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Inspection Report

Provider Information		
Provider Name: Little Lexington Academy, LLC	Provider Type: LICENSED TYPE I	CLR No: L383626
Provider Address: 4383 Old Harrodsburg Rd., Ste 145, Lexington, KY, 40513		Capacity: 60
Owner(s): Little Lexington Academy LLC		Director(s): Robinson, Sarah A; Cobb, Brianna Michelle

Inspection Information		
Inspection Type: Renewal Application	Date Concluded: 06/18/2019 12:55 PM	Inspection No: 289328
Date Initiated: 06/18/2019 10:37 AM	No. of Children Present: 31	

Inspection Report	
Background Checks	Not In Compliance
10 - Submit background check	Not In Compliance
922 KAR 2:280 - Section 4. Procedures and Payments. (1) To initiate the process for obtaining background checks on a prospective child care staff member, the child care provider shall: (a) Request that the prospective child care staff member provide a copy of his or her driver's license or other government-issued photo identification and verify that the photograph clearly matches the prospective child care staff member; (b) Request that the prospective child care staff member complete and sign the: 1. DCC-500, Applicant Child Care Staff Member Waiver Agreement and Statement; and 2. DCC-501, Disclosures to Be Provided to and Signed by the Applicant Child Care Staff Member; and (c) Log on to the NBCP portal and enter the prospective child care staff member's demographic information for a check of the: 1. Child abuse and neglect central registry pursuant to 922 KAR 1:470; 2. National Crime Information Center's National Sex Offender Registry in accordance with 34 U.S.C. 20921; and 3. Sex Offender Registry established in accordance with KRS 17.500 through 17.580.	
Findings: General: Based on review of documentation, observation and interview, this regulatory requirement was not met. The following was found: 1. It was found that during the survey an employee hired on 6/10/19 was working with another employee in the infant classroom. The staff person in charge stated that they had not yet initiated the process to obtain this employee's background check because the staff person brought in her passport instead of her driver's license. 2. A review of staff files during the inspection found that one (1) staff person (hire date: 6/10/19) did not have a completed background check on file. A review of the Kentucky National Background check service (KARES) found this staff person listed as a "pending employee" and the determination status listed as "In Process" with a submitted date listed of 5/31/19. The staff person in charge presented the surveyor with email communication stating that this staff person's fingerprints had been rejected on 6/18/19 for illegible prints and therefore needed to be re-submitted. This staff person was not present during the inspection; however, the staff person in charge stated that she has been working daily since she was hired.	

20 - Out of state background checks

Not In Compliance

922 KAR 2:280. Section 5. Checks of Other States.

- (1) In accordance with 45 C.F.R. 98.43(b)(3), a prospective child care staff member who resides in or has resided in another state within the last five (5) years shall:
- (a) Request from each state of current or prior residency, in accordance with the state's laws, policies, and procedures, with a courtesy notice to the cabinet:
1. An in-state criminal records check by:
 - a. Means of fingerprints for the state of residence; or
 - b. Any means accepted by a state of prior residency;
 2. A check of the state's sex offender registry or repository; and
 3. A check of the state-based child abuse and neglect registry and database; and
- (b) Direct results of the checks required in paragraph (a) of this subsection to the Department for Community Based Services, Division of Child Care, 275 East Main Street, 3C-F, Frankfort, Kentucky 40601.

Findings:

Based on review of documentation, observation and interview, this regulatory requirement was not met. One (1) staff person (hire date: 1/7/19) did not have documentation of an out of state background check from Florida. The staff person previously lived in Florida and stated that she moved to Kentucky in August 2018.

Supervision

In Compliance

Staffing Requirements

In Compliance

General Administration

Not In Compliance

155 - Liability Insurance

Not In Compliance

922 KAR 2:090. Section 6. License Issuance.

- (8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:
- (d) Provide written proof of liability insurance coverage of at least \$100,000 per occurrence;

Findings:

General: Based on review of documentation, this regulatory requirement was not met. A review of the facility's liability insurance documentation on file found that the coverage dates were 1/30/18 through 1/30/19; therefore, the policy was not current.

Director Requirements

Not In Compliance

345 - Staff Evaluation

Not In Compliance

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.

- (1) A director shall:
- (j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;

Findings:

General: Based on review of documentation, this regulatory requirement was not met. Two (2) staff eligible for an annual performance review did not have documentation of a review on file in the facility.

Employee Records

Not In Compliance

390 - Educational Requirements

Not In Compliance

922 KAR 2:090. Section 11. Staff Requirements.

- (1) Child-care center staff:
- (a) Hired after January 1, 2009, who have supervisory power over a minor and are not enrolled in secondary education, shall have a:
1. High school diploma;
 2. GED or qualifying documentation from a comparable educational entity; or
 3. Commonwealth Child Care Credential as described in 922 KAR 2:250;

Findings:

General: Based on review of documentation, this regulatory requirement was not met. Three (3) staff (hire dates: 4/19/19 and 2 on 6/10/19) did not have educational documentation on file.

