



## 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 Kind And Caring Learning Center	Program Number 2170015810	Program Type Child Care Center
Address 37 Eswin Street Cincinnati OH 45218		County HAMILTON

Inspection Information			
Inspection Type Complaint		Inspection Scope Partial	Inspection Notice Unannounced
Reviewer(s) ZIBUTE OSGOOD	Inspection Day 06/03/2022	Begin Time 10:00 AM	End Time 11:40 AM

Summary of Findings				
No. Rules Verified 16	No. Rules with Non-compliances 8	No. Serious Risk 0	No. Moderate Risk 0	No. Low Risk 10

Staff-Child Ratios at the Time of Inspection			
Group	Age Group/Range	Ratio Observed	Comment
Infants	0 to < 12 months	2 to 4	6 weeks to 18 months
Toddlers	18 months to < 30 months	2 to 7	18 months to 36 months
Preschool	3 years to < 4 years	1 to 8	3's, 4's & SA



## 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 Supervision

Code: The program staff is required to supervise children in their assigned group by sight and hearing. Supervision includes being near enough to respond and reach children immediately including responding to the child's basic needs and protecting them from harm.

Allegation: Staff are on their cell phones and not supervising the children.

Determination: Substantiated

Findings: During the inspection, it was determined that children were not being properly supervised as noted in number 5 below:

1. Child(ren) were not within both sight and hearing of a child care staff member during indoor play.
2. Child(ren) were not within both sight and hearing of a child care staff member during outdoor play.
3. Child(ren) were not within both sight and hearing of a child care staff member more than once.
4. Staff were not physically present in the space and near enough to respond and reach the child(ren) immediately.
5. Staff have been observed to be using their cell phones when caring for the children, preventing proper supervision.

Children must be supervised according to rule and within both sight and hearing of a child care staff member at all times. 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.

Risk Level: Low

Corrective Action Plan Due: 07/06/2022

### Domain:02 Safe & Sanitary Environment

Rule: 5101:2-12-13 Sanitary Equipment and Environment

Code: The program is required to provide a clean and healthy environment.

Allegation: The program is not maintaining a clean environment.

Determination: Substantiated

Findings: During the inspection, it was determined that the following unsanitary conditions were at the program:

- Floors and carpets were dirty.
- A wastebasket and a footstool in the toddler/preschool restroom were dirty.
- A white pillow in the toddler room was dirty.
- A section of a baseboard was not attached, preventing appropriate sanitation.

A clean and healthy environment, including furniture, materials and equipment must be provided, and the program shall be cleaned daily. Submit a corrective action plan that verifies compliance with the rule.

Risk Level: Low



Corrective Action Plan Due: 07/06/2022

**Domain:02 Safe & Sanitary Environment**

Rule: 5101:2-12-12 Safe Environment

Code: The program is required to provide an environment that protects the children in care from any items and conditions that may threaten their health, safety, and well-being.

Allegation: Pushpins are accessible to toddlers. A damaged fixture is within the reach of the children.

Determination: Substantiated

Findings: During the inspection fixtures were observed to be in proper working order. However, during the inspection, it was determined that children were not protected from the following item(s) or condition(s) which may threaten their health, safety, or well-being as noted in number 12 below:

1. Open pull cords that are not closed loop.
2. Telephone cords.
3. Electrical/extension cords attached to an object that would not likely result in a severe injury if pulled.
4. Stacked chairs.
5. Employee(s) purse(s).
6. Diaper bags.
7. Television not securely anchored.
8. Small or lightweight pieces of shelving units are not securely anchored to the wall.
9. Smoke detector needing batteries replaced.
10. Staff member stepped over a barrier/gate while holding a child.
11. Emergency exits were blocked by the following classroom furniture: [ ].
12. Pushpins were accessible to children in the toddler room.

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.

Risk Level: Low

Corrective Action Plan Due: 07/06/2022

**Domain:02 Safe & Sanitary Environment**

Rule: 5101:2-12-12 Safe Equipment

Code: The program is required to provide equipment that is safe and hazard free.

Allegation: The children have access to a broken, unstable bookcase, providing a tipping hazard.

Determination: Substantiated

Findings: During the inspection, a bookcase was determined to be unsafe and in need of repair as noted in number 7 below:

1. The equipment had sharp points or corners;
2. The equipment had splinters;
3. The equipment had protruding nails;
4. The equipment had loose or rusty parts;
5. The equipment had paint which contains lead or other poisonous materials;



- 6. The equipment had hazardous features;
- 7. A bookcase in the toddler rooms was not stable, providing a tipping hazard.

