



Center Complaint Inspection Summary Report

All licensed child care programs are inspected at least once each year. Non-compliances are documented and grouped as Serious, Moderate or Low risk violations. Documenting statements and supplemental information may be included in this report. Licensing inspection reports from the previous three years can be viewed on the child care website at <http://jfs.ohio.gov/CDC/childcare.stm>. This includes complaint investigation reports with substantiated allegations. For any other child care records, please contact the Child Care Help Desk at 1-877-302-2347, option 4.

Program Details		
Program Name KINDERCARE LEARNING CENTER #91	Program Number 000000600205	Program Type Child Care Center
Address 5387 BURKHARDT RD DAYTON OH 45431		County MONTGOMERY

Inspection Information			
Inspection Type Complaint		Inspection Scope Partial	Inspection Notice Unannounced
Reviewer(s) Yolonda McIntosh	Inspection Day 10/29/2020	Begin Time 2:00 PM	End Time 6:00 PM
Reviewer(s) Yolonda McIntosh	Inspection Day 10/30/2020	Begin Time 9:00 AM	End Time 12:00 PM

Summary of Findings				
No. Rules Verified 8	No. Rules with Non-compliances 8	No. Serious Risk 2	No. Moderate Risk 1	No. Low Risk 6

Staff-Child Ratios at the Time of Inspection			
Group	Age Group/Range	Ratio Observed	Comment
Infant		2 to 7	
Toddler		2 to 15	
School Age		2 to 23	
Multi age		1 to 12	
Infant B		1 to 6	
Young Toddler		2 to 12	



Complaint Allegations

If the program is star rated, the rating may be impacted if a serious or moderate risk non-compliance is cited. Ohio Administrative Code 5101: 2-12-03 details the process for submitting a request for a review if a program disagrees with a licensing finding. The request for review must be submitted within seven days from the receipt of the licensing report.

Domain:01 Ratio & Supervision

Rule: 5101:2-12-19 Child Guidance

Code: The program staff shall use developmentally appropriate techniques when managing children's behavior and shall not abuse, endanger or neglect children.

Allegation: Concern reported to Montgomery County Children Services that a child was allegedly neglected by Daycare staff

Determination: Substantiated

Findings: During the inspection, it was determined that a Child Care Staff Member had abused, endangered, or neglected a child. Child Care Staff Members, administrators, and owners must always use appropriate guidance and management methods with children and ensure that children are safe at all times. The individual needs to be released from employment immediately. Submit the program's corrective action plan, which includes a statement that the individual is no longer employed, to the Department to verify compliance with the requirements of this rule.

Risk Level: Serious

Corrective Action Plan Due: 11/10/2020

Summary of Additional Non-Compliances

Serious Risk Non-Compliances

Domain:01 Ratio & Supervision

Rule: 5101:2-12-19 Supervision

Code: The program staff is required to protect or remove a child from a situation and/or person that are determined to be unsafe and keep children safe from a potential serious incident or injury.

Findings: During the inspection, it was determined the administrator, child care staff, and/or employees of the program did not protect or remove a child from a situation and/or person determined to be unsafe, which resulted in a serious incident or injury to a child, as noted in number 4 below:

1. Aggressive argument involving adults;
2. Staff member(s) did not follow emergency exiting procedures;
3. Staff member(s) allowed child(ren) to do something unsafe;
4. Staff member(s) did something unsafe; A parent was not contacted when an infant was not feeling well while in care at the program. The infant vomited, refused his second bottle, did not engage in activities, was unable to hold head in an upright position, and was held at least one hour prior to parent pick up. When the parent arrived to pick up the infant from the program, the parent was informed that the infant child had been ill throughout the day. The parent took the infant to the emergency room where the infant died later that evening.
5. Other

All program employees must take actions to protect children in care. Provide staff training. Submit the program's corrective action plan, which includes a statement that training was provided, to the Department to verify compliance with the requirements of this rule.



Corrective Action Plan Due: 11/10/2020

Moderate Risk Non-Compliances

Domain:01 Ratio & Supervision

Rule: 5101:2-12-18 Ratio

Code: The program is required to maintain the appropriate staff to child ratio for each group served.