395 - TB Verification

Not In Compliance

922 KAR 2:090. Section 11. Staff Requirements.

- (1) Child-care center staff:
- (b) Shall provide, prior to employment and every two (2) years thereafter:
1. A statement from a health professional that the individual is free of active tuberculosis; or
 2. A copy of negative tuberculin results.

Findings:

General: Based on review of documentation, this regulatory requirement was not met. The following was found:

1. Two (2) staff files (hire dates: 3/24/17 and 9/19/17) contained results of negative T.B. tests that are no longer current. The tests were dated 2/17/17 and 8/15/16 which exceeds the two (2) year time frame.

2. Two (2) staff (hire dates: 2/18/19 and 6/10/19) did not have T.B. documentation on file.

3. Five (5) staff did not have evidence of a negative TB skin test or physician's statement documenting he/she was free from tuberculosis prior to employment. Two (2) staff were hired on 11/5/18; however, they did not have a TB skin test until 12/12/18. One (1) staff person was hired on 4/19/19; however, did not have a TB skin test until 5/11/19. One (1) staff person was hired on 5/8/19; however, did not have a TB skin test until 5/11/19. One (1) staff person was hired on 6/10/19; however, did not have a TB skin test until 6/17/19.

Inspection Report

405 - Adequate Substitute(s)

Not In Compliance

922 KAR 2:090. Section 11. Staff Requirements.

(6) Child-care centers shall have available in case of need:

- (a) One (1) qualified substitute staff person for a Type II child-care center; or**
- (b) Two (2) qualified substitute staff persons for a Type I child-care center.**

(7) Each qualified substitute staff person shall:

- (a) Meet the staff requirements of this administrative regulation; and**
- (b) Provide the required documentation to verify compliance with this administrative regulation.**

Findings:

General: Based on review of documentation and interview, this regulatory requirement was not met. The staff person in charge named three (3) substitute staff; however, none of them met the requirements of a qualified staff person. One (1) named substitute (hire date: 4/23/18) was not qualified because she had not completed any of the required training (six (6) hour orientation training, fifteen (15) hours of annual training and pediatric abusive head trauma training). The staff person in charge stated during interview that she had not used this staff person for a long time. The second named substitute (hire date: 3/24/17) was not qualified because she did not have current TB documentation on file. The third named substitute (hire date: 1/2/19) was not qualified because she had not completed the required six (6) hour orientation training class.

410 - Training

Not In Compliance

922 KAR 2:090. Section 11. Staff Requirements.

(16) In accordance with KRS 199.896(15) and (16), a staff person with supervisory authority over a child shall complete the following:

- (a) Six (6) hours of cabinet-approved orientation within the first three (3) months of employment;**
- (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training; and**
- (c) Fifteen (15) hours of cabinet-approved early care and education training during each subsequent year of employment, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.**

Findings:

General: Based on review of documentation and the Training Records Information System (TRIS), the following was found:

1. Three (3) staff files (hire dates: 4/23/18, 1/2/19 and 1/7/19) did not contain evidence of the six (6) hours of cabinet-approved training being completed within the first three (3) months of employment.
2. Two (2) staff (hire dates: 9/19/17 and 4/23/18) did not have evidence of completing the required pediatric abusive head trauma training class.
3. One (1) staff person (hire date: 4/23/18) did not have evidence of completing any training hours during their first year of employment. This staff person was identified as a substitute staff person.

Programming

In Compliance

Premises

In Compliance

Hygienic Practices

In Compliance

First Aid/Medication

Not In Compliance

730 - Medication

Not In Compliance

922 KAR 2:120. Section 7. First Aid and Medicine.

(6) Medication, including refrigerated medication, shall be:

- (a) Stored in a separate and locked place, out of the reach of a child unless the medication is:**
 - 1. A first aid supply and is maintained in accordance with subsection (1) of this section;**
 - 2. Diaper cream, sunscreen, or toothpaste. Diaper cream, sunscreen, or toothpaste shall be inaccessible to a child;**
 - 3. An epinephrine auto-injector. A licensed child-care center shall comply with KRS 199.8951 and 311.646, including:**
 - a. An epinephrine auto-injector shall be inaccessible to a child;**
 - b. A child-care center shall have at least one (1) person onsite who has received training on the administration of an epinephrine auto-injector if the child-care center maintains an epinephrine auto-injector;**
 - c. A child-care center shall seek emergency medical care for a child if an auto-injector is administered to the child; and**
 - d. A child-care center shall report to the child's parent and the cabinet in accordance with 922 KAR 2:090, Section 12(1)(b) if an epinephrine auto-injector is administered to a child; or**
 - 4. An emergency or rescue medication for a child in care, such as medication to respond to diabetic or asthmatic condition, as prescribed by the child's physician. Emergency or rescue medication shall be inaccessible to a child in care;**
 - (b) Kept in the original bottle; and**
 - (c) Properly labeled.**
- (7) Medication shall not be given to a child if the medication's expiration date has passed.**

Findings:

General: Based on observation, this regulatory requirement was not met. The surveyor inspected the items in the first aid kit and found a box of Pepto Bismo and several individual packets of insect sting relief and antiseptic wipes. These items were not stored in a locked area and they were not labeled for an individual child.