The bookcase was removed during the inspection. Submit the program's corrective action plan to the Department to verify compliance with the requirements of this rule.

Risk Level: Low

Corrective Action Plan Due: 07/06/2022

### Summary of Additional Non-Compliances

#### Serious Risk Non-Compliances

No Additional Serious Risk Non-Compliances were observed during this inspection

#### Moderate Risk Non-Compliances

No Additional Moderate Risk Non-Compliances were observed during this inspection

#### Low Risk Non-Compliances

**Domain:02 Safe & Sanitary Environment**

Rule: 5101:2-12-12 Safe Equipment

Code: The program is required to use straps on equipment that is manufactured with straps.



Findings: During the inspection, it was determined that the following equipment was not used according to manufacturer's guidelines as noted in number 2 below:

1. The straps were missing on the [ ].
2. The straps were attached, but were not used on the changing pad.
3. The straps were attached and were used, but were not used in a safe manner.
4. Manufacturer's guidelines for the [ ] were not followed in that [ ].

Provide staff training. Submit the program's corrective action plan, which includes a statement that training has been provided, to the Department to verify compliance with the requirements of this rule.

Corrective Action Plan Due: 07/06/2022

**Domain:02 Safe & Sanitary Environment**

Rule: 5101:2-12-12 Safe Environment

Code: The program is required to provide an environment that protects the children in care from any items and conditions that may threaten their health, safety, and well-being.

Findings: Children in care shall be protected from any items and conditions which threaten their health, safety, and well-being. During the inspection, it was determined that children were not protected from the following item(s) or condition(s) which may threaten their health, safety, or well-being as noted in number 3 below:

1. Open pull cords that are not closed loop.
2. Telephone cords.
3. Electrical/extension cords attached to an object that would not likely result in a severe injury if pulled.
4. Stacked chairs.
5. Employee(s) purse(s).
6. Diaper bags.
7. Television not securely anchored.
8. Small or lightweight pieces of shelving units are not securely anchored to the wall.
9. Smoke detector needing batteries replaced.
10. Staff member stepped over a barrier/gate while holding a child.
11. Emergency exits were blocked by the following classroom furniture: [ ].
12. Other [ ].

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: 07/06/2022

**Domain:02 Safe & Sanitary Environment**

Rule: 5101:2-12-12 Safe Environment

Code: The program is required to provide an environment that protects the children in care from any items and conditions that may threaten their health, safety, and well-being.

Findings: Children in care shall be protected from any items and conditions which threaten their health, safety, and well-being. During the inspection, it was determined that at least one area of the program or at least one piece of equipment



had chipping or peeling paint. Submit the program's corrective action plan to the Department to verify compliance with the requirements of this rule.

Corrective Action Plan Due: 07/06/2022

**Domain:04 Indoor/Outdoor Space**

Rule: 5101:2-12-11 Outdoor Space Requirements

Code: The program is required to have an outdoor play space free from debris.

Findings: During the inspection, it was determined that a fenced off area on the outdoor play area was littered with debris and broken toys. 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.

**Domain:04 Indoor/Outdoor Space**

Rule: 5101:2-12-11 Outdoor Space Requirements

Code: The program is required to have an outdoor play space free from general hazards.

Findings: During the inspection, it was determined that hazardous conditions existed in the outdoor play area, as noted in number 10 below:

1. There was broken glass.
  2. There were tall weeds.
  3. There was poison ivy.
  4. There were tree branches.
  5. There was mold visible.
  6. There were thistles with prickles.
  7. There were bird droppings.
  8. There were bolts with more than two threads exposed along a fence line or gate on a playground.
  9. The sandbox was contaminated.
  10. One shade umbrella was not in working order due to the spokes not being attached, and were accessible to the children.
- Submit the program's corrective action plan to the Department to verify compliance with the requirements of this rule.

Corrective Action Plan Due: 07/06/2022

**Domain:07 Diapering & Infant Care**

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

Code: The program staff is required to refrain from propping a bottle for an infant feeding.

Findings: During the inspection, it was determined that a bottle was propped for an infant feeding. Technical assistance was provided at the time of the inspection, and as discussed, please correct the rule noncompliance. A written response for this rule noncompliance is not required at this time.



Department of Education  
Department of Job and Family Services

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