



Andy Beshear
GOVERNOR

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

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>

Eric Friedlander
SECRETARY

Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Academy of Learning's Primary House 2	Provider Information Provider Type: LICENSED TYPE I	License No: L358902
Provider Address: 1448 West Lincoln Trail, Radcliff, KY, 40160		Capacity: 190
Owner(s): Academy of Learning Inc. (AOL)		Director(s): Chapman, Jennifer

Inspection Type: Investigation	Inspection Information	Inspection No: 20239
Visit Start Date: 05/15/2013 9:00 AM	Visit End Date: 05/15/2013 1:30 PM	
	No. of Children Present: 44	

Inspection Report	
Supervision	
5 - Children Supervised	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;	
10 - Children Protected	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: 2. Protected from abuse or neglect.	

Inspection Report

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:

General: Based on observation, 13 children, aged 3 to 5 years old, were cared for by one staff member. Based on interview, a three year old child was in the 4/5 year olds' room daily.

55 - Related Children

In Compliance

922 KAR 2:120. Section 2. Child Care Services.

(2)(d) If a child related to the director, employee, or person under the supervision of the licensee is receiving care in the center, the child shall be included in the staff-to-child ratio.

General Administration

165 - Child Abuse/Neglect Report

Not In Compliance

922 KAR 2:110. Reports.

(2) An incident of child abuse or neglect shall be reported to the cabinet pursuant to KRS 620.030.

Findings:

General: Based on interview, an incident of possible abuse of a child was not reported to the cabinet in February 2013.

170 - Notification of Changes

Not In Compliance

922 KAR 2:110. Reports.

(4) Written notification of the following shall be made to the cabinet to allow for approval before implementation:

(a) Change of ownership;

(b) Change of location;

(c) Increase in capacity;

(d) Change in hours of operation;

(e) Change of services in the following categories:

1. Infant;

2. Toddler;

3. Preschool-age;

4. School-age;

5. Nontraditional hours; or

6. Transportation; or

(f) Addition to the square footage a child-care center's premises.

Findings:

General: Based on review of documentation, written notification was not send to the cabinet in regard to a change of director. Based on observation, Tina Bradley was the acting director instead of Jennifer Chapman.

190 - Abuse/Neglect Report Procedure

Not In Compliance

922 KAR 2:120. Section 2. Child Care Services.

(3)(b) The program shall include:

1. A procedure to inform child care staff of the laws of the Commonwealth pertaining to child abuse or neglect set forth in KRS 620.030;

Findings:

General: Based on review of documentation, the center does not have a procedure to inform child care staff of the laws pertaining child abuse and neglect.

Inspection Report

220 - Person Under Investigation by DCBS

Not In Compliance

922 KAR 2:110. Section 2 General.

(8) If a director, employee, volunteer, or any person with supervisory or disciplinary control over, or having unsupervised contact with a child in care is named as the alleged perpetrator in a child abuse or neglect report accepted by the cabinet in accordance with 922 KAR 1:330, the individual shall be removed from direct contact with a child in care:

- (a) For the duration of the family-in-need-of-services assessment or investigation; and
- (b) Pending completion of the administrative appeal process for a cabinet substantiation of child abuse or neglect in accordance with 922 KAR 1:320 or 922 KAR 1:480.

Findings:

General: Based on interview, an employee that is the named perpetrator in a child abuse allegation continued to work at the center after the center was notified of the investigation.

Director Requirements

250 - Staff Management/Policy Development/Supervision

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:

- (e) Manage the staff in their individual job descriptions;
- (f) Develop child-care center plans, policies, and procedures;
- (g) Supervise staff conduct to ensure implementation of program policies and procedures;

Findings:

General: Based on interviews, several staff used loud, profane, threatening, and frightening language towards the children on a frequent basis. Review of documentation revealed that the program procedure does not allow physical discipline or using anything other than a "calm tone of voice."

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 interview, the director did not assure the safety of the children due to the physical restraining of children. Interview with the director revealed that she witnessed a staff member physically restrain a child, but did not reprimand the staff member or notify the proper authorities of the incident.

Programming

385 - Discipline

Not In Compliance

922 KAR 2:120. Section 2. Child Care Services.

(10) A child shall not be subjected to:

- (a) Corporal physical discipline pursuant to KRS 199.896(18);
- (b) Loud, profane, threatening, frightening, or abusive language; or
- (c) Discipline that is associated with:
 - 1. Rest;
 - 2. Toileting; or
 - 3. Food.

Findings:

General: Based on interviews, loud, profane, threatening, frightening and abusive language was used towards the children by several staff on a frequent basis.

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:
 - 4. No loose bedding; and
 - 5. No toys or other items except the infant's pacifier;

Findings:

General: Based on observation, toys were hanging on the sides in the cribs of infants while they were sleeping.

Equipment

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, two couches were dirty and torn in the school-age classroom. Parts of the couch cushion were exposed and foam was accessible to the children.

Signature of
Provider/Representative

Title

Date