



## 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>YesWeCan Childcare              | Program Number<br>2220027428      | Program Type<br>Child Care Center |                   |
| Address<br>322 East Main st Batavia<br>OH 45103 |                                   | County<br>CLERMONT                |                   |
| Building Approval Date<br>12/13/2022            | Use Group/Code<br>E               | Occupancy Limit<br>36             | Maximum Under 2 ½ |
| Fire Inspection Approval Date<br>12/22/2022     | Food Service Risk Level<br>Exempt |                                   |                   |

| Inspection Information         |                          |                                  |
|--------------------------------|--------------------------|----------------------------------|
| Inspection Type<br>Provisional | Inspection Scope<br>Full | Inspection Notice<br>Unannounced |
| Inspection Date<br>08/10/2023  | Begin Time 9:00 AM       | End Time 3:11 PM                 |
| Reviewer:<br>BRIAN CHASTAIN    |                          |                                  |

| Summary of Findings      |                                      |                       |                        |                   |
|--------------------------|--------------------------------------|-----------------------|------------------------|-------------------|
| No. Rules Verified<br>58 | No. Rules with Non-compliances<br>10 | No. Serious Risk<br>0 | No. Moderate Risk<br>3 | No. Low Risk<br>9 |

| 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)                                 |                  | 1          | 0         | 1     |
| Young Toddler   |                  | 5          | 0         | 5     |
| <b>Total Under 2 ½ Years</b>                              | 7                | 6          | 0         | 6     |
| Older Toddler   |                  | 2          | 0         | 2     |
| Preschool   |                  | 11         | 0         | 11    |
| School Age  |                  | 9          | 0         | 9     |
| <b>Total Capacity/Enrollment</b>                          | 34               | 22         | 0         | 28    |

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



|           |                          |         |  |
|-----------|--------------------------|---------|--|
| Infant    | 12 months to < 18 months | 1 to 8  | Infant & Toddler groups operating as one group |
| Infant    | 12 months to < 18 months | 1 to 7  | Infant & Toddler groups operating as one group |
| Preschool | 3 years to < 4 years     | 1 to 13 | Preschool & School Age combined                |
| Preschool | 3 years to < 4 years     | 1 to 13 | Infant & Toddler groups operating as one group |

**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: 00 License & Approvals**

Rule: 5101:2-12-04 Building Department Inspection  
Code: The program is required to refrain from using space that did not receive building approval and from caring for children in spaces not approved for that age group. The program is required to refrain from using a remodeled or modified space before obtaining building approval. The program is required to maintain building occupancy limitations.



**Finding:** During the inspection, it was determined the program was using space for child care in a manner that was not approved by the Ohio Department of Commerce or local certified building authority as noted in number 6 below:

1. The [ ] room or space was not approved.
2. Children under school age were being cared for in a building only approved for school age.
3. The space had been modified and not yet re-inspected and approved.
4. The [ ] floor, which had not been approved by the building department for child care, was being used.
5. The building limitation had been exceeded. [ ] children were being cared for and the building had been approved for [ ] children.
6. The infant/toddler room and the preschool room occupancy had been exceeded. Eight children were being cared for in the infant/toddler room, which had been approved for 7 children. Thirteen children were being cared for in the preschool room, which had been approved for 11 children.
7. Care was provided to [ ] children less than two and one-half years of age. This violated the program's building code limitation in that, [ ].

Submit the program's corrective action plan, which includes building approval for use of this space, a written statement that the building occupancy limitations are being maintained, or a written statement that it is no longer being used, to the Department to verify compliance with the requirements of this rule.

Corrective Action Plan Due: 09/09/2023

**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.

**Finding:** During the inspection, required staff/child ratios were not maintained for the groups on multiple occasions, as noted below:

The ratio determined for the infant/toddler group was one child care staff member for 7 children, and later, one child care staff member for 8 children. Additionally, a ratio of one child care staff member for 13 children was determined for the preschool/school age group.

