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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: 245287
Date Initiated: 07/18/2018 9:50 AM	Date Concluded: 07/18/2018 12:30 PM	
	No. of Children Present: 90	

Inspection Report		
	Background Checks	In Compliance
	Supervision	In Compliance
	Staffing Requirements	In Compliance
	General Administration	In Compliance
	Director Requirements	Not In Compliance
350 - Health, Safety, Comfort		Not In Compliance
922 KAR 2:090. Section 10. Director Requirements and Responsibilities. (1) A director shall: (l) Assure the health, safety, and comfort of each child;		
Findings: General: Based on Observation, there was an uncovered electrical outlet in the play area of the Ones classroom and an uncovered outlet in the bathroom in the Ones classroom. The outlets were accessible to the children in care.		
	Employee Records	Not In Compliance
385 - Personnel File		Not In Compliance
922 KAR 2:090. Section 9. Records. (1) A child-care center shall maintain: (e) A current personnel file for each child-care center staff person to include: 1. Name, address, date of birth, and date of employment; 2. Proof of educational qualifications; 3. Record of annual performance evaluation; 4. Documentation of compliance with tuberculosis screening in accordance with Section 11(1)(b) of this administrative regulation; and 5. The results of background checks conducted in accordance with 922 KAR 2:280;		
Findings: General: Based on Review of Documentation, two (2) of the twenty-four (24) personnel files presented for review did not contain the staff person's dates of hire. The Director was able to discern the dates of hire for the Surveyor, however, the dates were not noted in the files.		

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, three (3) employees hired 5/1/18, 2/27/18 and 4/9/18 did not have evidence of a high school diploma, GED or Commonwealth Child Care Credential on file in the facility.

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, ten (10) out of twenty-four (24) personnel files presented for review did not have evidence of negative T.B. results on file prior to employment.

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, the following was found: 1. Staff persons hired 5/22/17, 11/22/99 and 8/18/03 did not have documentation of completing the pediatric abusive head trauma training within the past five (5) years. Two (2) of the staff had training certificates on file and were both dated 2/28/13. 2. Nine (9) staff that have been employed by the facility for more than three (3) months did not have evidence of completing the required orientation training. 4. Staff person hired 11/27/17 did not have evidence of completing the required orientation training in the first three (3) months of employment. The certificate on file for the training was dated 6/23/18. A review of ECE-TRIS records supports the information found during the survey.

Programming

In Compliance

Premises

Not In Compliance

520 - Inaccessible Items

Not In Compliance

922 KAR 2:120. Section 3. General Requirements.

(7) The following shall be inaccessible to a child in care:

- (a) Toxic cleaning supplies, poisons, and insecticides;**
- (b) Matches, cigarettes, lighters, and flammable liquids; and**
- (c) Personal belongings and medications of staff.**

Findings:

General: Based on Observation, there was a staff person's purse being stored in the cabinet under the sink used by the children in the Twos & Threes classroom. The lock on the cabinet was not operational. A lighter and pack of cigarettes were observed on top of the contents of the purse. These items were accessible to the children in care.

525 - Items Accessible Only During Activity

Not In Compliance

922 KAR 2:120. Section 3. General Requirements.

(8) The following shall be inaccessible to a child in care unless under direct supervision and part of planned program of instruction:

- (a) Knives and sharp objects;**
- (b) Litter and rubbish;**
- (c) Bar soap; and**
- (d) Plastic bags not used for personal belongings.**

Findings:

General: Based on Observation, there was a roll of plastic garbage bags and a pair of adult schissors being stored in a lower drawer near the sink in the Twos classroom. The lock on the drawer was no longer operational, thus, giving the children access to these items while in the classroom.

560 - 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. Ventilated; and**
- 3. Well lit, including clean light fixtures that are:**
 - a. In good repair in all areas; and**
 - b. Shielded or have shatter-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 following was found: 1. The door that leads to the facility's water heater and heating/cooling unit in the Pre-K classroom was not locked or secured. The lock that was in place was not engaged at the time of the visit. These items were accessible to the children in care. 2. The folding door that leads to the facility's water heater and heating/cooling unit in the Twos & Threes classroom was not locked or secured. These items were accessible to the children in care.

