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Inspection Report

Provider Name: D & J's Learn & Play	Provider Information	CLR No: L359356
Provider Address: 868 Gerardi Road, Lexington, KY, 40509	Provider Type: LICENSED TYPE II	Capacity: 12
Owner(s): D & J's Learn & Play, Inc.		Director(s): Gibson, Dianne Suter

Inspection Type: Renewal Application	Inspection Information	Inspection No: 241861
Date Initiated: 09/07/2017 9:20 AM	Date Concluded: 09/07/2017 11:00 AM	
	No. of Children Present: 4	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
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, it was found that there was no documentation of conducted 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, it was found through a review of three (3) staff files that one (1) of the staff files did not contain evidence of an annual staff evaluation. The staff person's date of hire was 02/04/2011.	
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, it was found that there was an infant child sitting in a bouncer that had been placed inside of a crib.	

285 - Parental/Family Involvement Activity

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:
(p) Coordinate at least one (1) annual activity involving parental or family participation.

Findings:

General: Based on Review of Documentation, it was found that there was no evidence of a family involvement activity.

Employee Records

Not In Compliance

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, it was found that a staff person with a hire date of 02/04/2011 had no evidence of being free of TB.

325 - CPR/First Aid Coverage

Not In Compliance

922 KAR 2:110. Section 5. Staff Requirements.
(3) For a child-care center licensed for infant, toddler, or preschool-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:
(a) Infant and child cardiopulmonary resuscitation; and
(b) Infant and child first aid.
(4) For a child-care center licensed for school-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:
(a) Adult cardiopulmonary resuscitation; and
(b) First aid.

Findings:

General: Based on Interview, it was found through interview with the staff in charge that when the driver runs to pick up children for the facility, no one is present at the facility with CPR/First Aid. The staff in charge stated that her CPR/First Aid expired on 08/26/2017 and stated that the driver is the only individual that currently has CPR/First Aid.

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, it was found through a review of three (3) staff files that one (1) staff file did not contain the fifteen (15) hours of cabinet-approved early care and education training. The staff persons hire date was 02/04/2011. A review of ECE-TRIS confirmed this.

345 - Driver Requirements

Not In Compliance

922 KAR 2:120. Section 12. 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 2:110; 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 which resulted in the death of a person.

Findings:

General: Based on Review of Documentation, it was found that the drivers of the vehicle used to transport the children did not have a current driver history record completed through the state transportation agency that issued the driver's license.

Inspection Report

Programming

Not In Compliance

350 - 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) That offers a variety of creative activities including the following:
 - 1. Art;
 - 2. Music;
 - 3. Dramatic play;
 - 4. Stories and books;
 - 5. Science;
 - 6. Block building;
 - 7. Tactile activity;
 - 8. Culture;
 - 9. Indoor or 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 Review of Documentation, it was found that there was no program of activities.

410 - Infant/Toddler Combined with Older Children

Not In Compliance

922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.

(2) Except in accordance with subsection (3) of this section, an infant or toddler shall participate in an activity with an older child for no more than one (1) hour per day.

Findings:

General: Based on Observation, it was found that there were four (4) children present ranging from infant to two (2) years of age that were all being cared for together in the same space. In an interview with the staff in charge, she stated that she always keeps the children combined together.

Premises

Not In Compliance

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, it was found that there were several areas of chipped paint along the baseboards of the walls in the daycare space and in the restroom used by the children for toileting.

585 - Sink

Not In Compliance

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.

(3) A sink shall be:

- (a) Located in or immediately adjacent to toilet rooms;
- (b) Equipped with hot and cold running water that allows for hand washing;
- (c) Equipped with hot water at a minimum temperature of ninety (90) degrees Fahrenheit and a maximum of 120 degrees Fahrenheit;
- (d) Equipped with liquid soap;
- (e) Equipped with hand-drying blower or single use disposable hand drying material;
- (f) Equipped with an easily cleanable waste receptacle; and
- (g) Immediately adjacent to a changing area used for infants and toddlers.

