



## Center Licensing Inspection Full 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<br>THE CHILD CARE & LEARNING CENTER OF<br>NEW MIDDLETOWN | Program Number<br>000000100288      | Program Type<br>Child Care Center |                   |
| Address<br>10143 MAIN ST NEW MIDDELTON<br>OH 44442                    |                                     | County<br>MAHONING                |                   |
| Building Approval Date<br>08/27/2015                                  | Use Group/Code<br>E                 | Occupancy Limit                   | Maximum Under 2 ½ |
| Fire Inspection Approval Date<br>10/02/2023                           | Food Service Risk Level<br>Level II |                                   |                   |

| Inspection Information        |                          |                                  |
|-------------------------------|--------------------------|----------------------------------|
| Inspection Type<br>Annual     | Inspection Scope<br>Full | Inspection Notice<br>Unannounced |
| Inspection Date<br>12/18/2023 | Begin Time 9:39 AM       | End Time 4:10 PM                 |
| Reviewer:<br>KATHLEEN BONACCI |                          |                                  |

| Summary of Findings      |                                     |                       |                        |                   |
|--------------------------|-------------------------------------|-----------------------|------------------------|-------------------|
| No. Rules Verified<br>58 | No. Rules with Non-compliances<br>4 | No. Serious Risk<br>0 | No. Moderate Risk<br>1 | No. Low Risk<br>3 |

| License Capacity and Enrollment at the Time of Inspection |                  |            |           |       |
|---|------------------|------------|-----------|-------|
| Age Group   | License Capacity | Enrollment |           |       |
|   | Totals           | Full Time  | Part Time | Total |
| Infant ( Birth to < 18 m)                                 |                  | 0          | 0         | 0     |
| Young Toddler   |                  | 0          | 0         | 0     |
| <b>Total Under 2 ½ Years</b>                              | 0                | 0          | 0         | 0     |
| Older Toddler   |                  | 1          | 0         | 1     |
| Preschool   |                  | 66         | 1         | 67    |
| School Age  |                  | 0          | 21        | 21    |
| <b>Total Capacity/Enrollment</b>                          | 144              | 67         | 22        | 89    |

| Staff-Child Ratios at the Time of Inspection |                 |                |         |
|--|-----------------|----------------|---------|
| Group  | Age Group/Range | Ratio Observed | Comment |



|                 |                          |         |   |
|-----------------|--------------------------|---------|---|
| Orange M-F      | 4 years to < 5 years     | 2 to 13 | Circle                                  |
| Orange M-F      | 4 years to < 5 years     | 2 to 13 | Finished lunch<br>Transiting            |
| Red MWF         | 3 years to < 4 years     | 1 to 11 | Circle                                  |
| Red MWF         | 3 years to < 4 years     | 1 to 11 | Lunch                                   |
| Purple MWF      | 3 years to < 4 years     | 1 to 8  |   |
| Purple MWF      | 3 years to < 4 years     | 1 to 8  | Lunch                                   |
| Pink MWF        | 3 years to < 4 years     | 1 to 8  | Handwashing                             |
| Dark Purple MWF | 3 years to < 4 years     | 2 to 11 | Handwashing<br>Snack<br>Parent provided |
| School age      | School-Age to < 11 years | 2 to 6  | Handwashing<br>Snack                    |
| Daycare group   | 30 months to < 36 months | 2 to 4  | Lunch                                   |
| Daycare group   | 30 months to < 36 months | 1 to 4  | Nap                                     |
| Daycare group   | 30 months to < 36 months | 1 to 1  | Nap                                     |

### Summary of Non-Compliances

If a program disagrees with a licensing finding, the program may request a review of the finding(s). Ohio Administrative Code 5101:2-12-03 and 5101:2-13-03 detail the process for submitting a request for review. The request for review must be submitted within seven business days from the receipt of the licensing report. In addition, if the program is star rated, the rating may be impacted if a serious or moderate risk non-compliance is cited.

