children Present: 53	Inspection No: 290751

Inspection Report							
Background Checks	Not In Compliance						
30 - Disqualifying background check result	Not In Compliance						
<p>922 KAR 2:280. Section 6. Disqualifying Background Check Results.</p> <p>(1) Unless a rehabilitative review pursuant to Section 9 of the administrative regulation determines the individual is eligible to be hired, an individual shall be ineligible to:</p> <p>(a) Be hired or otherwise serve as a child care staff member if the individual:</p> <ol style="list-style-type: none"> 1. Meets a criterion specified in 45 C.F.R. 98.43(c); 2. Has been convicted of, or has entered an Alford plea, a plea of guilty, or a plea of nolo contendere to,: <ol style="list-style-type: none"> a. A drug-related felony, and five (5) years has not elapsed since the person was fully discharged from imprisonment, probation, or parole; b. A sex or violent crime pursuant to KRS 17.165; or c. A felony offense under: <ol style="list-style-type: none"> (i) KRS Chapter 506, inchoate offenses; (ii) KRS Chapter 511, burglary and related offenses; (iii) KRS Chapter 515, robbery; (iv) KRS Chapter 520, escape and other offense related to custody; (v) KRS Chapter 525, riot, disorderly conduct, and related offenses; (vi) KRS Chapter 527, offense relating to firearms and weapons; (vii) KRS Chapter 529, prostitution offenses; or (viii) KRS Chapter 530, family offenses; 3. Is listed on: <ol style="list-style-type: none"> a. The central registry established in accordance with 922 KAR 1:470; or b. Another state's state-based child abuse and neglect registry or database; 4. Has been convicted of, or has entered an Alford plea, plea of guilty, or a plea of nolo contendere to, an offense under a criminal statute of the United States or of another state similar to an offense specified in this paragraph; 5. Has an open warrant; 6. Has a criminal background check result indicating that the individual should be approached with caution by authorities; or 7. Has a pending charge for a criminal offense specified in this paragraph; or <p>(b) Serve as a child-care center's applicant, licensee, or director if the individual has been convicted of, or has entered an Alford plea, a plea of guilty, or a plea of nolo contendere to, a felony offense involving fraud, embezzlement, theft, or forgery.</p> <p>(2) An individual who has received a pardon for a disqualifying offense, has had the record expunged, or has evidenced dismissal of a warrant or disqualifying charge may serve as a child care staff member.</p> <p>Findings:</p> <p>General: Based on observation, interview and review of documentation, the child care center failed to comply with regulatory requirements regarding background checks. Review of the KARES database revealed a staff member with a hire date of 3/29/10 was listed as having a "not eligible" employment status, effective 7/10/18. Interview with the staff member in charge revealed the aforementioned staff member continued to work at the center, despite the center having knowledge of the disqualifying background check result. The aforementioned staff member was observed working at the center on the date of the survey.</p>							
40 - Termination of staff member	Not In Compliance						
<p>922 KAR 2:280. Section 8. Termination or Relocation of a Child Care Staff Member upon Receipt of Notice of a Disqualifying Background Check Result.</p> <p>(1) If a prospective or current child care staff member has not requested an informal review or a rehabilitative review in accordance with Section 9 of this administrative regulation, the child care provider shall:</p> <p>(a)1. Terminate the child care staff member no later than ten (10) calendar days after receipt of notice of the cabinet's determination, including the disqualifying background check result;</p> <p>Findings:</p> <p>General: Based on interview and review of documentation, the child care center failed to comply with regulatory requirements regarding background checks. Review of the KARES database revealed a staff member with a hire date of 3/29/10 was listed as having a "not eligible" employment status, effective 7/10/18. Interview with the staff member in charge and review of the KARES database revealed the aforementioned staff member did not request an informal review or a rehabilitative review of the disqualifying determination. The child care center failed to terminate the employment of the staff member no later than ten (10) calendar days after receipt of notice of the cabinet's determination of a disqualifying background check result. The aforementioned staff member was observed working on the date of the survey.</p>							
<table> <tr> <td>Supervision</td><td>In Compliance</td></tr> <tr> <td>Staffing Requirements</td><td>In Compliance</td></tr> <tr> <td>General Administration</td><td>Not In Compliance</td></tr> </table>		Supervision	In Compliance	Staffing Requirements	In Compliance	General Administration	Not In Compliance
Supervision	In Compliance						
Staffing Requirements	In Compliance						
General Administration	Not In Compliance						
140 - Zoning	Not In Compliance						
<p>922 KAR 2:090. Section 6. License Issuance.</p> <p>(8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:</p> <p>(a) Provide written documentation from the local authority showing compliance with local zoning requirements;</p> <p>Findings:</p> <p>General: Based on interview and review of documentation, the child care center failed to comply with regulatory requirements. Documentation from the local authority showing the center was in compliance with local zoning requirements was not presented for review at the time of survey. The staff member in charge revealed she could not locate this documentation at the time of survey.</p>							

