

Ohio Department of Job & Family Services

Bureau of Child Care & Development
 Center Monitoring and Technical Assistance
 6680 Poe Avenue, Suite 300
 Vandalia, Ohio 45414
 (937) 264-5893 Desk,
 (937) 264-5892



Department of
 Job and Family Services

COMPLIANCE INSPECTION

| | | |
|---|---------------------------------------|--|
| Name THE LEARNING GARDEN ACADEMY LLC. | | License Number 201231 |
| Address 18 ESWIN STREET CINCINNATI, OH 45218 | | County HAMILTON Phone Number (513) 825-1011 |
| Inspection Date - Time 06/01/2016 - 08:20 AM to 04:40 PM | Inspection Date - Time (Day 2) N/A | Inspection Date - Time (Day 3) N/A |
| Inspection Type LPO Onsite | Inspection Scope Full | Inspection Notice Unannounced |
| Administrator's/Designee's signature indicates acknowledgement of the report only, not necessarily agreement with the findings. | | |
| _____ PAMELA M DAUDISTEL Date | | _____ MELISSA WEBSTER Date |

All licensed child care providers are required to post, at a minimum, all substantiated complaint investigation allegation findings, as well as all regular inspection findings, in a conspicuous place at the center/type A home. For complete records of child care licensing inspections and complaint investigations, including all allegations, please contact the Child Care Help Desk at 1-877-302-2347 option 4, or the child care website at <http://jfs.ohio.gov/CDC/childcare.stm> for a public records request.

Note: All Findings/Corrections printed in **RED** are considered serious risk violations. Documenting Statements, Supplemental Information and Rationales may be included in this report; this information is provided for technical assistance, and may not be associated with any Out of Compliance items. A serious risk noncompliance finding may impact a quality-rated program's SUTQ rating.

License/Approvals

- 5101:2-12-07: Inspection and Investigation Rights** In Compliance
- 5101:2-12-09: Application Denial/License Revocation** Compliance Not Verified
- 5104.02/5104.04: License/Report Posted** In Compliance

| | |
|------------------|-----------------|
| License Location | Report Location |
| Front Entry | Sign-in Area |

- 5101:2-12-03: License Capacity (E)** **Out of Compliance**

| Age Group | License Capacity | Current Enrollment | | |
|----------------------|------------------|--------------------|-----------|--------|
| | Totals | Full Time | Part Time | Totals |
| Infant | 12 | 12 | 0 | 12 |
| Younger Toddlers | 7 | 10 | 0 | 10 |
| Under 30 Months | 19 | | | 22 |
| Older Toddlers | 7 | 5 | 0 | 5 |
| Preschool | 52 | 37 | 0 | 37 |
| Schoolage | 36 | 33 | 0 | 33 |
| Totals: | 114 | 97 | 0 | 97 |
| Staff Needed: | 10 | | | |

COMPLIANCE INSPECTION

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License/Approvals

Code

This rule requires that the center operate within the license capacity as stated on the license. License capacity is defined as the maximum number of children that the center may care for at one time. This includes children away from the center on a field trip or outing under the supervision of child-care staff as well as those children on the premises. The administrator is responsible for requesting changes in license capacity prior to any changes taking place. If there are pending noncompliances, the administrator is responsible for submitting acceptable verification of compliance prior to a license capacity change. The license capacity change shall not be in effect until department approval is received in writing by the center.

Findings/Corrections

During a provisional inspection, it was observed that there were 15 children in the toddler category present at one time. The center is currently licensed to serve 14 children in the toddler category. Technical assistance was provided at the time of the inspection, and as discussed, please correct this rule noncompliance. Submit a written plan for compliance.

Compliance Response Due by: 07/01/16

5101:2-12-10: Building Approval (E)

In Compliance

| |
|----------------------------|
| Building Department |
| Village of Green Hills |

| Structure Name | Use Group | Approval Date | Occupancy Limit |
|-----------------------------|------------|---------------|-----------------|
| The Learning Garden Academy | E with I-2 | 05/17/2016 | 157 |

Documenting Statements/Supplemental Information

The Certificate of Occupancy indicates a 157 as the maximum total occupancy with 24 infants and 28 children under 2 1/2 and 20 staff members. The building department inspector verified that these numbers allow infants and the 28 children under 2 1/2 are all children under 2 1/2 except infants and to be interpreted as 28 toddlers.