Additional 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: 09/09/2023



**Domain: 08 Staff Files**

Rule: 5101:2-12-09 Background Check Requirements

Code: The program is required to have documentation from ODJFS, indicating the individual is eligible to be employed in child care, on file before allowing the staff to have sole responsibility of children.

Finding: During the inspection, it was determined that child care staff member had sole responsibility of children in the infant/toddler group and neither a preliminary approval nor the JFS 01176 "Program Notification of Background Check Review for Child Care" was on file as required. Submit the program's corrective action plan, which includes a copy of the JFS 01176 or a statement that the child care staff member(s) no longer have sole responsibility of children, to the Department to verify compliance with the requirements of this rule.

Corrective Action Plan Due: 09/09/2023

**Low Risk Non-Compliances**

**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.

Finding: During the inspection, it was determined that children were not protected from item(s) or condition(s) which may threaten their health, safety, or well-being as noted in number 4 below:

1. Surge protectors/outlets did not have childproof receptacle covers.
2. Open pull cords that are not closed loop.
3. Toys or other items small enough to be swallowed were present in the space where infants and/or toddlers were in care.
4. Electrical/extension cords attached to an object that would not likely result in a severe injury if pulled.
5. Stacked chairs.
6. Employee(s) purse(s).
7. Diaper bags.
8. Television not securely anchored.
9. Small or lightweight pieces of shelving units are not securely anchored to the wall.
10. Smoke detector needing batteries replaced.
11. An area rug did not have a nonskid backing.
12. An area rug presented a tripping hazard.
13. A floor surface that was unsafe in that [ ].
14. No platform was provided for the sink or toilet in the [ ] classroom.
15. The platform provided for the sink or toilet in the [ ] classroom was not sturdy.



16. The platform provided for the sink or toilet in the [ ] classroom posed a safety hazard in that [ ].
17. Telephone cords.
18. Staff member stepped over a barrier/gate while holding a child.
19. Emergency exits were blocked by the following classroom furniture: [ ].
20. A mercury thermometer was being used to take a child's temperature.
21. Methods of ventilation used did not provide protection from rodents, insects, or other hazards.
22. 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: 09/09/2023

**Domain: 03 Postings & Equipment**

Rule: 5101:2-12-16 Medical, Dental, and General Emergency Plan

Code: The program is required to post the fire and weather plans.

Finding: During the inspection, it was determined that the following information was not posted for item number 2 below:

1. Fire alert plan, including a diagram indicating evacuation routes.
2. Weather alert plan was missing weather details in paragraph H of the rule, in that some types of weather listed in the rule were not addressed.
3. Weather alert plan was missing a diagram indicating evacuation routes.

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

Corrective Action Plan Due: 09/09/2023

**Domain: 03 Postings & Equipment**

Rule: 5101:2-12-16 Medical, Dental, and General Emergency Plan

Code: The program is required to have the JFS 01201 "Dental First Aid" posted in a readily available area at the program.

Finding: During the inspection it was determined that the current JFS 01201 "Dental First Aid" was not posted in a location readily available to center staff and parents as required. 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: 07 Diapering & Infant Care**

Rule: 5101:2-12-20 Cribs

Code: The program is required to label all cribs.

Finding: During the inspection, it was determined that at least one crib was not labeled with the child's name, as required by this rule. 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: 07 Diapering & Infant Care**

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

Code: The program staff is required to label bottles containing formula or breast milk.

Finding: During the inspection, it was determined that bottles containing milk/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. A written response for this rule noncompliance is not required at this time.

**Domain: 08 Staff Files**

Rule: 5101:2-12-08 Medical Statement

Code: The program staff's medical statements are required to be completed and on file at the program.

Finding: In review of the staff records, it was determined that the medical statements for the employees listed on the Employee Record Chart did not meet the requirements as listed in number 1 below.