575 - Protected Openings

Not In Compliance

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

(8) An opening to the outside shall be effectively protected against the entrance of vermin by:

- (a) Self-closing doors;**
- (b) Closed windows;**
- (c) Screening;**
- (d) Controlled air current; or**
- (e) Other effective means.**

Findings:

General: Based on Observation, the door that leads to the playground in the Fours classroom was propped open by a staff person for at least twenty (20) minutes while the children played outside. The Director stated that the staff person stands in the open doorway in case a child needs to go into the classroom to use the bathroom. There is no screen or barrier between the the classroom and the outdoors.

580 - 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 following was found: 1. Older Infants classroom - There were two (2) missing floor vents in the eating area. There was no barrier to keep the children from accessing the vent holes in the floor. 2. Fours classroom - There was a 6-inch hole in the carpet with fraying edges; a large area of peeling paint on the far wall; the white walls and doors had an accumulation of scuffs, chipping paint, dirt, marker/crayon marks and dirty tape residue. 3. School-age classroom - The blue rubber baseboard was missing around 3/4 of the room; there was an accumulation of cobwebs and dead bugs in the webs around the back door and EXIT sign; there were several cobwebs on the ceiling and in the corners of the bathroom; the white walls and doors had an accumulation of scuffs, chipping paint, dirt, marker/crayon marks and dirty tape residue. 4. Twos classroom - There was an abundance of dirty tape residue on the door leading to the playground. 5. Twos & Threes classroom - There was a platform built into the corner of the room that was in disrepair. The carpet was fraying and pulling away from the top of the unit and the wooden skirt around the platform had peeling/chipping paint and a build up of dirt; the white walls and doors had an accumulation of scuffs, chipping paint, dirt, marker/crayon marks and dirty tape residue. 6. Pre-K classroom - The linoleum in the bathroom was cracked and pulling up from the sub-floor; there was a stained ceiling tile in the bathroom; the vent in the bathroom had an accumulation of dust and cobwebs; there was an accumulation of cobwebs around the EXIT sign above the back door; the white walls and doors had an accumulation of scuffs, chipping paint, dirt, marker/crayon marks and dirty tape residue.

650 - Toilet

Not In Compliance

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.

(4) Each toilet shall:

- (a) Be kept in clean condition;**
- (b) Be kept in good repair;**
- (c) Be in a lighted room; and**
- (d) Have ventilation to outside air.**

Findings:

General: Based on Observation, the light could not be turned on in the toilet room in the Schoolage classroom. The knob was missing from the light switch on the wall inside the room.

Inspection Report**Hygienic Practices****Not In Compliance****685 - Diaper Changing Area/Surface****Not In Compliance****922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.****(10) When a child is diapered, the child shall:****(b) Be placed on a surface that is:**

- 1. Clean;**
- 2. Padded;**
- 3. Free of holes, rips, tears, or other damage;**
- 4. Nonabsorbent;**
- 5. Easily cleaned; and**
- 6. Free of any items not used for diaper changing.**

Findings:

General: Based on Observation, the diaper changing pad in the Older Infants classroom had two (2) tears in the plastic covering. The tears were approximately one (1) inch in length.

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. In accordance with KRS 199.8951:**

a. An epinephrine auto-injector shall be inaccessible to a child;**b. A child-care center shall have at least one 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 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, there was a tube of diaper ointment on the changing table and a tube of diaper ointment in a basket on an open shelf under the changing table in the Ones classroom. These items were accessible to the children in care.

Outdoor Play Area**Not In Compliance****745 - Playground Clean****Not In Compliance****922 KAR 2:120. Section 4. Premises Requirements.****(20) An outdoor play area shall be:****(c) Free from:**

- 1. Litter;**
- 2. Glass;**
- 3. Rubbish; and**
- 4. Flammable materials;**

Findings:

General: Based on Observation, there was an old tire and two (2) pieces of discarded lattice fencing lying on the ground on the School-age/Preschool playground.