5101:2-12-11: Fire Department Approval (E)

In Compliance

| | |
|----------------------|----------------------|
| Approval Type | Approval Date |
| Initial Licensure | 01/13/2016 |

5101:2-12-12: Food Service Licensure/Food Catered

In Compliance

| | |
|--------------------------|--------------------------|
| License/Exemption | Health Department |
| Class 3 | Hamilton County |

Documenting Statements/Supplemental Information

License #MWIS-9YVKY5
Audit #MARN-A8AQEL
Exp. 3/1/17

Space/Program

COMPLIANCE INSPECTION

| | |
|---|---------------------------------|
| Name THE LEARNING GARDEN ACADEMY LLC. | License Number 201231 |
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Space/Program

5101:2-12-13: Indoor Floor Space

In Compliance

| Room | Area |
|-------------------------------|---------------------|
| Preschool Room | 620.5 Sq. Ft. |
| Preschool Art/Sensory Rm | 186.49 Sq. Ft. |
| PreK Room | 708.83 Sq. Ft. |
| PreK Art/Sensory Rm | 221.81 Sq. Ft. |
| Schoolage/Motor Rm | 446.39 Sq. Ft. |
| Schoolage Dram Play/Blocks Rm | 104.44 Sq. Ft. |
| Schoolage Language/Computers | 122.87 Sq. Ft. |
| Schoolage Art/Sensory Rm | 320.55 Sq. Ft. |
| Boys' Restrm | 169.76 Sq. Ft. |
| Girls' Restrm | 191.49 Sq. Ft. |
| Total Area: | 3093 Sq. Ft. |

Total Children: 88
(The number of children permitted is based on the total square footage.)

5101:2-12-13: Separation of Infants and Toddlers Under 2 1/2 Yrs

In Compliance

| Room | Area | Children Allowed |
|--------------|----------------|------------------|
| Infant Room | 439.37 Sq. Ft. | 12 |
| Toddler Room | 571.35 Sq. Ft. | 16 |

5101:2-12-14: Onsite Outdoor Play Space (*)

In Compliance

| Play Space | Area | Children Allowed |
|------------------|--------------|------------------|
| Fenced Play Area | 1133 Sq. Ft. | 18 |

Documenting Statements/Supplemental Information

Shade was provided by means of a play structure.

When one child-care staff was outdoors with a group of children, a cell phone was used as a means of summoning a second adult.

The outdoor play area was separated from traffic and other hazards by a fence.

The quarterly playground inspection(s) were completed and documented, as required. The most recent inspection report form was dated 4/13/16.

5101:2-12-14: Outdoor Play Equipment

In Compliance

Documenting Statements/Supplemental Information

Outdoor equipment was viewed to be safe and free of rust, sharp points, and other hazards.

5101:2-12-14: Outdoor Play Fall Surface

N/A

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Space/Program

Documenting Statements/Supplemental Information

The center has no equipment that requires fall surface material.

5101:2-12-14: Parks/Indoor Play Space N/A

5101:2-12-15.3: Smoke Free Environment In Compliance

Documenting Statements/Supplemental Information

No smoking was allowed on the premises, and the notice stating that smoking is prohibited was observed posted in a conspicuous place.

5101:2-12-17: Swimming and Water Safety (*) In Compliance

Documenting Statements/Supplemental Information

The center participates in one swimming trip. Swim permission and the rules were reviewed.

5101:2-12-18: Transportation Procedural Requirements (*) In Compliance

Documenting Statements/Supplemental Information

Schoolage children are transported to and from school by the center. Schoolage children also participate in field trips. Schoolage, Pre-K and Preschool groups plan to take routine walks this summer. Routine and field trip forms and the rules were reviewed.

5101:2-12-18.2: Transportation/Driver Requirements (*) In Compliance

Documenting Statements/Supplemental Information

The employee(s) used to transport children completed the transportation safety training and had documentation of the training on file.

