



Andy Beshear
GOVERNOR

**CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL**

Eric Friedlander
SECRETARY

Melissa A. Moore, Director
Division of Regulated Child Care
Northern Branch
908 W. Broadway, 10-W
Louisville, KY 40203
Phone: (502) 595-5781 Fax: (502) 595-5773
<https://chfs.ky.gov/agencies/os/oig>

Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Bluegrass Academy Childcare	Provider Information	CLR No: L357695
Provider Address: 3830 Ruckriegel Parkway, Suite 124, Louisville, KY, 40299	Provider Type: LICENSED TYPE I	Capacity: 180
Owner(s): BUTTONS & BOWS PRESCHOOL OF LOUISVILLE, INC.		Director(s): Ryan, Kimberly Renee'

Inspection Type: Investigation	Inspection Information	Inspection No: 218832
Date Initiated: 02/24/2017 10:30 AM	Date Concluded: 02/24/2017 12:27 PM	
	No. of Children Present: 78	

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, interview and record review, the child care center failed to maintain adequate supervision to ensure a three-year-old was within scope of vision and range of voice. Observation of the child care center revealed a three-year-old child was allowed to enter an adjacent, vacant, classroom without an adult escort to use the restroom. The surveyor observed the child to return to his/her original classroom without supervision of staff.	
Staffing Requirements	In Compliance
General Administration	Not In Compliance
90 - Have Director	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: (g) Have a director who meets the requirements listed in 922 KAR 2:110.	
Findings: General: Based on Interview and review of documentation, the child care center failed to comply with regulatory requirements with regard to a designated director. Interview with the child care center owner revealed the approved director resigned as director on 07/21/16. Review of DRCC records revealed no documented evidence that the child care center reported the resignation or that an interim director, who met the same qualifications of a director, was designated.	

115 - Reports to Cabinet

Not In Compliance

922 KAR 2:110. Section 6. Reports.

(1) The following shall be reported to the cabinet or designee and other agencies specified in this section within twenty-four (24) hours from the time of discovery:

- (a) Communicable disease, which shall also be reported to the local health department pursuant to KRS 214.010;
- (b) An accident or injury to a child that requires medical care;
- (c) An incident that results in legal action by or against the child-care center that:
 - 1. Affects a child or staff person; or
 - 2. Includes the center's discontinuation or disqualification from a governmental assistance program due to fraud or abuse;
- (d) An incident involving fire or other emergency, including a vehicular accident when the center is transporting a child receiving child care services; or
- (e) A report of child abuse or neglect that:
 - 1. Has been accepted by the cabinet in accordance with 922 KAR 1:330; and
 - 2. Names a director, employee, volunteer, or person with supervisory or disciplinary control over, or having unsupervised contact with a child in care as the alleged perpetrator.

Findings:

General: Based on Interview and review of documentation, the child care center failed to comply with regulatory requirements regarding reporting to the Cabinet. Interview with the child care center assistant director on 02/28/17 revealed she was made aware on 02/23/17 that another staff at the child care center grabbed a two-year-old child by the arm, slammed the child to his/her cot and caused the child to hit his/her head. Further interview with the child care center assistant director revealed the incident was not reported to the Cabinet.

175 - Change of Director

Not In Compliance

922 KAR 2:110. Section 6. Reports.

(3) A licensee shall report to the cabinet within one (1) week:

- (a) Any resignation, termination, or change of director; and
- (b) The name of the acting director who satisfies the requirement of Section (4) of this administrative regulation.

Findings:

General: Based on Interview and review of documentation, the child care center failed to comply with regulatory requirements with regard to a change in director. Interview with the child care center owner revealed the approved director resigned as director of the child care center on 07/21/16. Review of DRCC records revealed no documented evidence that the child care center reported the change of director.

Director Requirements

Not In Compliance

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 Review of Documentation and interview, the child care center director failed to assure compliance with regulatory requirements with regard to the health, safety and comfort of a child in care. Review of incident reporting documentation revealed a child in care was smacked on the hand by staff. Interview of staff revealed a pattern of reported aggressive behavior by staff toward children in care, in which more than one (1) staff persons have aggressively grabbed and forcefully pulled on children at the child care center.

Employee Records

Not In Compliance

315 - Educational Requirements

Not In Compliance

922 KAR 2:110. Section 5. 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, the child care center failed to maintain employee records in accordance with regulatory requirements. Review of employee records for staff with a hire date of 08/31/16 revealed no documented evidence of a high school diploma, GED or qualifying documentation from a comparable educational entity or Commonwealth Child Care Credential as described in 922 KAR 2:250.

320 - TB Verification

Not In Compliance

922 KAR 2:110. Section 5. 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 and interview, the child care center failed to maintain employee records in accordance with regulatory requirements. Review of employee records revealed staff with an unknown hire date failed to provide a statement from a health professional that he/she is free of active tuberculosis. Interview with the child care center owner revealed the staff is a maintenance worker and dish washer for the child care center.

Signature of Provider/Representative

Title

Date