Findings: During the inspection, a ratio of 1 child care staff member for 9 children was determined to have occurred for the infant group when the situation in number 4 below occurred:

1. A child care staff member stepped out of the room.
2. A child care staff member had not arrived at work on time.
3. Children were present who were not scheduled to be there.
4. A child care staff member was unable to work.
5. A child was injured in that group.
6. A child arrived in the group before a second staff member was scheduled to arrive with the group.
7. Two groups were combined, and the program did not follow the ratio for the youngest child in the group.
8. A child was transitioning to the next older age group, and the program did not follow the ratio for the youngest child in the group.
9. Ratio was doubled for more than two hours while children were napping.
10. Ratio was doubled while children were napping for a group that included at least one infant.
11. Ratio was doubled while children were napping and there were not enough staff members in the building to meet staff/child ratio.
12. Ratio was doubled in the school age group to allow access to the program, however, the program does not serve only school age children.
13. Both child care staff members did not have a working communication device when one staff member left the group to allow access to the school age only program.
14. The child care staff member did not return to the group after allowing access to the school age only program.
15. Other

Additional child care staff members must be hired or current child care staff members must be rescheduled to maintain compliance. Provide staff training. Submit the program's corrective action plan, which includes a statement that training was provided, to the Department to verify compliance with the requirements of this rule.

Corrective Action Plan Due: 12/05/2020

Low Risk Non-Compliances

Domain:01 Ratio & Supervision

Rule: 5101:2-12-18 Group Size



Code: The program is required to maintain the appropriate group size for each group of children served.

Findings: During the inspection, group size limitations were not maintained for the group of infants as it was determined there were 14 children grouped together. The group size shall not exceed twice the maximum number of children allowed per Child Care Staff Member. Submit the program's corrective action plan to the Department to verify compliance with the requirements of this rule.

Corrective Action Plan Due: 12/05/2020

Domain:05 Health & Safety

Rule: 5101:2-12-16 Incident/Injury Reporting

Code: The program is required to complete the JFS 01299 "Incident/Injury Report" for injuries and incidents at the program.

Findings: During the inspection, it was determined that a JFS 01299 "Incident/Injury Report" was not completed by child care staff for situation 1 listed below:

1. A child became ill and required first aid or received an injury which required first aid treatment;
2. A child was transported for emergency medical care;
3. A child received a bump or blow to the head;
4. An unusual or unexpected incident which jeopardized the safety of a child or employee of a program.

Technical assistance was provided at the time of the inspection, and as discussed, please correct this rule noncompliance. A written response for this rule noncompliance is required at this time.

Corrective Action Plan Due: 12/05/2020

Domain:05 Health & Safety

Rule: 5101:2-12-16 Management of Communicable Disease

Code: The program is required to notify the parent of any child who is exhibiting symptoms of an illness.

Findings: During the inspection, it was determined that a parent of a child who was exhibiting signs and symptoms of an illness was not immediately notified. Technical assistance was provided at the time of the inspection, and as discussed, please correct this rule noncompliance. A written response for this rule noncompliance is required at this time.

Corrective Action Plan Due: 12/05/2020

Domain:07 Diapering & Infant Care

Rule: 5101:2-12-23 Infant Daily Care

Code: The program is required to provide a daily written record for each infant in care to the parents when picking up the infant each day.

Findings: During the inspection, it was determined that there was no daily written record for each infant provided to the parent or person picking up the infant on a daily basis. Technical assistance was provided at the time of the inspection, and as discussed, please correct this rule noncompliance. A written response for this rule noncompliance is required at this time.



Corrective Action Plan Due: 12/05/2020

Domain:07 Diapering & Infant Care

Rule: 5101:2-12-23 Infant Bottle and Food Preparation

Code: The program staff is required to discard any formula, breast milk, and food that was directly fed to an infant.

Findings: During the inspection, it was determined that unused portions of formula had been served from a container which the infant was directly fed and was served again. Technical assistance was provided at the time of the inspection, and as discussed, please correct this rule noncompliance. A written response for this rule noncompliance is required at this time.

Corrective Action Plan Due: 12/05/2020

Domain:07 Diapering & Infant Care

Rule: 5101:2-12-23 Infant Daily Care

Code: The program is required to provide a daily written record for each infant in care to the parents when picking up the infant each day.

Findings: During the inspection, it was determined that the written record used to document infant routines and activities was missing information as noted in number 4 below:

1. Food intake
2. Sleeping patterns
3. Times and results of diaper changes
4. Information about daily activities

Technical assistance was provided at the time of the inspection, and as discussed, please correct this rule noncompliance. A written response for this rule noncompliance is not required at this time.

Corrective Action Plan Due: 12/05/2020