Findings:

General: Based on Observation, it was found that the water temperature at the sink used for handwashing registered at 125 degrees Fahrenheit.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Outdoor Play Area

In Compliance

Equipment

In Compliance

Inspection Report

Transportation

Not In Compliance

785 - Requirements for Transportation Services

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(2) A center providing or arranging transportation service shall:

- (a) Be licensed and approved by the cabinet or its designee prior to transporting a child;**
- (b) Have a written plan that details the type of transportation, staff schedule, transportation schedule, and transportation route; and**
- (c) Have written policies and procedures, including emergency procedures practiced monthly by staff who transports children.**

Findings:

General: Based on Review of Documentation, it was found that there was no documentation of routes used when transporting the children in care.

855 - Pre-trip Inspection

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(8) A daily inspection of the vehicle shall be performed and documented for the following:

- (a) Tires;**
- (b) Lights, signals, mirrors, gauges, and wiper blades;**
- (c) Safety restraints;**
- (d) Fuel; and**
- (e) Free of debris.**

Findings:

General: Based on Review of Documentation, it was found that there was no documentation of daily inspections conducted on the vehicle used for transporting.

Food Service

Not In Compliance

1050 - Menu

Not In Compliance

922 KAR 2:120. Section 9. Food and Meal Requirements.

(16) A weekly menu shall be:

- (a) Prepared;**
- (b) Dated;**
- (c) Posted in advance in a conspicuous place;**
- (d) Kept on file for thirty (30) days; and**
- (e) Amended in writing with any substitutions on the day the meal is served.**

Findings:

General: Based on Review of Documentation, it was found that the last completed menu was from 10/31/2016.

Children's Records

In Compliance

Written Documentation

Not In Compliance

1085 - Evacuation Plan

Not In Compliance

922 KAR 2:090. Section 5. Evacuation Plan.

(1) A licensed child-care center shall have a written evacuation plan in the event of a fire, natural disaster, or other threatening situation that may pose a health or safety hazard for a child in care in accordance with KRS 199.895.

Findings:

General: Based on Review of Documentation, it was found that there was no evidence of an emergency preparedness plan.

1090 - Policies and Procedures

Not In Compliance

922 KAR 2:110. Section 2. General.

(5) Program policies and procedures shall:

- (a) Be in writing; and**
- (b) Include:**
 - 1. Staff policies;**
 - 2. Job descriptions;**
 - 3. An organization chart;**
 - 4. Chain of command; and**
 - 5. Other procedures necessary to ensure implementation of:**
 - a. KRS 199.898, Rights for children in child-care programs and their parents, custodians, or guardians - posting and distribution requirements;**
 - b. 922 KAR 2:090, Child-care center licensure;**
 - c. 922 KAR 2:120, Child-care center health and safety standards; and**
 - d. This administrative regulation.**

Findings:

General: Based on Review of Documentation, it was found that the facility was using a chain of command that was no longer accurate.

Inspection Report

1105 - Professional Development

Not In Compliance

922 KAR 2:110. Section 3. Records.

- (1) A child-care center shall maintain:
- (f) A written annual plan for child-care staff professional development;

Findings:

General: Based on Review of Documentation, it was found through a review of three (3) staff files that none of the files contained documentation of an annual professional development plan.

1140 - Fire Drills

Not In Compliance

922 KAR 2:120. Section 3. General Requirements.

- (12) A fire drill shall be conducted during hours of operation:
 - (a) At least monthly; and
 - (b) Documented.

Findings:

General: Based on Review of Documentation, it was found that there was no documentation of monthly conducted fire drills.

1145 - Earthquake/Tornado Drills

Not In Compliance

922 KAR 2:120. Section 3. General Requirements.

- (13) An earthquake drill and a tornado drill shall be conducted during hours of operation:
 - (a) At least quarterly; and
 - (b) Documented.

Findings:

General: Based on Review of Documentation, it was found that there was no documentation of quarterly conducted earthquake/tornado drills.

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, it was found that there was no daily schedule posted for the infant children in care.

Animals

Not Applicable

Signature of Provider/Representative

Title

Date