5101:2-12-18.1: Transportation/Vehicle Requirements (*) In Compliance

Documenting Statements/Supplemental Information

An annual safety check of the vehicle (Toyota Sienna), using the Vehicle Inspection Report form, was verified and dated 4/30/16.

5101:2-12-23: Evening and Overnight Care (Between 7:00 PM - 6:00 AM) N/A

Classroom

5101:2-12-15: Safe Indoor Equipment/Environment (*) **Out of Compliance**

Code

This rule requires the center to provide a safe environment for the children, including safe furniture, materials, equipment and surroundings.

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Classroom

Findings/Corrections

During the inspection, it was observed that children were not protected from the following condition which may threaten their health, safety, or well-being: a fire exit door was blocked in the Toddler Room by a garbage can, sensory table lid and cot. Technical assistance was provided at the time of the inspection, and as discussed, please correct this rule noncompliance. Submit a written plan for compliance.

Compliance Response Due by: 07/01/16

Documenting Statements/Supplemental Information

Equipment was observed to be in good condition.

5101:2-12-15: Sanitary Indoor Equipment/Environment In Compliance

Documenting Statements/Supplemental Information

During the inspection, the equipment was observed clean and in good repair.

5101:2-12-15.4: Toothbrushing N/A

5101:2-12-16: Programming Environment In Compliance

Documenting Statements/Supplemental Information

On the day of the inspection, developmentally-appropriate practices were observed in all classrooms.
Daily schedules were observed posted.
Quiet areas were observed in all classrooms.

5101:2-12-16: Equipment/Materials In Compliance

Documenting Statements/Supplemental Information

Sufficient equipment was observed in all categories.

5101:2-12-19: Cots In Compliance

| Cots Needed | Cots Verified | Mats Verified for School Age |
|-------------|---------------|------------------------------|
| 66 | 93 | N/A |

5101:2-12-20: Staff/Child Ratios (E) In Compliance

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Classroom

| Ratios | Age Group | Observation | Notes |
|--------|-----------------------|-------------|--------------------|
| 2 : 3 | < 12 Months | 1st | Infants @ arrival |
| 2 : 7 | 18 Months < 30 Months | 1st | Toddlers @ arrival |
| 2 : 12 | 30 Months < 36 Months | 1st | PS @ arrival |
| 1 : 4 | 3 Years < 4 Years | 1st | PreK @ arrival |
| 1 : 12 | School Age < 11 Years | 1st | SA @ arrival |
| 2 : 9 | < 12 Months | 2nd | Infants |
| 2 : 14 | 18 Months < 30 Months | 2nd | Toddlers |
| 2 : 19 | 30 Months < 36 Months | 2nd | Preschool |
| 1 : 10 | 4 Years < 5 Years | 2nd | PreK |
| 1 : 17 | School Age < 11 Years | 2nd | Schoolage |

5101:2-12-20: Group Size (*) In Compliance

5101:2-12-20: Supervision (E) In Compliance

Documenting Statements/Supplemental Information

Child-care staff members were observed properly supervising the children and were able to intervene as needed.

5101:2-12-21: Care/Nurturing of Children (*) In Compliance

Documenting Statements/Supplemental Information

During the inspection, child-care staff in all classrooms were observed assisting children throughout the day.

5101:2-12-22: Child Guidance/Management (*) In Compliance

Documenting Statements/Supplemental Information

The center staff were observed using the following positive child management techniques: recognizing, encouraging and praising children's acceptable behavior; communicating clear directions and expectations; encouraging children to control their own behavior and cooperate with others.

5101:2-12-34: Medical/Dental/General Emergency Plan (*) **Out of Compliance**

Code

This rule requires that the center have a written plan for medical, dental, and general emergencies. The plan shall be implemented when necessary and shall be posted by each telephone, in each classroom, and in other spaces used by children. If a child is transported for emergency treatment, the child's health and medical records shall accompany the child, and the administrator or a child-care staff member shall stay with the child until the parent/guardian assumes responsibility for the child's care.

Findings/Corrections

During the inspection, it was observed that the evacuation diagrams was not posted in the Preschool Art/Sensory room. The missing plan was replaced during this inspection.