750 - 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, there were numerous areas of tall grass and tall weeds on the Infant/Toddler playground. The grass and weeds were growing up through the mulch. Some of the grass and weeds were taller than some of the toddlers present on the playground.

Inspection Report

755 - Protective Surface

Not In Compliance

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

(21) A protective surface shall:

(a) Be provided for outdoor play equipment used to:

1. Climb;
2. Swing; and
3. Slide; and

(b) Have a fall zone equal to the height of the equipment.

Findings:

General: Based on Observation, the following was found: 1. The mulch under the swings and climbing structures on the Infant/Toddler playground was very sparse and non-existent in some areas. 2. There was a "rock wall" climbing structure on the School-Age playground that had very sparse mulch on three (3) sides of the structure and none on one (1) side of the structure. The structure was positioned less than five (5) feet from an area where large tree roots were coming up through the ground. The roots were not covered with any type of playground surfacing.

Equipment

In Compliance

Transportation

Not In Compliance

880 - Vehicle Equipment

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(4) A vehicle used to transport children shall be equipped with:

- (a) A fire extinguisher;
- (b) First aid supplies as described in Section 7 of this administrative regulation;
- (c) Emergency reflective triangles; and
- (d) A device to cut the restraint system, if necessary.

Findings:

General: Based on Observation, there was no device to cut the restraint system available on the 2004 Ford van used to transport children.

Food Service/Food Program

In Compliance

Food Service

Not In Compliance

1025 - 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 being used to store food items for the children in the Fours classroom and the Twos classroom did not contain an indicating thermometer. It could not be determined that the interior temperature of the refrigerator was forty (40) degrees or below.

1030 - Frozen Food

Not In Compliance

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

(5) Frozen food shall be:

- (a) Kept at a temperature of zero degrees Fahrenheit or below; and
- (b) Thawed:
 1. At refrigerator temperatures;
 2. Under cool, potable running water;
 3. As part of the cooking process; or
4. By another method in accordance with the Department of Public Health's food safety standards and permits, established in KRS Chapter 217.

Findings:

General: Based on Observation, the freezer being used to store food items for the children in the Fours classroom did not contain an indicating thermometer. It could not be determined that the interior temperature of the freezer was zero (0) degrees or below.

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 when not in use; and
- (d) Consumed within one (1) hour of being heated or removed from the refrigerator.

Findings:

General: Based on Observation, there was one (1) bottle in the refrigerator in the Older Infants classroom that was not covered. The bottle had yet to be served to a child.

Children's Records

In Compliance

Inspection Report	
Written Documentation	Not In Compliance
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 Review of Documentation, there was no documentation made available at the time of the survey regarding a practiced fire drill for June, 2018.	
Posted Documentation	Not In Compliance
1200 - Posting Requirements	Not In Compliance
922 KAR 2:090. Section 8. General. (6) 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) The provider's preliminary or regular license; (b) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year; (c) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year; (d) Information on the Kentucky Consumer Product Safety Program and the program's website as specified in KRS 199.897; (e) 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; (f) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and (g) Daily planned program.	
Findings: General: Based on Observation, there was no information from the Kentucky Consumer Product Safety Program as specified in KRS 199.897 posted in the facility. The Director stated that she was not aware that the document needed to be posted.	
1215 - Daily Activities	Not In Compliance
922 KAR 2:090. Section 10. Director Requirements and Responsibilities. (1) A director shall: (h) Post a schedule of daily activities, to include dates and times of activities to be conducted with the children in each classroom;	
Findings: General: Based on Observation, a schedule of daily activities, including lists and dates of activities to be conducted with the children was not posted in the Infant, Older Infants and Fours classrooms. There were lists of activities in the Infants and Older Infants classroom, however, they were not dated.	
Animals	In Compliance

Signature of Provider/Representative

Title

Date