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Inspection Report

Provider Name: Penguin Play School, LLP	Provider Information	CLR No: L356506
Provider Address: 7109 Hopeful Church Road, Florence, KY, 41042	Provider Type: LICENSED TYPE I	Capacity: 96
Owner(s): Penguin Playschool, LLP		Director(s): Goswick, Bonnie; Bellman, Jessica

Inspection Type: Renewal Application	Inspection Information	Inspection No: 220448
Date Initiated: 07/07/2017 10:05 AM	Date Concluded: 07/10/2017 9:50 AM	
	No. of Children Present: 48	

Inspection Report	
Supervision	Not In Compliance
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, the facility failed to provide adequate supervision at all times. While inspecting the playground area at approximately 10:38 a.m., the surveyor noted that a staff person was allowing children to enter the building from the playground area unsupervised so that they could use the restroom. The staff person was observed standing on the deck holding the classroom door open as three (3) children entered one by one to use the restroom. The staff person stated that the children were three (3) years old. The children were not within scope of vision as they entered the restroom. The Director stated that when the children are outside, the staff are supposed to take them to the restrooms that are located in the school-age building.	
Staffing Requirements	In Compliance
General Administration	Not In Compliance
75 - Liability Insurance	Not In Compliance
922 KAR 2:090. Section 6. License Issuance. (11) 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General: Based on Review of Documentation, the liability insurance presented for review during the inspection was no longer valid as of 5/28/17. The Director stated that the policy was current but she could not locate the documentation.	
125 - Confidential Information	Not In Compliance
922 KAR 2:110. Section 2. General. (3) Information concerning a child or the child's parent shall be kept in strict confidence by child-care center staff, except as otherwise required by law.	
Findings: Based on review of documentation, the facility failed to keep medication permission forms confidential. The surveyor observed two (2) medication forms posted on the side of a refrigerator located in the 2/3-year-old classroom and (1) medication form posted on the front of the refrigerator located in the Pre-K classroom. The documents were posted in a conspicuous place.	

Inspection Report	
Director Requirements	Not In Compliance
255 - Staff Meeting	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: (i) Conduct, manage, and document in writing staff meetings;	
Findings: General: Based on Review of Documentation, the surveyor reviewed staff meeting documentation and found that the last documented staff meeting was completed August 2014. The Director stated that she had a staff meeting last month, but she could not find the documentation.	
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: (i) Provide for the health, safety, and comfort of each child;	
Findings: General: Based on Observation, a large box fan was observed on top of shelving unit in the 2/3-year-old classroom. The fan was not secured to the table and it was accessible to the children in care. Additionally, there was some type of equipment observed on the floor in the school-age classroom. The Director stated that the piece of equipment was an outdoor fan.	
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: General: Based on Observation, a staff person hired on 5/22/17 did not have documentation on file that a criminal records check had been requested. The Director stated that a criminal records check had been processed; however, she could not locate the documentation during the inspection. At approximately 12:50 p.m., this staff person was observed working alone in the infant classroom with five (5) infants. This person stated that the other staff person had gone to her car to get a drink. The surveyor asked if this staff person was on break and she replied, "Yes." It is important to note that the Director remained in the infant classroom with this staff person.	
Employee Records	
Not In Compliance	
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: General: Based on Review of Documentation, a staff person hired on 5/22/17 did not have documentation on file that a criminal records check had been requested. The Director stated that a criminal records check had been processed; however, she could not locate the documentation during the inspection. At approximately 12:50 p.m., this staff person was observed working alone in the infant classroom with five (5) infants. This person stated that the other staff person had gone to her car to get a drink. The surveyor asked if this staff person was on break and she replied, "Yes." It is important to note that the Director remained in the infant classroom with this staff person.	
325 - CPR/First Aid Coverage	Not In Compliance
922 KAR 2:110. Section 5. Staff Requirements. (3) For a child-care center licensed for infant, toddler, or preschool-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills: (a) Infant and child cardiopulmonary resuscitation; and (b) Infant and child first aid. (4) For a child-care center licensed for school-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills: (a) Adult cardiopulmonary resuscitation; and (b) First aid.	
Findings: General: Based on Interview on the day of the inspection, the surveyor found that two (2) groups of school-age children had gone to the swimming pool on a field trip for the day. The surveyor found that a staff person hired on 2/9/15 was identified as one of the van drivers and had driven a group of school-age children. File review found that this staff person completed an online First Aid/ CPR course through the National CPR foundation which is not an approved training source. It is important to note that there are no online First Aid and CPR courses that have been approved by the cabinet.	

