

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 09/12/2016 - 08:10 AM to 02:05 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 DAUIDSTEL Date | | _____ MELISSA WEBSTER 9/12/16 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 | Front Entry |

5101:2-12-03: License Capacity (E) In Compliance

| Age Group | License Capacity | Current Enrollment | | |
|----------------------|------------------|--------------------|-----------|--------|
| | Totals | Full Time | Part Time | Totals |
| Infant | 12 | 13 | 0 | 13 |
| Younger Toddlers | 7 | 8 | 0 | 8 |
| Under 30 Months | 19 | | | 21 |
| Older Toddlers | 7 | 7 | 0 | 7 |
| Preschool | 52 | 42 | 0 | 42 |
| Schoolage | 36 | 39 | 0 | 39 |
| Totals: | 114 | 109 | 0 | 109 |
| Staff Needed: | 10 | | | |

COMPLIANCE INSPECTION

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License/Approvals

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 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-A8QEL
Exp 3/1/17

Space/Program

5101:2-12-13: Indoor Floor Space

In Compliance

COMPLIANCE INSPECTION

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

| 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 | 320.55 Sq. Ft. |
| Boys' Restroom | 169.76 Sq. Ft. |
| Girls' Restroom | 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.

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 7/27/16.

5101:2-12-14: Outdoor Play Equipment

Out of Compliance

Code

This rule requires that children shall only use equipment, both stationary and portable, that is safe and appropriate for their age or development. The equipment shall be anchored or stable, be in good working order and repair, and placed out of the main traffic pattern.

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Space/Program

Findings/Corrections

During the inspection, it was observed that there was equipment (metal car) with rubber caps missing from the metal support pieces allowing openings where stinging insects can nest. 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: 10/12/16

5101:2-12-14: Outdoor Play Fall Surface N/A

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 participated in one swimming field trip. The center also uses wading pools. The rules and permission forms were reviewed.

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

Documenting Statements/Supplemental Information

The driver(s) had current and valid training in first aid, management of communicable disease, and CPR.

Requirements regarding field; routine trips were discussed during the inspection.

The center provides transportation to and from school with their bus. Preschool and Schoolage children also participate in routine walks. Toddlers walked one time to get ice cream just down the sidewalk from the center.

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

During the inspection, weekly safety inspections and monthly emergency exiting drills were completed and documented, as required using the ODJFS sample form.

An annual safety check of the vehicle(s), using the Vehicle Inspection Report form, were verified and dated 8/11/16 (Bus) and 4/30/16 (minivan).

The center has acquired a multi function activity bus in addition to their Toyota Sienna mini-van.

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Space/Program

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.

Findings/Corrections

During the inspection, it was observed that two surge protectors/outlets did not have childproof receptacle covers. The center must have safety covers on all electrical outlets, including power strips and surge protectors, which are within the reach of the children. Plug covers were added during this inspection.

Compliance Response Due by: 09/12/2016

During the inspection, it was observed that children were not protected from the following condition(s) which may threaten their health, safety, or well-being: a fire exit was blocked in the Preschool room with a child sleeping on a cot. Technical assistance was provided at the time of the inspection, and as discussed, please correct this rule noncompliance. Submit a written description of action taken for compliance.

Compliance Response Due by: 10/12/16

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

Out of Compliance

Code

This rule requires the center to provide, on a daily basis, a well-balanced program of activities and opportunities for both quiet and active play suitable to the developmental levels and abilities of each child in care. A copy of the daily program schedule shall be posted in a conspicuous place. The center's program of activities needs to be followed and include:

- daily outdoor play, weather permitting, or an opportunity for indoor gross motor play when outdoor play is not provided;
- opportunities for periods of child-initiated activities such as imaginative play, language development and creative activities;
- access to a well-supervised quiet area for the child who seeks or needs time alone;
- play materials which are visible, arranged orderly and accessible to the children.

