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**Inspection Report**

<b>Provider Name:</b> Lexington Montessori School	<b>Provider Information</b>	<b>CLR No:</b> L376122
<b>Provider Address:</b> 319 S. Broadway Park, Lexington, KY, 40504	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 56
<b>Owner(s):</b> Lexington Montessori School, Inc.		<b>Director(s):</b> Tucker, Randi Lynn

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 306455
<b>Date Initiated:</b> 04/27/2021 9:35 AM	<b>Date Concluded:</b> 04/27/2021 11:20 AM	
	<b>No. of Children Present:</b> 29	

Inspection Report	
<b>Background Checks</b>	<b>Not In Compliance</b>
<b>20 - Out of state background checks</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:280. Section 5. Checks of Other States.</b></p> <p>(1) In accordance with 45 C.F.R. 98.43(b)(3), a prospective child care staff member who resides in or has resided in another state within the last five (5) years shall:</p> <p>(a) Request from each state of current or prior residency, in accordance with the state's laws, policies, and procedures, with a courtesy notice to the cabinet:</p> <ol style="list-style-type: none"> <li>1. An in-state criminal records check by:                             <ol style="list-style-type: none"> <li>a. Means of fingerprints for the state of residence; or</li> <li>b. Any means accepted by a state of prior residency;</li> </ol> </li> <li>2. A check of the state's sex offender registry or repository; and</li> <li>3. A check of the state-based child abuse and neglect registry and database; and</li> </ol> <p>(b) Direct results of the checks required in paragraph (a) of this subsection to the Department for Community Based Services, Division of Child Care, 275 East Main Street, 3C-F, Frankfort, Kentucky 40601.</p> <p><b>Findings:</b></p> <p>General: Based on review of documentation, it was found that one staff member did not have the results of or proof of submission for an out of state criminal records check, child abuse and neglect check, or sexual offender registry check on file at the facility. This staff person was not observed working alone during the time of inspection, but it could not be determined if the staff person had not worked alone since being hired. The date of hire for this staff person is 02/22/2021.</p>	
<b>Supervision</b>	<b>In Compliance</b>
<b>Staffing Requirements</b>	<b>In Compliance</b>
<b>General Administration</b>	<b>Not In Compliance</b>
<b>210 - Licensee Responsibility</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:090. Section 8. General.</b></p> <p>(1) A licensee shall:</p> <p>(a) Be responsible for the operation of the child-care center pursuant to this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280; and</p> <p>(b) Protect and assure the health, safety, and comfort of each child.</p> <p><b>Findings:</b></p> <p>General: Based on observation, it was found that there was one uncovered electrical outlet in the Primary B classroom. This was located by a child-sized table in the classroom.</p>	
<b>Director Requirements</b>	<b>In Compliance</b>

Inspection Report

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, it was found that one staff member did not have an annual performance evaluation on file at the facility.

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, it was found that one staff member did not have proof of education on file at the facility. The date of hire for this staff member is 02/22/2021.

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 completed within the first three (3) months of employment in a child care program;
- (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment in a child care program, including one and one-half (1 1/2) hours of cabinet-approved pediatric abusive head trauma training; and
- (c) Fifteen (15) hours of cabinet-approved early care and education training completed between July 1 and the following June 30 of each subsequent year of employment in a child care program, including one and one-half (1 1/2) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.

(17) A staff person's compliance with training requirements of this section shall be verified through the cabinet-designated database maintained pursuant to 922 KAR 2:240.

Findings:

General: Based on review of documentation, it was found that four staff members at the facility had not renewed the Pediatric Abusive Head Trauma training. The last time these four staff members completed the training was in March of 2014. The dates of hire for these staff members are: three hired on 05/31/2012 and one hired on 01/02/2013. A review of ECE-TRIS confirmed these findings.

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 in the Primary A classroom, there was a staff member's purse accessible on a countertop that was within reach of the children in the classroom.

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, it was found that in the primary A classroom, there was a pair of adult scissors in an unlocked classroom drawer. In addition, in the primary B classroom, there were batteries and staplers in an unlocked classroom drawer. All of these items were accessible to the children in the classrooms.

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**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.) In the Primary A classroom, there was an area of the wall that had red paint on it.
- 2.) In the Primary B classroom, there was a wall that was dirty with paint stains. In addition, the coat room in this classroom was missing paint on the walls.
- 3.) In the bathroom used by classroom A, there were holes in the wall behind the sink.
- 4.) In the bathroom used by classroom B, there was a stained ceiling tile from a water leak, as well as an area where the flooring was coming up.
- 5.) In the hallway that connects the two classrooms, there was an area of missing/peeling paint.
- 6.) In the front room, there was area of missing paint, in addition to the walls in this room being dirty.

**Hygienic Practices**

**In Compliance**

**First Aid/Medication**

**In Compliance**

**Outdoor Play Area**

**Not In Compliance**

**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, it was found that underneath the swings on the playground, the mulch was very sparse and needed to be refilled. There was not an adequate amount of protective surfacing for the children.

**Equipment**

**In Compliance**

**Transportation**

**Not Applicable**

**Food Service/Food Program**

**In Compliance**

**Food Service**

**In Compliance**

**Children's Records**

**Not In Compliance**

**1140 - Enrollment Information**

**Not In Compliance**

**922 KAR 2:090. Section 9. 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 a 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 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, it was found that there was one child's file that did not contain a preferred hospital or a physician contact on the enrollment paperwork.

**Written Documentation**

**Not In Compliance**

**1170 - Professional Development**

**Not In Compliance**

**922 KAR 2:090. Section 9. Records.**

**(1) A child-care center shall maintain:**

**(f) A written annual plan for child-care staff professional development;**

**Findings:**

General: Based on review of documentation, it was found that one staff member did not have evidence of an annual professional development plan on file at the facility.

**Posted Documentation**

**In Compliance**

**Animals**

**In Compliance**

**Inspection Report**

**Emergency Regulation**

**Not In Compliance**

**1265 - Emergency Regulation**

**Not In Compliance**

**922 KAR 2:415E. Emergency Regulation.**

**Due to the current declared public health emergency caused by the Novel Coronavirus Disease (COVID-19), licensed child care centers must operate under Centers for Disease Control and Prevention and public health guidelines, as mandated by 922 KAR 2:415E, to prevent the spread of COVID-19.**

**Findings:**

General: Based on observation and review of documentation, it was found that three staff members did not have evidence of results from the Child Abuse/Neglect check. The staff in charge reported that she had sent in one of the checks at some point last year and was told that the staff members needed to get their fingerprints taken. The staff in charge did have the Child Abuse/Neglect check forms filled out for these staff members, but they had not been sent off to get results. The dates of hire for these staff are: 09/08/2020 and 02/22/2021. During the time of inspection, one of these staff members was left alone with children.

Signature of Provider/Representative

Title

Date