340 - Training

Not In Compliance

922 KAR 2:110. Section 5. Staff Requirements.

- (14) 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 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 pediatric abusive head trauma training completed once every five (5) years.**

Findings:

General: Based on Review of Documentation and ECE-TRIS, staff hired on 9/15/11, 2/9/15, 10/13/15, 10/14/15 and 4/29/16 did not complete the required fifteen (15) hours of early care and education training. Staff hired on 10/13/15, 10/14/15, and 4/29/16 have not completed the Pediatric Abusive Head Trauma training.

Programming

Not In Compliance

435 - Bedding/Toys in Crib

Not In Compliance

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.

- (3) Rest time shall include adequate space specified by the child's age as follows:**
- (a) For an infant:**
 - 3. No loose bedding; and**
 - 4. No toys or other items except the infant's pacifier;**

Findings:

General: Based on Observation, upon entry into the infant classroom at approximately 10:04 a.m., the surveyor observed two (2) infants asleep in cribs with blankets covering their bodies. The blankets were loose and not tucked. It is important to note that another staff person entered the classroom and removed the blankets during the classroom observation.

Premises

Not In Compliance

480 - Premises Requirements

Not In Compliance

922 KAR 2:120. Section 4. Premises Requirements.

- (1) The premises shall be:**
- (a) Suitable for the purpose intended;**
 - (b) Kept clean and in good repair;**

Findings:

General: Based on Observation, the surveyor observed the following: (1) The exhaust vents in all of the restrooms contained an accumulation of dust. (2) A piece of plastic baseboard was not secure to the edge of the hand-washing cabinet located in the infant classroom. (3) There was a strong urine smell in the school-age boys' restroom. (4) The contents of a trash can located in the school-age classroom was overflowing onto the floor.

500 - Building Requirements

Not In Compliance

922 KAR 2:120. Section 4. Premises Requirements.

- (5) The building shall be constructed to ensure the:**
- (a) Building is:**
 - 1. Dry;**
 - 2. Adequately heated;**
 - 3. Ventilated; and**
 - 4. Well lit, including clean light fixtures that are:**
 - a. In good repair in all areas; and**
 - b. Shielded or have shattered proof bulbs installed; and**
 - (b) Following are protected:**
 - 1. Windows;**
 - 2. Doors;**
 - 3. Stoves;**
 - 4. Heaters;**
 - 5. Furnaces;**
 - 6. Pipes; and**
 - 7. Stairs.**

Findings:

General: Based on Observation, the surveyor noted that two (2) light bulbs above the hand-washing sink located in the toddler/ pre-school restroom had blown. Also, there were two (2) light bulbs blown located above the hand-washing sink in the Pre-K restroom. Additionally, the exhaust vents in both of these restrooms contained an accumulation of dust. The exhaust vent in the school-age boys' restroom also contained an accumulation of dust.

520 - Floors, Walls, Ceilings

Not In Compliance

922 KAR 2:120. Section 4. Premises Requirements.

- (9) Floors, walls, and ceilings shall be smooth, in good repair, and constructed to be easily cleaned.**

Findings:

General: Based on Observation, the surveyor observed a long gash along the wall in the toddler classroom. Furthermore, the walls in this classroom had an excessive amount of scuffs, streaks, and chipped areas of paint. The floor in the school-age boys' restroom was streaked with dirt and grime.

Hygienic Practices

In Compliance

Inspection Report**First Aid/Medication****Not In Compliance****660 - Medication Administration****Not In Compliance****922 KAR 2:120. Section 7. First Aid and Medicine.****(4) Prescription and nonprescription medication shall be administered to a child in care:**

- (a) With a daily written request of the child's parent.**
- (b) According to the directions or instructions on the medication's label.**

Findings:

General: Based on Review of Documentation, the surveyor observed a document labeled "Medication Slip" posted on the refrigerator located in the Pre-K classroom downstairs. The child's parent had listed the name of the medication (Cephalexin) and noted that the medication was to be given at 12:00 p.m. and 3:30 p.m. Monday through Friday. However, the parent had dated the top of the form for 7/5/17 which would suggest that the medication would only need to be administered for that day. In short, the medication was not requested for each day.