1. A medical statement was not on file for at least one employee;
2. The medical statement(s) on file did not have a date of examination within 12 months of the employee's first day of employment;
3. Date of examination was missing;
4. Signature, business address, or telephone number of the licensed physician, physician assistant, advanced practice nurse, certified midwife, or certified nurse practitioner who completed the examination was missing;
5. A statement was missing that verifies the employee is:
  - a. Physically fit for employment in a program caring for children;
  - b. Immunized against Tetanus, Diphtheria, Pertussis (Tdap);
  - c. Immunized against Measles, Mumps, and Rubella (MMR);
6. Tuberculosis (TB) screening/test information was missing:
  - a. Documentation of the screening process to determine if the employee resided in a country identified by the world health organization as having a high burden of TB and arrived in the United States within the five years preceding the date of application for employment.
  - b. Results of a TB test for employees meeting both criteria in 6a.
  - c. Results of additional testing for employees with a positive TB test.
  - d. Written statement, signed by a representative of the TB control unit, that the employee's TB is no longer infectious or the individual is receiving a TB treatment regimen for employees with a positive TB test.

Submit the program's corrective action plan, which includes a copy of the completed employee medical statement, or TB results/documentation, to the Department to verify compliance with the requirements of this rule.

Corrective Action Plan Due: 09/09/2023

**Domain: 08 Staff Files**

Rule: 5101:2-12-07 Administrator Qualifications

Code: The program administrator is required to complete the rules course review within the defined time period.

Finding: During the inspection, it was determined that the administrator had not completed the required rules review course provided by this Department for program administrators within the time period defined in this rule. 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: 09 Children's Files**

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

Code: The program is required to use the updated JFS 01234 "Child Enrollment and Health Information For Child Care" .

Finding: In review of 25% of the children's records, it was determined that information had not been secured from the parent/guardian on the JFS 01234 "Child Enrollment and Health Information For Child Care", as required, for the items in number 13 below.

1. No enrollment form was completed for at least one child
2. The current JFS 01234 was not completed for at least one child
3. Complete child information
4. Complete parent information
5. Complete emergency contact information
6. Complete physician information
7. Information regarding the parent list
8. Health information
9. Additional information for all boxes checked "yes"
10. Emergency transportation information
11. Parent/guardian's signature
12. Diapering Statement
13. Acknowledgement of Policies and Procedures
14. Enrollment form for at least one child was not updated by either the parent or the administrator
15. Enrollment form for at least one child was not signed by the administrator
16. Other [ ]

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: 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 1 below:

1. No medical was on file for at least one child
2. Medical(s) 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: 09/09/2023

### Rules In-Compliance/Not Verified

| Rule                                   | Status    | Documenting Statement(s), If applicable  |
|--|-----------|--|
| Rule: 5101:2-12-02 License Posted      | Compliant | Documenting Statement: The license was in a location visible to parents as required.                                       |
| Rule: 5101:2-12-02 Current Information | Compliant | Documenting Statement: The program had current information entered in the Ohio Child Licensing and Quality System (OCLQS). |
| Rule                                   | Status    | Documenting Statement(s), If applicable  |



|   |               |   |
|---|---------------|---|
| 5101:2-12-03 Inspection Requirements                          | Compliant     |   |
| <b>Rule</b>   | <b>Status</b> | <b>Documenting Statement(s), If applicable</b>  |
| 5101:2-12-04 Fire Inspection                                  | Compliant     |   |
| <b>Rule</b>   | <b>Status</b> | <b>Documenting Statement(s), If applicable</b>  |
| 5101:2-12-04 Food Service Requirements                        | Compliant     |   |
| <b>Rule</b>   | <b>Status</b> | <b>Documenting Statement(s), If applicable</b>  |
| 5101:2-12-07 Administrator Responsibilities/Requirements      | Compliant     |   |
| <b>Rule</b>   | <b>Status</b> | <b>Documenting Statement(s), If applicable</b>  |
| 5101:2-12-07 Written Program Policies and Procedures          | Compliant     |   |
| <b>Rule</b>   | <b>Status</b> | <b>Documenting Statement(s), If applicable</b>  |
| 5101:2-12-08 Orientation Training & Whistle Blower Protection | Compliant     |   |
| <b>Rule</b>   | <b>Status</b> | <b>Documenting Statement(s), If applicable</b>  |
| 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. |
| <b>Rule</b>   | <b>Status</b> | <b>Documenting Statement(s), If applicable</b>  |
| 5101:2-12-10 Professional Development Requirements            | Compliant     |   |
| <b>Rule</b>   | <b>Status</b> | <b>Documenting Statement(s), If applicable</b>  |
| 5101:2-12-11 Indoor Space Requirements                        | Compliant     |   |
| <b>Rule</b>   | <b>Status</b> | <b>Documenting Statement(s), If applicable</b>  |
| 5101:2-12-11 Separation of Children Under 2 1/2 Years         | Compliant     |   |
| <b>Rule</b>   | <b>Status</b> | <b>Documenting Statement(s), If applicable</b>  |