Findings/Corrections

On the day of the inspection, it was observed that a copy of the daily program schedule was not posted in the preschool area as required. The schedule was re-posted during this inspection.

Compliance Response Due by: 09/12/2016

5101:2-12-16: Equipment/Materials

In Compliance

COMPLIANCE INSPECTION

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Classroom

5101:2-12-19: Cots

In Compliance

| Cots Needed | Cots Verified | Mats Verified for School Age |
|-------------|---------------|------------------------------|
| 66 | 89 | N/A |

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

In Compliance

| Ratios | Age Group | Observation | Notes |
|--------|-----------------------|-------------|---------------------|
| 2 : 3 | < 12 Months | 1st | Infants @ arrival |
| 2 : 6 | 18 Months < 30 Months | 1st | Toddlers @ arrival |
| 1 : 8 | 3 Years < 4 Years | 1st | Preschool @ arrival |
| 1 : 12 | 4 Years < 5 Years | 1st | Pre-K @ arrival |
| 1 : 9 | School Age < 11 Years | 1st | Schoolage @ arrival |
| 2 : 7 | < 12 Months | 2nd | Infants |
| 2 : 10 | 18 Months < 30 Months | 2nd | Toddlers |
| 2 : 18 | 3 Years < 4 Years | 2nd | Preschool |
| 2 : 15 | 3 Years < 4 Years | 2nd | Pre K |

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

In Compliance

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

Out of Compliance

Code

This rule states the supervision of children is the function of actively observing and guiding a child or group of children. This includes being aware of and responsible for the activity of each child, as well as being physically present and near enough to intervene if needed. Supervision means child-care staff members have knowledge of which children they are responsible for at all times and their needs, as well as accountability for their care. Children shall be within sight and hearing of child-care staff members. No child shall ever be left alone or unsupervised. When caring for school children, the rule permits less stringent guidelines for their supervision, such as allowing the school children to run errands or leave the center for specific activities, should the center choose to make that part of their policy.

Findings/Corrections - Serious Risk

During the inspection, it was observed that children were not supervised, in that 2 children were left unattended playing in a room alone in the schoolage group who were not 4th grade and above. Children must be supervised and within sight and hearing of a child care staff member at all times. Please provide training to staff in this area, and submit a written description of the corrective action taken.

Compliance Response Due by: 10/12/16

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

In Compliance

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; notifying children several minutes prior to a change of activity which allowed for a comfortable transition.

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

In Compliance

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Classroom

Documenting Statements/Supplemental Information

On the day of this inspection, the complete prescribed medical, dental, and general emergency plan(s) were posted in the center as required.

Posted documentation for completed fire and weather emergency drills was verified during this inspection.

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 In Compliance

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 |

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

Documenting Statements/Supplemental Information

All child-care staff members had verification of educational requirements on file at the center.

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.

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Staff Requirements

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 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 N/A

Documenting Statements/Supplemental Information

There were no children on medication at this time.

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

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

Documenting Statements/Supplemental Information

During the inspection, 2 first aid kits for the center and 1 first aid kit for the bus were reviewed and available as required.

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Children's Records

5101:2-12-37: Medical/Enrollment Records In Compliance

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 and the center is not enrolling children with health issues.

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

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 In Compliance

Documenting Statements/Supplemental Information

All bottles were labeled as required.
 All bottles were warmed in accordance with the rules in a: crock pot.
 Infants were fed in conformity with parent/guardian's written, dated instructions.

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.

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Food/Nutrition

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

Documenting Statements/Supplemental Information

The center provides breakfast, lunch and afternoon snack.

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

Documenting Statements/Supplemental Information

Breakfast - cereal bar, applesauce, milk
PM Snack - goldfish crackers, apple juice

Lunch included turkey hot dog, bun, baked beans, fruit cocktail and milk.

5101:2-12-39: Menus In Compliance

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

Documenting Statements/Supplemental Information

Written instructions from a licensed physician were on file for infants who were not served formula or breast milk.