### Serious Risk Non-Compliances

No Serious Risk Non-Compliances were observed during this inspection

### Moderate Risk Non-Compliances

#### Domain: 09 Children's Files

Rule: 5101:2-12-15 Medical/Physical Care Plans

Code: The program is required to have a completed JFS 01236 "Child Medical/Physical Care Plan for Child Care" on file at the program for any child having a health condition and must implement and/or follow instructions on the plan. The program is required to have staff trained to perform the procedures on the JFS 01236 "Child



Medical/Physical Care Plan for Child Care" present at the program when the child requiring the procedure is onsite. Only staff who have been trained shall be permitted to perform the procedures listed on the JFS 01236.

Finding: In review of the children's records, it was determined the program did not meet the requirements for caring for at least one child, indicated on the Children Records Review, with a condition that requires a JFS 01236 "Child Medical/Physical Care Plan" as noted in numbers 14,16,28,29,32,33 below:

1. No plan was on file.

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2. Child's name was missing.

3. Name of the condition was missing.

4. Indication if medication or medical food is required was missing.

5. Signs, symptoms or situations that require staff to take action were missing.

6. Activities, foods, environmental conditions to avoid were missing.

7. Training instructions for procedures for staff to follow were missing or incomplete.

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8. Child's name was missing or not attached.

9. Child's date of birth was missing or not attached.

10. Child's weight was missing or not attached.

11. Name of the medication/medical food was missing or not attached.

12. Dosage of medication/medical food to be administered was missing or not attached.

13. Time for medication/medical food to be administered was missing or not attached.

14. Expiration date for medication/medical food was missing or not attached.

15. Symptoms that require staff to administer medication/medical food were missing or not attached.

16. Specific instructions to administer the medication/medical food were missing or not attached.

17. Actions to be taken if the symptoms do not subside were missing or not attached.

18. Physician's signature was missing or not attached.

19. The date of the physician's signature was missing or not attached.

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20. Child's name was missing.

21. Instructions regarding emergency evacuation, if applicable, were missing.

22. Signature of parent granting permission to implement the plan and verifying training was missing.

23. Date of parent signature was missing.

24. Certified Professional Trainer information was missing.

25. Signature of certified professional who trained the program staff was missing, if parent was not the trainer.

26. Date of trainer signature was missing.

27. Printed name(s) of child care staff member(s) who have received instructions for care and/or have been trained to perform the procedure were missing.

28. Signature(s) of child care staff member(s) who have received instructions for care and/or have been trained to perform the procedure were missing.

29. Date of staff signature was missing.

30. Administrator/Provider signature was missing

31. Date of administrator/Provider was missing.

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32. Child's name was missing.

33. Name of medication or medical food was missing.

34. Date the medication/medical food was administered was missing.

35. Time medication/medical food was administered was missing.



36. Dosage of medication/medical food that was administered was missing.
37. Signature of person administering medication/medical food was missing.
38. The plan was not followed or implemented.
39. The plan was not able to be implemented due to conflicting information.
40. None of the child care staff members trained in the procedures on the JFS 01236 were onsite when a child requiring the plan was present.
41. Child care staff members trained in the procedures on the JFS 01236 were not scheduled to be present the entire the time the child requiring the plan was onsite.
42. None of the child care staff members trained in the procedures on the JFS 01236 accompanied the child requiring the plan during a trip.
43. A child care staff member who had not been trained in the procedures on the JFS 01236 performed the procedure.
44. Medication listed in the procedures to follow was not onsite available to administer as instructed and alternate instructions for this situation were not included on the plan.

Provide staff training. Submit the program's corrective action plan, which includes a copy of the completed JFS 01236, to the Department to verify compliance with the requirements of this rule.

Corrective Action Plan Due: 01/19/2024

### Low Risk Non-Compliances

#### Domain: 08 Staff Files

Rule: 5101:2-12-07 Administrator Responsibilities/Requirements

Code: The program administrator is required to maintain current employee records in the Ohio Professional Registry.