665 - Administration Record**Not In Compliance****922 KAR 2:120. Section 7. First Aid and Medicine.****(5) The child-care center shall keep a written record of the administration of medication, including:**

- (a) Time of each dosage;**
- (b) Date;**
- (c) Amount;**
- (d) Name of staff person giving the medication;**
- (e) Name of the child; and**
- (f) Name of the medication.**

Findings:

General: Based on Review of Documentation, the surveyor observed a document labeled "Medication Slip" posted on the refrigerator located in the Pre-K classroom downstairs. The child's parent had listed the name of the medication (Cephalexin) and noted that the medication was to be given at 12:00 p.m. and 3:30 p.m. Monday through Friday. However, the parent had dated the top of the form for 7/5/17 which would suggest that the medication would only need to be administered for that day. In short, the medication was not requested for each day. Also, the surveyor found that there was a designated place on the form that read "teacher's signature" but the signature line was left blank. Therefore, the surveyor could not verify if the medication was given to the child based on the documentation. The Pre-K staff person stated that the child received the medication and she identified the staff person who had given it to her. Furthermore, the surveyor observed two (2) "Medication Slips" posted on the side of the refrigerator located in the 2/3-year-old classroom. One of the requests was for Motrin dated 6/16/17 that read "After lunch as needed". There was not a specific time noted on the document. The surveyor could not verify if the child was given a dose of Motrin because the teacher signature line on the form was blank. The second medication slip posted was dated 6/14/17 for Albuterol and read "As needed." Again, the surveyor could not verify if the Albuterol was administered on that day because the teacher signature line was blank. The staff person stated that she did not know if the either medication was given.

670 - 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;**
- (b) Kept in the original bottle; and**
- (c) Properly labeled.**

(7) Medication shall not be given to a child if the expiration date on the bottle has passed.**Findings:**

General: Based on Observation, the surveyor found a bottle of Children's Ibuprofen that was not labeled with a child's name in the medication box stored in the 2/3-year-old classroom.

Outdoor Play Area**Not In Compliance****690 - Playground Conditions****Not In Compliance****922 KAR 2:120. Section 4. Premises Requirements.****(20) An outdoor play area shall be:**

- (d) Safe from foreseeable hazard;**
- (e) Well drained;**
- (f) Well maintained;**
- (g) In good repair; and**
- (h) Visible to staff at all times.**

Findings:

General: Based on Observation, the facility failed to maintain outdoor play spaces. During the inspection, the surveyor observed the following: (1) The surveyor exited the infant classroom to inspect the outdoor play areas and found numerous weeds protruding through a pathway of bricks along the deck area designated for infants and toddlers. It is important to note that children and staff walk through this area in order to gain access to the playground. (2) The surveyor noted that the outdoor deck area was partially covered with outdoor carpet. The surveyor observed moss growing on top of the outdoor carpet in several areas. Furthermore, the surveyor observed: broken toys, push/pull toys that contained standing water, cracked riding toys, a bouncy seat that was dirty and ripped, numerous leaves, wet plastic bags underneath a foam mat, a broken stepping stone, and animal feces on top of a foam puzzle piece style mat. A staff person stated that she did not know when the last time the children played on the deck. The Director indicated that the outdoor deck area had not been utilized in some time. (3) The surveyor observed a large broom, a square piece of white vinyl lattice, and several pine tree branches along the steps that lead to the school-age and pre-school playground areas. (4) Additionally, the surveyor noted that there was grass growing throughout the mulch on the toddler playground and throughout the mulch on the pre-school playground. The Director stated that she recently spoke to a landscaper to address the issue.

Inspection Report**Equipment****Not In Compliance****730 - Crib/Mattress/Sheet****Not In Compliance****922 KAR 2:120. Section 6. Sleeping and Napping Requirements.****(3) Rest time shall include adequate space specified by the child's age as follows:****(a) For an infant:**

- 1. An individual non-tiered crib that meets Consumer Product Safety Commission standards established in 16 C.F.R. 1219-1220;**
- 2. A firm crib mattress in good repair with a clean tight-fitted sheet that shall be changed:**
 - a. Weekly; or**
 - b. Immediately if it is soiled or wet;**

Findings:

General: Based on Observation, the surveyor observed a blue gingham crib sheet and a light green crib sheet that were stained with what appeared to be dried food.

755 - Toys/Equipment/Furniture**Not In Compliance****922 KAR 2:120. Section 11. Toys and Furnishings.****(1) All toys, equipment, and furniture contacted by a child shall be:**

- (a) Kept clean and in good repair; and**
- (b) Free of peeling, flaking, or chalking paint.**

Findings:

General: Based on Observation, the surveyor observed the following: (1) A child sized pink sofa located in the Pre-K classroom had an excessive amount of brown stains. (2) A Winnie-the-Pooh stool located at the hand-washing sink in the toddler/ pre-school restroom was embedded with dirt and grime

Transportation**Not In Compliance****900 - Children's Transportation Records****Not In Compliance****922 KAR 2:120. Section 12. Transportation.****(17) Transportation services provided shall:**

- (a) Be recorded in writing and include:**
 - 1. The first and last name of the child transported; and**
 - 2. The time each child gets on and the time each child gets off;**
- (b) Be completed by a staff member other than the driver; and**
- (c) Be kept for five (5) years.**

Findings:

General: Based on Review of Documentation, the surveyor found that the last name of each child being transported is not being recorded.