Compliance Response Due by: 06/01/2016

Staffing/Attendance

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Staffing/Attendance

5101:2-12-20: Children Combined When No More Than 12 on Premises

In Compliance

| |
|--------------|
| Location |
| Toddler Room |

5101:2-12-20: Second Adult

N/A

5101:2-12-20: Attendance

Out of Compliance

Code

This rule states that a record of daily attendance for each group must be kept by the person responsible for that group. Attendance records shall remain with the group at all times throughout the day, including outdoor play, emergency evacuations, field trips, and when groups are combined. Specific information listed in the rule, such as the recording of each child's arrival and the documentation of each child's departure, must be contained in these records.

Findings/Corrections

During the inspection, it was observed that the attendance records did not include all of the required information listed below:

1. The names of children in the group;
2. The birth date of each child in the group;
3. The name of the child-care staff member responsible for the group's care;
4. The designated space used as home base by the group; and
5. The attendance schedule of each child, including the hours and days of attendance, for those centers that care for children on both a part time and a full time basis.

Information in number(s) 2 must be added to the Schoolage form used to maintain attendance records. The birthdates were added during this inspection.

Compliance Response Due by: 06/01/2016

5101:2-12-20: Substitutes

In Compliance

Documenting Statements/Supplemental Information

The center had available substitutes listed on the Employee Record Chart.

Staff Requirements

5101:2-12-24: Administrator Responsibilities/Time On-Site (E)

In Compliance

| | |
|-----------------|----------|
| Posted Location | Designee |
| Front Entry | Yes |

5101:2-12-24: Administrator Qualifications (E)

In Compliance

| Administrator(s) | Qualifications | Rules Course Completed |
|------------------|-------------------|------------------------|
| KRISTINA DENT | AA Child Dev./ECE | Yes |
| MELISSA WEBSTER | AA Child Dev./ECE | Yes |

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Staff Requirements

5101:2-12-25: Child-Care Staff Educational Requirements (E) In Compliance

5101:2-12-25: Employee Records (*) In Compliance

Documenting Statements/Supplemental Information

On the day of this inspection, all employee files were complete and up to date.

5101:2-12-26: Statement of Nonconviction and Criminal Records Checks (E) In Compliance

Documenting Statements/Supplemental Information

At the time of the inspection, signed Statements of Nonconviction were on file for all employees listed on the Employee Record Chart.

At the time of this inspection, the required FBI and BCI&I criminal records check requests and results were on file for those employees listed on the Employee Record Chart.

5101:2-12-27: FA/Disease Management/CPR/Child Abuse Prevention (*) In Compliance

Documenting Statements/Supplemental Information

The center had at least one child-care staff member with currently valid training in both First Aid and the Management of Communicable Disease, CPR, and Child Abuse Prevention scheduled and readily accessible during all hours of operation.

5101:2-12-28: Inservice Training (*) In Compliance

Center Policies

5101:2-12-29: Nondiscriminatory Practices In Compliance

5101:2-12-30: Center Information/Policies/Procedures In Compliance

Documenting Statements/Supplemental Information

No changes have been made to the parent handbook since it was last approved by this department.

5101:2-12-31: Administration of Medication In Compliance

Documenting Statements/Supplemental Information

There were no children on medication at this time; however, the method of storage and practices for the administration were reviewed.

5101:2-12-33: Management of Illness In Compliance

Documenting Statements/Supplemental Information

The Communicable Disease Chart was posted and was readily available to staff and parents.

5104.011: Unlimited Access In Compliance

Emergency Planning

5101:2-12-35: Incident/Injury Reporting In Compliance

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Emergency Planning

5101:2-12-36: First Aid Supplies/Procedures (*) In Compliance

Documenting Statements/Supplemental Information

During the inspection, 3 first aid kits were reviewed and available as required (1 for the van, 2 for the center).