Finding: During the inspection, it was determined employment records in the Ohio Professional Registry (OPR) were not created or maintained as noted in numbers 3,5,6,7 below:

1. At least one administrator, employee or child care staff member (including substitutes) had not created a profile.
2. At least one administrator, employee or child care staff member had not created an employment record for the program on or before their first day of employment.
3. At least one administrator, employee or child care staff member had not updated changes to positions or roles within five calendar days of the change.
4. The administrator had not assigned at least one employee or child care staff member to the program's organization dashboard.
5. At least one individual's schedule was not current.



6. At least one individual's position or role did not include an applicable group assignment.
7. At least one individual's employment had not been end dated.
8. Other: [ ]

Submit the program's corrective action plan to the Department to verify compliance with the requirements of this rule.

Corrective Action Plan Due: 01/19/2024

**Domain: 09 Children's Files**

Rule: 5101:2-12-15 Child Medical and Enrollment Records

Code: The program is required to have a completed medical on file at the program for each child enrolled.

Finding: In review of 25% of the children's records, it was determined that completed medical statements were not on file, as required, for children listed on the JFS Children's Record Review For Child Care as indicated in number 2 below:

1. No medical was on file for at least one child
2. Medical on file was not updated every 13 months
3. Medical(s) were missing child's name and date of birth
4. Medical(s) were missing the date of the medical examination
5. The date of the exam was more than 13 months prior to the date the form was signed.
6. Medical(s) were missing a statement that the child has been examined and is in suitable condition for participation in group care
7. Medical(s) were missing the signature, business address and telephone number of the physician, physician's assistant(PA), advance practice nurse (APN) or certified nurse practitioner (CNP) who examined the child
8. Medical(s) were missing a record of immunizations the child has had specifying month, day and year
9. Medical(s) were missing a statement from the physician, PA, APN, or CNP that the child has been immunized or is in the process of being immunized against the diseases required by division 5104.014 of the Revised Code and found in appendix A to this rule
10. Medical(s) were missing a statement from the child's parent or guardian that he or she has declined to have the child immunized against the disease for reasons of conscience, including religious convictions
11. Other [ ]

Submit the program's corrective action plan to the Department to verify compliance with the requirements of this rule.

Corrective Action Plan Due: 01/19/2024



**Domain: 10 Written Policies & Procedures**

Rule: 5101:2-12-07 Written Program Policies and Procedures

Code: The program's policies and procedures are required to include all topics outlined in rule.

Finding: During the inspection, it was determined the program's written policies and procedures provided to the parents/guardians and employees was missing item number 15 below:

General Information

1. Program name, address, email address and telephone number.
2. Description of the program's program philosophy.
3. Days and hours of operation, scheduled closings and basic daily schedule.
4. Staff/child ratios and group size.
5. Opportunities for parent involvement in program activities.
6. Opportunities for parents to meet with teachers regarding their child.
7. Payment schedule, overtime charges and registration fees as applicable.
8. Supports for onsite breastfeeding or pumping for mothers who wish to do so (if the program serves infants or toddlers).

Program Policies and Procedures

9. Enrollment including required enrollment information.
10. Care of children without immunizations.
11. Attendance including procedures for arrival and departure, the program's absent day policy, releasing child to persons other than the parent, releasing a child according to a custody agreement and follow up when a child scheduled to arrive from another program or activity does not arrive.
12. Supervision of children, including a separate supervision policy for school-age children, if applicable.
13. Child guidance.
14. Suspension and expulsion.
15. Compliance with the Americans with Disabilities Act (ADA), including administering medication to children with disabilities and administering care procedures to children with disabilities.
16. Outdoor play, including limitations placed on outdoor play due to weather or safety issues (considerations may include but are not limited to temperature, humidity, wind chill, ozone levels, pollen count, lightning, rain or ice.)
17. Food and dietary policy, including, information regarding meeting one-third of the child's recommended daily dietary allowance, policy regarding formula, breast milk, meals and snacks, and a policy on providing supplemental food.
18. Management of illness including isolation precautions, symptoms for discharge and return and notification of parent of ill child.
19. Summary of procedures taken in the event of an emergency, serious illness or injury.
20. Administration of medication and topical products including medical foods, modified diets and whether school age children are permitted to carry their own medication and ointments.
21. Transportation for fieldtrips, routine trips (if applicable) and emergencies, including if the center will provide child care services to children whose parents refuse to grant consent for transportation to the source of emergency treatment.
22. Water activities/swimming.
23. Infant care, if applicable, including feeding, frequency of diaper checks and information about daily activities.



