



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 Primary House 1	Provider Information	CLR No: L358901
Provider Address: 610/612 West Port Rd, Elizabethtown, KY, 42701	Provider Type: LICENSED TYPE I	Capacity: 130
Owner(s): ACADEMY OF LEARNING-ELIZABETHTOWN, LLC		Director(s): Butler, Paula Lynn

Inspection Type: Renewal Application	Inspection Information	Inspection No: 217760
Date Initiated: 12/13/2016 12:30 PM	Date Concluded: 12/13/2016 2:50 PM	
	No. of Children Present: 51	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
Director Requirements	Not In Compliance
260 - Staff Evaluation	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: (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 and interview, a caregiver hired 11/16/14, had an evaluation dated 11/06/15; therefore she did not have a current written annual performance evaluation.	
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 observation, three (3) electrical outlets, located on a power strip; two (2) electrical outlets located on the wall in the play area, two (2) electrical outlets in the girls' restroom and two (2) electrical outlets in the boys' restrooms did not contain a safety plug. These electrical outlets were located in the school age building. Eight (8) coats overlapped and touched. These coats hung on individual hooks outside of the three (3) year olds' room.	

Inspection Report**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 and interview, a caregiver hired 11/23/15, did not have a criminal records check from a previous state of residency. Interview determined the caregiver lived out of state within the last four (4) years.

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, a caregiver hired 03/03/16, and a caregiver hired 11/23/15, Had TB skin test documentation that did not reveal the results to indicate each was free from TB. Also, interview with an urgent care facility and review of documentation revealed a caregiver hired 11/06/14, TB skin test results were not sufficient to indicate the caregiver was free from TB. The documentation appeared to be altered. The millimeters of induration was changed and was not legible.

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 interview, a caregiver hired 11/23/15, completed orientation training on 05/16/16, and a caregiver hired 03/03/16, completed orientation training on 08/13/16; therefore, these caregivers did not complete orientation training within the first three (3) months of employment.

Programming**Not In Compliance****410 - Infant/Toddler Combined with Older Children****Not In Compliance****922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.****(2) Except in accordance with subsection (3) of this section, an infant or toddler shall participate in an activity with an older child for no more than one (1) hour per day.****Findings:**

General: Based on observation, interview and review of documentation, four (4) children (an eleven-month-old, a twelve-month-old, a fifteen-month-old, and a twenty-three-month-old) were combined with the two-year-old children from 12:50 p.m. until 2:50 p.m. (central time), on 12/13/16. Interview determined these children were together all day, each day.

415 - Toddler Combined with Preschool**Not In Compliance****922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.****(3) A toddler may participate in an activity with an older child for more than one (1) hour per day if:****(a) The toddler is in transition to the pre-school age group;****(b) The toddler is twenty-one (21) months or older;****(c) Space for the toddler is available in the preschool-age group;****(d) The staff-to-child ratios and group sizes are maintained based the age of the youngest child;****(e) The center has a procedure for listing a transitioning toddler on attendance records, including a specific day and time the toddler is with either age group; and****(f) The child care center has obtained the signature and approval of the toddler's parent on the toddler's transition plan.****Findings:**

General: Based on observation, interview and review of documentation, a twenty-three-month old child was combined with the two-year-old children from 12:50 p.m. until 2:50 p.m. (central time) on 12/13/16. Interview determined this child was combined with the two (2) year old children all day, each day. Review of documentation revealed this child did not have a transition plan which detailed on the attendance record, the specific day and time the toddler was with the older age group, and a signature of approval was not obtained from the child's parent.

Inspection Report**Premises****Not In Compliance****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 floors had dirt and grime along the baseboards in the toddlers' room. The walls had excessive amount of tape which had turned brown throughout the two-year-olds' room. There was dark discolored stains on the carpet in the two-year-olds' room.

590 - 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, dark brown rings were in the toilet bowls located in the toddlers' room and the two-year-olds' room.

Hygienic Practices**Not In Compliance****595 - Child Personal Care/Handwashing****Not In Compliance****922 KAR 2:120. Section 3. General Requirements.****(4) A child shall:**

- (a) Be helped with personal care and cleanliness based upon their developmental skills; and**
- (b) Wash his or her hands with liquid soap and warm running water:**
 - 1. Upon arrival at the center; or**
 - b. Within thirty (30) minutes of arrival for school-age children;**
- 2. Before and after eating or handling food;**
- 3. After toileting or diaper change;**
- 4. After handling animals;**
- 5. After wiping or blowing nose;**
- 6. After touching items soiled with body fluids or wastes; and**
- 7. After outdoor or indoor play time.**

Findings:

General: Based on observation and interview, a three-year-old child did not wash his hands after he used the restroom. Three (3), three-year-old children and a two-year-old child did not wash their hands after they ate the afternoon snack. A preschool child did not wash her hands when she arrived from preschool.

The handwashing soap was diluted at the handwashing sink in the two year olds' restroom and the preschool children's restroom.

600 - Staff Hygiene/Handwashing**Not In Compliance****922 KAR 2:120. Section 3. General Requirements.****(5) Staff shall:**

- (a) Maintain personal cleanliness;**
- (b) Conform to hygienic practices while on duty; and**
- (c) Wash their hands with liquid soap and running water:**
 - 1. Upon arrival at the center;**
 - 2. After toileting or assisting a child in toileting;**
 - 3. Before and after diapering each child;**
 - 4. After wiping or blowing a child's or own nose;**
 - 5. After handling animals;**
 - 6. After caring for a sick child;**
 - 7. Before and after feeding a child or eating;**
 - 8. Before dispensing medication; and**
 - 9. If possible, before administering first aid.**

Findings:

General: Based on observation and interview, the three-year olds' caregiver did not wash her hands before and after she changed a child's diaper. The caregiver in the one and two-year-olds' room did not wash her hands before diapering a child.