Children's Records

5101:2-12-37: Medical/Enrollment Records Out of Compliance

Code

Each child attending the center, except those children who are attending a grade of kindergarten or above in an elementary school, shall have a medical statement on file within 30 days of the child's date of admission. The medical statement must have a date of examination within the 12 months preceding the child's date of enrollment and be updated every 13 months after the examination date. The form prescribed by the department, JFS 01234 "Child Enrollment and Health Information", shall be used to secure enrollment, health, and emergency transportation information for children. The completed forms for each child who attends must be maintained on file at the center and updated annually.

Findings/Corrections

In review of 25% of the children's records, it was determined that the following required information on the prescribed form had not been secured from the parent/guardian as required: complete parent information; complete physician information; complete diaper statement. Obtain the missing information and submit copies to this office for verification.

Compliance Response Due by: 07/01/16

5101:2-12-38: Care Plan for Children with Health Conditions N/A

Documenting Statements/Supplemental Information

At the time of the inspection, there were no children currently enrolled who had health conditions.

Handwashing and Infant/Toddler Care

5101:2-12-15.1: Handwashing and Standard Precautions (*) In Compliance

Documenting Statements/Supplemental Information

Staff and/or children were observed washing hands as required by the rule.

5101:2-12-15.2: Diapering and Toilet Training (*) In Compliance

5101:2-12-40: Infant Daily Program (*) In Compliance

| |
|--------------|
| Daily Record |
| Yes |

Documenting Statements/Supplemental Information

An appropriate program of activities with infants was observed.

5101:2-12-40: Infant Care Giver In Compliance

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Handwashing and Infant/Toddler Care

Documenting Statements/Supplemental Information

Child-care staff members were assigned to each group of infants, and parents had been notified of the assignment.

5101:2-12-41: Infant Food/Formula

Out of Compliance

Code

This rule requires that infants be removed from cribs for all feedings and be held for bottle feedings or fed sitting up; at no time shall a bottle be propped. The center policies and practices shall support parent preferences in infant feeding. The rule requires that infants be served food in conformity with written instructions from the parent/guardian or the physician in charge of the child, and that is prepared according to manufacturer's instructions. The instructions shall be updated as needed, and shall include amounts and type of food and feeding times. If no instructions are provided for the serving of food, the infant must be served food in amounts that meet the meal pattern and quantity as determined by the USDA child and adult care food program child care component. The rule sets requirements for the preparation and storage of infant formula, breast milk, and food. Microwave ovens are prohibited for use in heating liquids, but may be used to warm food. Staff/child ratios must be maintained when food and formula are obtained and/or prepared. Handwashing facilities may not be used for formula, breast milk or food preparation, or for rinsing or washing dishes and bottles.

Findings/Corrections

During this inspection, it was determined that the handwashing sink in the infant room was used for food preparation and service (staff stated water was obtained from the handwashing sink to prepare bottles). Technical assistance was provided at the time of the inspection. Submit a written plan for compliance.

Compliance Response Due by: 07/01/16

During this inspection, it was observed that bottles containing formula for a particular infant were not labeled with the child's name and date of preparation. Technical assistance was provided at the time of the inspection, and as discussed, please correct this rule noncompliance. Submit a written statement describing action taken to ensure compliance.

Compliance Response Due by: 07/01/16

5101:2-12-42: Cribs (*)

In Compliance

| Porta-cribs | Full-sized Cribs |
|-------------|------------------|
| 12 | 0 |

Documenting Statements/Supplemental Information

All cribs were labeled with the assigned infant's name.

Food/Nutrition

5101:2-12-39: Intervals of Meals/Snacks

In Compliance

Documenting Statements/Supplemental Information

The center provides breakfast, lunch and an afternoon snack.

5101:2-12-39: Requirements for Meals/Snacks

In Compliance

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Food/Nutrition

Documenting Statements/Supplemental Information

Breakfast - French toast sticks, apple sauce, milk
PM Snack - fruit cocktail, cookies

Lunch included tortilla with turkey and cheese, corn, oranges, and milk.

5101:2-12-39: Menus In Compliance

Documenting Statements/Supplemental Information

The menu posted reflected the meal served.

5101:2-12-39: Requirements for Food Provided by Parents N/A

5101:2-12-39: Food Safety and Sanitation In Compliance

5101:2-12-39: Infant Formula and Toddler Milk In Compliance