- 24. Sleeping, Napping and Resting.
- 25. Evening and overnight care, if applicable.
- 26. Policy on hours of operation including closing due to weather, school delays or closings and any other factors.
- 27. Situations that may require disenrollment of a child, if applicable.
- 28. Problem or issue resolution for parents or employees to follow when needing assistance in resolving problems related to the child care program.
- 29. Formal screenings and assessments on enrolled children and if the program reports child level data to ODJFS pursuant to 5101:2-17-02 of the Administrative Code.

Revise the program’s written policies and procedures to include the missing information. Submit the program’s corrective action plan, which includes the revised written policies and procedures, to the Department to verify compliance with the requirements of this rule.

Corrective Action Plan Due: 01/19/2024

**Rules In-Compliance/Not Verified**

| Rule  | Status    | Documenting Statement(s), If applicable   |
|---|-----------|---|
| 5101:2-12-02 License Posted                       | Compliant |   |
| 5101:2-12-02 Current Information                  | Compliant |   |
| 5101:2-12-03 Inspection Requirements              | Compliant |   |
| Rule: 5101:2-12-04 Building Department Inspection | Compliant | Documenting Statement: A copy of the certificate of occupancy was available on-site for review. |
| Rule  | Status    | Documenting Statement(s), If applicable   |



| 5101:2-12-04 Fire Inspection  | Compliant |   |
|---|-----------|---|
| Rule  | Status    | Documenting Statement(s), If applicable   |
| Rule: 5101:2-12-04 Food Service Requirements                        | Compliant | Documenting Statement: The food service license was observed posted. Following is the audit number and date of expiration: 9969429,649,Mahoning, Class 2 ,expires 3-1-2024.   |
| Rule  | Status    | Documenting Statement(s), If applicable   |
| 5101:2-12-07 Administrator Qualifications                           | Compliant |   |
| Rule  | Status    | Documenting Statement(s), If applicable   |
| Rule: 5101:2-12-08 Medical Statement                                | Compliant | Documenting Statement: All employees had current medical statements on file.  |
| Rule  | Status    | Documenting Statement(s), If applicable   |
| Rule: 5101:2-12-08 Orientation Training & Whistle Blower Protection | Compliant | Documenting Statement: On the day of the inspection, all child care staff members had met orientation training requirements.  |
| Rule  | Status    | Documenting Statement(s), If applicable   |
| Rule: 5101:2-12-09 Background Check Requirements                    | Compliant | Documenting Statement: During the inspection, the required documentation regarding background checks was on file for all employees listed.  |
| Rule  | Status    | Documenting Statement(s), If applicable   |
| Rule: 5101:2-12-10 Health Training Requirements                     | Compliant | Documenting Statement: The program had at least one Child Care Staff Member with currently valid training in First Aid, Management of Communicable Disease, CPR, and Child Abuse Prevention present and readily accessible during all hours of operation. |
| Rule  | Status    | Documenting Statement(s), If applicable   |
| Rule: 5101:2-12-10 Professional Development Requirements            | Compliant | Documenting Statement: At the time of the inspection, all child care staff members had completed the required   |