Food Service**Not In Compliance****925 - Food Service Permit****Not In Compliance****922 KAR 2:120. Section 8. Kitchen Requirements.****(2) A child-care center required to have a food service permit shall be in compliance with 902 KAR 45:005 and this administrative regulation.****Findings:**

General: Based on Review of Documentation, the food service permit that was posted was no longer valid as of 12/31/16.

935 - Refrigerator**Not In Compliance****922 KAR 2:120. Section 8. Kitchen Requirements.****(4) A cold-storage facility used for storage of perishable food in a nonfrozen state shall:**

- (a) Have an indicating thermometer or other appropriate temperature measuring device;**
- (b) Be in a safe environment for preservation; and**
- (c) Be forty (40) degrees Fahrenheit or below.**

Findings:

General: Based on Observation, the refrigerators located in the following classrooms did not contain an indicating thermometer at the time of the inspection: Infant, Toddler, 2/3-year-old, Pre-K, and School-Age. The surveyor could not determine that the temperature in each refrigerator was forty (40) degrees Fahrenheit or below. The refrigerators contained milk and food items designated for the children in care.

950 - Kitchen Equipment Clean and Sanitary**Not In Compliance****922 KAR 2:120. Section 8. Kitchen Requirements.****(7) The following shall be clean and sanitary:**

- (a) Eating and drinking utensils;**
- (b) Kitchenware;**
- (c) Food contact surfaces of equipment;**
- (d) Food storage utensils;**
- (e) Food storage containers;**
- (f) Cooking surfaces of equipment; and**
- (g) Nonfood contact surfaces of equipment.**

Findings:

General: Based on Observation, the refrigerators located in the following classrooms contained food spills, dried milk particles, and a build-up of grime: Infant, Toddler, 2/3-year-old, Pre-K, and School-Age. The refrigerators contained milk and food items designated for the children in care. Additionally, the surveyor observed food spills on the front of the oven door.

Inspection Report

960 - Bottles

Not In Compliance

922 KAR 2:120. Section 8. Kitchen Requirements.

(9) Bottles shall be:

- (a) Individually labeled;
- (b) Promptly refrigerated;
- (c) Covered when not in use; and
- (d) Consumed within one (1) hour of being heated or removed from the refrigerator.

Findings:

General: Based on Observation, the surveyor observed one (1) bottle that was not covered and one (1) bottle that was not labeled inside of the refrigerator located in the infant classroom.

Children's Records

In Compliance

Written Documentation

Not In Compliance

1115 - Earthquake/Tornado Drills

Not In Compliance

922 KAR 2:110. Section 3. 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;

Findings:

General: Based on Review of Documentation, the earthquake and tornado drill documentation presented for review did not include the first and last name of the children who participated in the drills. The Director stated that she did not document the children's names.

1120 - Fire Drills

Not In Compliance

922 KAR 2:110. Section 3. Records.

(1) A child-care center shall maintain:

- (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 Review of Documentation, the fire drill documentation presented for review did not include the first and last name of the children who participated in the drills. The Director stated that she did not document the children's names.

Posted Documentation

Not In Compliance

1155 - Posting Requirements

Not In Compliance

922 KAR 2:110. Section 2. General.

- (7) In addition to the posting requirement of KRS 199.898(3), a child-care center shall post the following in a conspicuous place and make available for public inspection:

- (a) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;
- (b) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;
- (c) Information on the Kentucky Consumer Product Safety Program and the program's website as specified in KRS 199.897;
- (d) A description of services provided by the child-care center, including:
 - 1. Current rates for child care; and
 - 2. Each service charged separately and in addition to the basic rate for child care;
- (e) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and
- (f) Daily schedule.

Findings:

General: Based on Observation, the surveyor found that the statement of deficiencies issued by the cabinet on 8/3/16 was not posted. The plan of correction addressing the regulatory violations issued by the cabinet on 8/3/16 was also not posted. The Director stated that the document typically hangs from a hook underneath the parent board. She could not locate the document during the inspection.

1160 - Disaster Course of Action

Not In Compliance

922 KAR 2:110. Section 3. 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 Review of Documentation, the surveyor noted that there was not a written plan outlining the course of action to take in the event of an earthquake.

Animals

In Compliance

Signature of Provider/Representative

Title

Date