|   |               |   |
|---|---------------|---|
| 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 5/8/23.                          |
| <b>Rule</b>   | <b>Status</b> | <b>Documenting Statement(s), If applicable</b>  |
| 5101:2-12-11 Outdoor Play Equipment                   | Compliant     |   |
| <b>Rule</b>   | <b>Status</b> | <b>Documenting Statement(s), If applicable</b>  |
| Rule: 5101:2-12-11 Outdoor Play Fall Zones            | Compliant     | Documenting Statement: The program did not have equipment that was designated for climbing, swinging, balancing, or sliding; therefore protective fall surface material was not required. |
| <b>Rule</b>   | <b>Status</b> | <b>Documenting Statement(s), If applicable</b>  |
| Rule: 5101:2-12-12 Safe Equipment                     | Compliant     | Documenting Statement: Equipment was observed to be in good condition.  |
| <b>Rule</b>   | <b>Status</b> | <b>Documenting Statement(s), If applicable</b>  |
| Rule: 5101:2-12-13 Sanitary Equipment and Environment | Compliant     | Documenting Statement: During the inspection, the equipment was observed clean and in good repair.  |
| <b>Rule</b>   | <b>Status</b> | <b>Documenting Statement(s), If applicable</b>  |
| 5101:2-12-13 Handwashing Requirements                 | Compliant     |   |
| <b>Rule</b>   | <b>Status</b> | <b>Documenting Statement(s), If applicable</b>  |
| Rule: 5101:2-12-13 Smoke Free Environment             | Compliant     | Documenting Statement: A notice was observed posted stating that smoking is prohibited at the program.  |
| <b>Rule</b>   | <b>Status</b> | <b>Documenting Statement(s), If applicable</b>  |
| Rule: 5101:2-12-15 Medical/Physical Care Plans        | Compliant     | Documenting Statement: The program had current information on the medical status and the required treatment plan for the children with health conditions.                                 |



| 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: 5101:2-12-16 First Aid/Standard Precautions     | Compliant |  |
| 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 Incident/Injury Reporting          | Compliant |  |
| Rule: 5101:2-12-16 Written Disaster Plan              | Compliant |  |
| Rule: 5101:2-12-17 Daily Schedule                     | Compliant | Documenting Statement: Daily schedules were observed posted.   |
| Rule: 5101:2-12-17 Materials and Equipment            | Compliant |  |
| Rule: 5101:2-12-17 Daily Outdoor Play                 | Compliant |  |
| Rule: 5101:2-12-18 License Capacity                   | Compliant |  |
| 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: 5101:2-12-19 Supervision                   | Compliant |   |
| Rule: 5101:2-12-19 Child Guidance                | Compliant |   |
| Rule: 5101:2-12-20 Cots and Napping              | Compliant |   |
| Rule: 5101:2-12-22 Meal and Snack Requirements   | Compliant |   |
| Rule: 5101:2-12-22 Fluid Milk Requirements       | Compliant |   |
| Rule: 5101:2-12-22 Safe Food Handling/Storage    | Compliant |   |
| Rule: 5101:2-12-23 Infant Daily Care             | Compliant |   |
| Rule: 5101:2-12-23 Diapering and Toilet Training | Compliant |   |
| Rule: 5101:2-12-25 Medication Administration     | Compliant |   |



| Rule  | Status    | Documenting Statement(s), If applicable |
|---|-----------|---|
| 5101:2-12-08 Child Care Staff Member Educational Requirements | Compliant |   |