|   |           | amount of professional development training.  |
|---|-----------|---|
| Rule  | Status    | Documenting Statement(s), If applicable   |
| 5101:2-12-11 Indoor Space Requirements        | Compliant |   |
| Rule  | Status    | Documenting Statement(s), If applicable   |
| Rule: 5101:2-12-11 Outdoor Space Requirements | Compliant | Documenting Statement: The outdoor play area is separated from traffic and other hazards by a fence.  |
| Rule: 5101:2-12-11 Outdoor Space Requirements | Compliant | Documenting Statement: The quarterly playground inspections were completed and documented, as required. The most recent inspection report form was dated 1-2023.                    |
| Rule  | Status    | Documenting Statement(s), If applicable   |
| Rule: 5101:2-12-11 Outdoor Play Equipment     | Compliant | Documenting Statement: The outdoor play space and equipment were not viewed during this inspection due to rain; however, the requirements were discussed.                           |
| Rule  | Status    | Documenting Statement(s), If applicable   |
| Rule: 5101:2-12-11 Outdoor Play Fall Zones    | Compliant | Documenting Statement: The protective surfaces under the outdoor equipment were not viewed during this inspection due to rain; however, the requirements were discussed.            |
| Rule  | Status    | Documenting Statement(s), If applicable   |
| Rule: 5101:2-12-12 Safe Equipment             | Compliant | Documenting Statement: Equipment was observed to be in good condition.  |
| Rule  | Status    | Documenting Statement(s), If applicable   |
| Rule: 5101:2-12-12 Safe Environment           | Compliant | Documenting Statement: A safe environment was observed during the inspection. Children were protected from items and conditions which threaten their health, safety and well-being. |



| Rule: 5101:2-12-12 Safe Environment                            | Compliant | Documenting Statement: The indoor temperature of the program during the inspection was comfortable and met rule compliance.  |
|--|-----------|--|
| Rule   | Status    | Documenting Statement(s), If applicable  |
| Rule: 5101:2-12-13 Sanitary Equipment and Environment          | Compliant | Documenting Statement: On the day of the inspection, the program provided a clean environment in accordance with Appendix A of this rule, which included the furniture, materials and equipment. |
| Rule   | Status    | Documenting Statement(s), If applicable  |
| 5101:2-12-13 Handwashing Requirements                          | Compliant |  |
| Rule   | Status    | Documenting Statement(s), If applicable  |
| 5101:2-12-13 Smoke Free Environment                            | Compliant |  |
| Rule   | Status    | Documenting Statement(s), If applicable  |
| Rule: 5101:2-12-14 Transportation and Field Trip Procedures    | Compliant | Documenting Statement: The program uses the ODJFS sample trip permission form for field trips to secure written permission from parents or guardians.  |
| Rule   | Status    | Documenting Statement(s), If applicable  |
| Rule: 5101:2-12-16 Medical, Dental, and General Emergency Plan | Compliant | Documenting Statement: On the day of the inspection, the complete prescribed JFS 01242 "Medical, Dental, and General Emergency Plan For Child Care" were posted in the program as required.      |
| Rule   | Status    | Documenting Statement(s), If applicable  |
| Rule: 5101:2-12-16 Emergency Drills                            | Compliant | Documenting Statement: Documentation for completed fire, weather, and emergency/lockdown drills was verified during this inspection.   |
| Rule   | Status    | Documenting Statement(s), If applicable  |
| Rule: 5101:2-12-16 First Aid/Standard Precautions              | Compliant | Documenting Statement: During the inspection, the program had complete first aid kit available as required.  |



| Rule  | Status    | Documenting Statement(s), If applicable  |
|---|-----------|--|
| Rule: 5101:2-12-16 Management of Communicable Disease | Compliant | Documenting Statement: The JFS 08087 "Communicable Disease Chart" was posted and was readily available to staff and parents.   |
| Rule: 5101:2-12-16 Management of Communicable Disease | Compliant | Documenting Statement: The program staff stated parents were informed when their child had any exposure to a contagious illness by number 1 ,3 below:<br><br>1. A posted notice;<br>2. Verbal communication;<br>3. A written notice sent home;<br>4. A note posted on the classroom door;<br>5. Other [ ]. |
| Rule  | Status    | Documenting Statement(s), If applicable  |
| Rule: 5101:2-12-16 Incident/Injury Reporting          | Compliant | Documenting Statement: The JFS 01299 "Incident/Injury Report For Child Care" forms reviewed during this inspection were complete as required.  |
| Rule  | Status    | Documenting Statement(s), If applicable  |
| Rule: 5101:2-12-16 Written Disaster Plan              | Compliant | Documenting Statement: During the inspection, the requirements of the rule regarding the written disaster plan were discussed.   |
| Rule  | Status    | Documenting Statement(s), If applicable  |
| Rule: 5101:2-12-17 Daily Schedule                     | Compliant | Documenting Statement: Daily schedules were observed posted.   |
| Rule  | Status    | Documenting Statement(s), If applicable  |
| Rule: 5101:2-12-17 Materials and Equipment            | Compliant | Documenting Statement: Sufficient equipment was observed in all categories.  |
| Rule  | Status    | Documenting Statement(s), If applicable  |
| 5101:2-12-17 Daily Outdoor Play                       | Compliant |  |
| Rule  | Status    | Documenting Statement(s), If applicable  |