625 - 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 and interview, the changing mat was torn on top in the two-year-olds' room.

First Aid/Medication

In Compliance

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 and interview, the black fabric weed block was exposed throughout two (2) outdoor playgrounds.

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, three (3) crib mattresses were torn and had exposed foam in the infants' room.

735 - Individual Bed/Mat/Cot and Bedding

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:
- (b) For a toddler or preschool-age child:
 - 1. An individual bed, a two (2) inch thick waterproof mat, or cot in good repair; and
 - 2. Bedding that is in good repair and is changed:
 - a. Weekly; or
 - b. Immediately if it is soiled or wet.

Findings:

General: Based on observation, nine (9) nap mats were torn in the middle room, one (1) nap mat was torn in the two-year-olds' room, and seven (7) nap mats were torn in the preschool room.

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, a large, round blue cushion was torn and strings hung from the cushion in the middle room.

A child-size rectangle table did not set level but rocked back and forth in the two-year-olds' room.

A large mattress, used for the children's couch cushion, was torn and had exposed foam from one side to the other side. This cushion was located in the school-age building.

Inspection Report

760 - 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 and review of documentation, the safety straps were missing from a high chair in the toddlers' room. A sign posted on the back of the high chair stated, "Prevent serious injury or death from false or sliding out, always secure child in the restraint." Interview determined the high chair was used.

The cabinet door hung downward and a hinge was missing. The cabinet was in the middle room.

The hinges were missing from a door that was taped to a shelf in the school-aged children's building. The shelf hung five (5) feet from the floor and was accessible to children.

There was a Gatorade bottle and empty paper cups on the floor in the white van.

Transportation

Not In Compliance

830 - Vehicle Inspection Documentation

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(6) A vehicle used to transport children shall meet the following requirements:

- (a) A twelve (12) or more passenger vehicle shall display a current certification of inspection from the Transportation Cabinet on the designated window.

Findings:

General: Based on review of documentation and interview, the blue van's vehicle inspection was dated 12/09/15. A current inspection was not on file.

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 and interview, the transportation records for the week of 10/24/16, the week of 11/07/16, the week of 11/28/16 and the week of 12/06/16, were documented by the driver of the van who transported children. Interview determined the center was not aware the driver could not document the transportation information when transporting a child.

Food Service

Not In Compliance

910 - Bottle Feeding

Not In Compliance

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

(11) While bottle feeding an infant, the:

- (a) Child shall be held; and
- (b) Bottle shall not be:
 - 1. Propped;
 - 2. Left in the mouth of a sleeping infant; or
 - 3. Heated in a microwave

Findings:

General: Based on observation, two infants held and drank out of their bottles while they each sat in a bouncy seat on the floor.

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, there was no indicating thermometer or other appropriate temperature measuring device in the refrigerator located in the school-age building.

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, one (1) infant's milk bottle was not labeled on top of the refrigerator in the infants' room.

980 - Food Protected From Contamination

Not In Compliance

922 KAR 2:120. Section 9. Food and Meal Requirements.

(1) Food shall be:

(h) Protected against contamination from:

- 1. Dust;
- 2. Flies;
- 3. Rodents and other vermin;
- 4. Unclean utensils and work surfaces;
- 5. Unnecessary handling;
- 6. Coughs and sneezes;
- 7. Cuts in skin;
- 8. Communicable disease;
- 9. Flooding;
- 10. Drainage; and
- 11. Overhead leakage.

Findings:

General: Based on observation and interview, an infant's bottle was prepared at a one compartment sink in the infants' room and not in the food prep area. The caregiver added water directly out of the faucet. The one (1) compartment sink was used for handwashing before and after diapering a child. Interview determined this was a common practice.

Children's Records

Not In Compliance

1070 - Immunization

Not In Compliance

922 KAR 2:110. Section 3. Records.

(1) A child-care center shall maintain:

- (a) A current immunization certificate for each child in care within thirty (30) days of the child's enrollment, unless an attending physician or the child's parent objects to the immunization of the child pursuant to KRS 214.036;

Findings:

General: Based on review of documentation and interview a child enrolled 09/28/16, and a child enrolled 08/15/16, each had an immunization certificate which was current until 11/16/16.

1075 - Enrollment Information

Not In Compliance

922 KAR 2:110. Section 3. Records.

(1) A child-care center shall maintain:

(b) A written record for each child:

- 1. Completed and signed by the child's parent;
- 2. Retained on file on the first day the child attends the child-care center; and
- 3. To contain:
 - a. Identifying information about the child, which includes, at minimum, the child's name, address, and date of birth;
 - b. Contact information to enable a person in charge to contact the child's:
 - (i) Parent at the parent's home or place of employment;
 - (ii) Family physician; and
 - (iii) Preferred hospital;
 - c. The name of each person who is designated in writing to pick-up the child;
 - d. The child's general health status and medical history including, if applicable:
 - (i) Allergies;
 - (ii) Restriction on the child's participation in activities with specific instructions from the child's parent or health professional; and
 - (iii) Permission from the parent for third-party professional services in the child-care center;
 - e. The name and phone number of each person to be contacted in an emergency situation involving or impacting the child;
 - f. Authorization by the parent for the child-care center to seek emergency medical care for the child in the parent's absence;

Findings:

General: Based on review of documentation and interview, a child enrolled 08/22/16, did not have her enrollment information on file.

Written Documentation

In Compliance

Posted Documentation

In Compliance

Animals

In Compliance

Signature of Provider/Representative

Title

Date