Outdoor Play Area

Not Applicable

Inspection Report	
Equipment	Not In Compliance
820 - Indoor/Outdoor Equipment	Not In Compliance
922 KAR 2:120. Section 11. Toys and Furnishings. (2) Indoor and outdoor equipment shall: (a) Be clean, safe, and in good repair; (b) Meet the physical, developmental needs, and interests of children of different age groups; (c) Be free from sharp points or corners, splinters, protruding nails or bolts, loose or rusty parts, hazardous small parts, lead-based paint, poisonous material, and flaking or chalking paint; and (d) Be designed to guard against entrapment or situations that may cause strangulation. Findings: General: Based on observation, this regulatory requirement was not met. During a tour of the kitchen the surveyor observed a black substance that had accumulated on the refrigerator where the freezer door and the refrigerator door come together. The black substance was also observed on the rubber stripping on the refrigerator door.	
Transportation	Not Applicable
Food Service/Food Program	In Compliance
Food Service	Not In Compliance
1050 - Bottles	Not In Compliance
922 KAR 2:120. Section 8. Kitchen Requirements. (9) Bottles shall be: (a) Individually labeled; (b) Promptly refrigerated; (c) Covered while not in use; and (d) Consumed within one (1) hour of being heated or removed from the refrigerator. Findings: General: Based on observation, this regulatory requirement was not met. An inspection of the refrigerator in the infant classroom found one (1) uncovered bottle.	
Children's Records	In Compliance
Written Documentation	Not In Compliance
1150 - Evacuation Plan	Not In Compliance
922 KAR 2:090. Section 5. Evacuation Plan. (1) A licensed child-care center shall have a written evacuation plan in the event of a fire, natural disaster, or other threatening situation that may pose a health or safety hazard for a child in care in accordance with KRS 199.895 and 42 U.S.C. 9858c(c)(2)(U). Findings: General: Based on review of documentation, this regulatory requirement was not met. The emergency preparedness plan on file had not been updated since 3/20/17.	
1170 - Professional Development	Not In Compliance
922 KAR 2:090. Section 9. Records. (1) A child-care center shall maintain: (f) A written annual plan for child-care staff professional development; Findings: General: Based on review of documentation, this regulatory requirement was not met. Five (5) staff (hire dates: 9/19/17, 4/23/18 and 3 on 3/24/17) did not have evidence of a current staff professional development plan on file in the facility. One (1) staff person had a plan that had been completed in 2017, two (2) staff had plans in their files that were blank and two (2) staff had plans in their file that were not dated; therefore, the surveyor was unable to determine if the plans were current.	
1175 - Earthquake/Tornado/Fire Drills	Not In Compliance
922 KAR 2:090. Section 9. Records. (1) A child-care center shall maintain: (h) A written record of quarterly practiced earthquake drills and tornado drills detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3; (i) A written record of practiced fire drills conducted monthly detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3; Findings: General: Based on observation and review of documentation, this regulatory requirement was not met. During a review of the drill log, the surveyor found that emergency drills had been recorded; however, individual documentation of earthquake and tornado drills was not recorded.	
1185 - Confidentiality/Maintenance/Access	Not In Compliance
922 KAR 2:090. Section 9. Records. (2) A child-care center shall: (a) Maintain the confidentiality of a child's record and information concerning a child or the child's parent; (b) Maintain all records for five (5) years; and (c) Provide the cabinet access and information in the completion of the investigation pursuant to KRS 620.030(4) and (5). Findings: General: Based on observation, this regulatory requirement was not met. A tour of the building found a notice posted on the wall near the children's bathrooms that listed the names of children that had food allergies. This information was available to all parents/visitors; therefore, was not kept confidential.	

Inspection Report		
Posted Documentation		Not In Compliance
1210 - Disaster Course of Action		Not In Compliance
922 KAR 2:090. Section 9. Records. (1) A child-care center shall maintain: (j) A written plan and diagram outlining the course of action in the event of a natural or manmade disaster, posted in a prominent place;		
Findings: General: Based on observation and review of documentation, this regulatory requirement was not met. The facility had a diagram posted in several different classrooms; however, it was not accurate. The newer addition of the building (infant and toddler classrooms) was not included on any of the diagrams posted.		
Animals		Not Applicable

Signature of Provider/Representative

Title

Date