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Inspection Report

Provider Information

Provider Name: Smart Beez Learning Center
Provider Type: LICENSED TYPE I
License No: L383125
Provider Address: 435 Southland Drive, Lexington, KY, 40503
Capacity: 48
Owner(s): Smart Beez, LLC
Director(s): Jarrar, Roaa

Inspection Information

Inspection Type: Investigation
Inspection No: 54298
Visit Start Date: 03/05/2014 10:15 AM
Visit End Date: 03/07/2014 10:15 AM
No. of Children Present: 16

Inspection Report

Supervision

5 - Children Supervised — **Not In Compliance**

922 KAR 2:120. Section 2. Child Care Services.
(3)(a) Each center shall maintain a child-care program that assures each child will be:
1. Provided with adequate supervision at all times by a qualified staff person who:
a. Ensures the child is within scope of vision and range of voice; or
b. For a school-age child, within scope of vision or range of voice;

Findings:

General: Based on Observation, it was found that on 3-5-14 a four (4) year old child was observed to be allowed to walk from the preschool classroom to the bathroom down the hall unsupervised. On 3-6-14, seven (7) children ages two (2) to four (4) years old were observed to be unsupervised while they napped. The children were unsupervised for approximately five (5) minutes.

Staffing Requirements

40 - Ratios and Group Size — **Not In Compliance**

922 KAR 2:120. Section 2. Child Care Services.
(2) Minimum staff-to-child ratios and group size for an operating child-care center shall be maintained as follows:

Age of Children	Ratio	Maximum Group Size*
Infant		
	1 staff for 5 children	10
Toddler		
	1 staff for 6 children	12
Preschool-age 2 to 3 years		
	1 staff for 10 children	20
Preschool-age 3 to 4 years		
	1 staff for 12 children	24
Preschool-age 4 to 5 years		
	1 staff for 14 children	28
School-age 5 to 7 years		
	1 staff for 15 children	30
School-age 7 and older		
	1 staff for 25 children	
	(for before and after school)	30
	1 staff for 20 children	
	(full day of care)	30

***Maximum Group Size shall be applicable only to Type I child-care centers.**

Findings:

TYPE B CITATION: Based on Interview, it was found that on 2-28-14, multiple staff members did not come to work for various reasons. The director stated that due to staff shortage, fourteen (14) children ages one (1) year to four (4) years old were combined all day in the two (2) year old classroom. There were two (2) staff supervising the children during this time. Due to the presence of one (1) year olds, the required ratio was one (1) staff person for every six (6) children. In addition to being over ratio by two (2) children, the classroom was also over maximum group size by two (2) children. It was also found that on 3-5-14, one (1) teacher was supervising fourteen (14) children ages one (1) year to four (4) years old for approximately five (5) minutes. The other teachers had left the room to answer the door and go to the bathroom. During this time the classroom was over ratio by eight (8) children and over maximum group size by two (2) children.

Director Requirements

265 - Health, Safety, Comfort — **Not In Compliance**

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.
(1) Effective with the adoption of this administrative regulation, a director shall:
(l) Provide for the health, safety, and comfort of each child;

Findings:

General: Based on Observation, it was found that on 3-6-14, two (2) infants were sleeping in swings. The director stated that the children take their naps in the swings at the parents' request. The facility did not have documentation on file from a physician stating that it was necessary for the children to sleep in this fashion.

275 - Caregiver Alone — **Not In Compliance**

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.
(1) Effective with the adoption of this administrative regulation, a director shall:
(n) Assure that a person acting as a caregiver of a child in care shall not be left alone with a child, if the licensee has not received the results of the background checks as described in Section 3(1)(e)6 of this administrative regulation;

Findings:

TYPE A CITATION Based on Observation, it was found that on 3-5-14, a staff person was working alone in the one (1) year old classroom with five (5) toddlers. The staff person stated that this was her first day and that she had been working alone in the classroom since 9:00 a.m. The staff person continued to be alone in the classroom until the end of the surveyor's visit at 11:30 a.m. During a follow-up interview on 3-7-14, the staff person reported that she was not placed with a second teacher on 3-5-14 until 12:00 p.m. She also reported that she was left alone with fourteen (14) children ages one (1) year to four (4) years old for approximately five (5) minutes later that day when the other teachers left to go to the bathroom and answer the front door. This staff person did not have a completed criminal records check or central registry check on file. On 3-6-14, it was found that a staff person hired on 1-6-14 was working alone in the one (1) year old classroom with four (4) toddlers for approximately ten (10) minutes. This staff person did not have a completed criminal records check on file.

Employee Records

300 - Background checks/left alone — **Not In Compliance**

922 KAR 2:090. Section 6. License Issuance.
(5) An individual described in subsection (4) of this section shall:
(a) Submit to background checks described in paragraph (b) of this subsection;
(b) May be employed or work with a child on a probationary basis for up to ninety (90) calendar days, pending completion of a:
1. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;
2. Criminal records check required by KRS 199.896(19);
3. Criminal records check for any previous state of residence if the person resided outside the state of Kentucky in the last five (5) years; and
4. An address check of the Sex Offender Registry; and
(c) Not be left alone in the presence of a child until copies of the background checks in accordance with paragraph (b) of this subsection have been received by the licensee.

Findings:

TYPE A CITATION: Based on Observation, t was found that on 3-5-14, a staff person was working alone in the one (1) year old classroom with five (5) toddlers. The staff person stated that this was her first day and that she had been working alone in the classroom since 9:00 a.m. The staff person continued to be alone in the classroom until the end of the surveyor's visit at 11:30 a.m. During a follow-up interview on 3-7-14, the staff person reported that she was not placed with a second teacher on 3-5-14 until 12:00 p.m. She also reported that she was left alone with fourteen (14) children ages one (1) year to four (4) years old for approximately five (5) minutes later that day when the other teachers left to go to the bathroom and answer the front door. This staff person did not have a completed criminal records check or central registry check on file. On 3-6-14, it was found that a staff person hired on 1-6-14 was working alone in the one (1) year old classroom with four (4) toddlers for approximately ten (10) minutes. This staff person did not have a completed criminal records check on file.

Programming

410 - Infant/Toddler Combined with Older Children — **Not In Compliance**

922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.
(2) Except in accordance with subsection (3) of this section, an infant or toddler shall participate in an activity with an older child for no more than one (1) hour per day.

Findings:

General: Based on Interview, it was found that on 2-28-14, multiple staff members did not come to work for various reasons. The director stated that due to staff shortage, fourteen (14) children ages one (1) year to four (4) years old were combined all day in the two (2) year old classroom.

Signature of Provider/Representative | Title | Date