| Rule: 5101:2-12-18 License Capacity   | Compliant | Documenting Statement: The program was operating within their license capacity limits.  |
|---------------------------------------|-----------|---|
| Rule                                  | Status    | Documenting Statement(s), If applicable   |
| Rule: 5101:2-12-18 Ratio              | Compliant | Documenting Statement: The Appendix A "Staff/Child Ratios, Age Grouping and Maximum Group Size" was posted in a noticeable area at the program as required.   |
| Rule: 5101:2-12-18 Ratio              | Compliant | Documenting Statement: Staff/child ratios observed during the inspection were in compliance.  |
| Rule                                  | Status    | Documenting Statement(s), If applicable   |
| Rule: 5101:2-12-18 Group Size         | Compliant | Documenting Statement: The group sizes observed on the day of the inspection were in compliance.  |
| Rule                                  | Status    | Documenting Statement(s), If applicable   |
| Rule: 5101:2-12-18 Attendance Records | Compliant | Documenting Statement: During the inspection, attendance records were reviewed. Child Care Staff Members were viewed recording the attendance for each child upon arrival and departure. All attendance records met the requirements of the rule and were kept with the group at all times. |
| Rule                                  | Status    | Documenting Statement(s), If applicable   |
| Rule: 5101:2-12-19 Supervision        | Compliant | Documenting Statement: Child Care Staff Members were supervising the children and were able to intervene as needed.   |
| Rule: 5101:2-12-19 Supervision        | Compliant | Documenting Statement: During the inspection, child care staff were observed assisting children throughout the day.   |
| Rule                                  | Status    | Documenting Statement(s), If applicable   |
| Rule: 5101:2-12-19 Child Guidance     | Compliant | Documenting Statement: Appropriate child guidance techniques and practices were observed being used during the inspection.  |



| Rule  | Status    | Documenting Statement(s), If applicable  |
|---|-----------|--|
| 5101:2-12-20 Cots and Napping                                       | Compliant |  |
| Rule  | Status    | Documenting Statement(s), If applicable  |
| Rule: 5101:2-12-22 Meal and Snack Requirements                      | Compliant | Documenting Statement: Meals were provided at intervals as required by this rule.  |
| Rule: 5101:2-12-22 Meal and Snack Requirements                      | Compliant | Documenting Statement: Snacks served at the program included foods from two of the four food groups and provided nutritional value in addition to calories. Provided by parents. |
| Rule: 5101:2-12-22 Meal and Snack Requirements                      | Compliant | Documenting Statement: Snacks were provided at intervals as required by this rule.   |
| Rule  | Status    | Documenting Statement(s), If applicable  |
| 5101:2-12-22 Fluid Milk Requirements                                | Compliant |  |
| Rule  | Status    | Documenting Statement(s), If applicable  |
| Rule: 5101:2-12-22 Safe Food Handling/Storage                       | Compliant | Documenting Statement: Sack lunches were stored with ice packs.  |
| Rule  | Status    | Documenting Statement(s), If applicable  |
| Rule: 5101:2-12-25 Medication Administration                        | Compliant | Documenting Statement: Medication was stored in kitchen.   |
| Rule  | Status    | Documenting Statement(s), If applicable  |
| Rule: 5101:2-12-08 Child Care Staff Member Educational Requirements | Compliant | Documenting Statement: All Child Care Staff Members had verification of educational requirements on file at the program.   |