Inspection Report	
Director Requirements	Not In Compliance
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, interview and review of documentation, the child care center director failed to assure compliance with regulatory requirements. Review of the KARES database revealed a staff member with a hire date of 3/29/10 was determined "not eligible" for employment, due to a disqualifying background check result, which was completed on 7/10/18. The staff member continued to work at the center, despite the center's knowledge of the disqualifying background check result; therefore, the safety of the children was compromised. Observation of the following classrooms revealed there were electrical wall outlets with no protective covering: Younger Ones, Twos, Two/Three Split, and Preschool.	
Employee Records	Not In Compliance
410 - 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 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 cabinet-approved 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 cabinet-approved pediatric abusive head trauma training completed once every five (5) years.	
Findings: General: Based on interview and review of documentation, the child care center failed to maintain employee records in accordance with regulatory requirements. Upon request, the staff member in charge did not present verification that staff members with hire dates of 3/29/10, 5/9/11, 2/9/14, 4/7/15, 3/20/17, 7/17/18, and 4/9/18 had completed fifteen (15) annual hours of cabinet approved early care and education training. Review of ECE-TRIS reports revealed that the training hours were not completed within the employee's review period.	
Programming	In Compliance
Premises	Not In Compliance
580 - 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 maintain the premises in accordance with regulatory requirements. Observation of the Threes Room and the School Age Room in the portable building revealed a large portion of baseboard was detached from the wall, exposing drywall, which flaked off when touched. Observation of the pantry revealed a large portion of ceiling tiles were missing, and insulation was visible and hung down from the area where the tiles were missing. Observation of the boy's bathroom in the Preschool Room in the portable building revealed a floor tile was broken, exposing sharp, splintering wood underneath of it.	
650 - Toilet	Not In Compliance
922 KAR 2:120. Section 10. 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 and interview, the child care center failed to maintain the premises in accordance with regulatory requirements. Observation of the bathroom in the Twos room revealed the light was not functioning, rendering the room dark. Observation of the men's bathroom in the School Age portable building revealed the toilet contained feces and toilet paper and a sign that said "Do not use" was on the door. Interview with the staff member in charge revealed the toilet was not functioning properly.	
Hygienic Practices	Not In Compliance
685 - 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 center failed to maintain hygienic practices in accordance with regulations. Observation of the Twos Classroom revealed the changing pad was torn.	
First Aid/Medication	In Compliance

Inspection Report	
Outdoor Play Area	Not In Compliance
750 - 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 child care center failed to maintain an outdoor play area in accordance with regulatory requirements. Observation of the older children's playground revealed weeds were overgrown in several locations throughout the play area.	
755 - Protective Surface	Not In Compliance
922 KAR 2:120. Section 4. Premises Requirements. (21) A protective surface shall: (a) Be provided for outdoor play equipment used to: 1. Climb; 2. Swing; and 3. Slide; and (b) Have a fall zone equal to the height of the equipment.	
Findings: General: Based on observation, the child care center failed to maintain an outdoor play area in accordance with regulatory requirements. Observation of the playground revealed the protective surface did not sufficiently cover the ground under two (2) slides in the Toddler area and two (2) slides and four (4) swings in the older children's area.	
Equipment	In Compliance
Transportation	Not Applicable
Food Service/Food Program	In Compliance
Food Service	In Compliance
Children's Records	Not In Compliance
1140 - 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 interview and review of documentation, the child care center failed to maintain children's records in accordance with regulatory requirements. Upon request, the staff member in charge did not present verification that the file for a child with an enrollment date of 1/28/19 contained the name of the child's physician or a preferred hospital.	
Written Documentation	In Compliance

Inspection Report		
	Posted Documentation	Not In Compliance
1200 - Posting Requirements		Not In Compliance
<div>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 Website 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.</div>		
Findings: General: Based on interview and review of documentation, the child care center failed to post documentation in accordance with regulatory requirements. Review of posted documentation revealed each statement of deficiency issued by the cabinet during the current licensure year and each plan of correction submitted by the child-care center to the cabinet during the current licensure year were posted in a frame, allowing for only the first page to be viewed. The staff member in charge acknowledged that the SOD and POC could not be accessed while inside the frame.		
	Animals	Not Applicable