



Andy Beshear
GOVERNOR

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

Melissa A. Moore, Director
Division of Regulated Child Care
Western Branch
901 B South Main Street
Hopkinsville, KY 42240
Phone: (270) 889-6052 Fax: (270) 889-6089
<https://chfs.ky.gov/agencies/os/oig>

Eric Friedlander
SECRETARY

Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: The Early Learning Academy	Provider Information	CLR No: L380141
Provider Address: 1920 North 13th Street, Paducah, KY, 42001	Provider Type: LICENSED TYPE I	Capacity: 40
Owner(s): The Early Learning Academy L.L.C.		Director(s): Grant, Marquita Erika

Inspection Type: Renewal Application	Inspection Information	Inspection No: 304705
Date Initiated: 10/12/2020 9:35 AM	Date Concluded: 10/12/2020 12:15 PM	
	No. of Children Present: 20	

Inspection Report		
	Background Checks	In Compliance
	Supervision	In Compliance
	Staffing Requirements	In Compliance
	General Administration	In Compliance
	Director Requirements	In Compliance
	Employee Records	Not In Compliance
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, a caregiver hired 07/29/19, completed six (6) hours of cabinet approved orientation training on 11/16/19, which was not within the first three (3) months of employment.

Inspection Report	
Programming	Not In Compliance
480 - 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 or Section 2(2)(c) of this administrative regulation, an infant or toddler under twenty-four (24) months of age shall not participate in an activity with an older child for no more than one (1) hour per day. (3) If a toddler is developmentally appropriate for a transition to a preschool age group, a toddler may participate in an activity with an older child for more than one (1) hour per day if: (a) Space for the toddler is available in the preschool-age group; (b) The staff-to-child ratios and group sizes are maintained based on the age of the youngest child; (c) 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 (d) 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, review of documentation and interview, a two-year-old toddler was grouped with three (3) preschool age children for more than an hour each day and was not in a transition plan in the two and three-years-old room.	
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, a can of disinfectant spray was stored on the ledge of the half wall between the school age room and preschool room. Three (3) cans of disinfectant spray and a can of bathroom foam cleaner were stored on the top shelf in the restroom in the hallway. These items were accessible to children.	
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, a plastic bag hung onto the floor from a trash receptacle in the infants' room. The bag was not a part of the planned program of instruction and was accessible to children.	
Hygienic Practices	In Compliance
First Aid/Medication	In Compliance
Outdoor Play Area	Not In Compliance
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, an excessive amount of overgrown grass was in the mulch near a toddler slide on the playground.	
Equipment	Not In Compliance
795 - 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, two (2) sleep mats were torn and exposed foam in the school age/virtual learning room.	

Inspection Report

820 - 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, edges of an area rug were raveled in the area beside the front entrance. A crack was along the side of a plastic tub, which contained plastic toys, in the school age/virtual learning room. A smoke detector continuously chirped in the hallway of the child care center. A dried substance was on the side and inside of the teal Bumbo seat in the infants' room.

Transportation

Not Applicable

Food Service/Food Program

In Compliance

Food Service

Not In Compliance

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

Findings:

General: Based on observation, five (5) bottles were not labeled in the infants' room.

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, a child enrolled 10/08/2020, and a child enrolled 05/27/19, did not information on file to enable the person in charge to contact the child's preferred hospital and physician.

Written Documentation

Not In Compliance

1150 - Evacuation Plan

Not In Compliance

922 KAR 2:090. Section 5. Evacuation Plan.

- (1) A licensed child-care center shall have a written evacuation plan in the event of a fire, natural disaster, or other threatening situation that may pose a health or safety hazard for a child in care in accordance with KRS 199.895 and 42 U.S.C. 9858c(c)(2)(U).

Findings:

General: Based on interview, the written evacuation plan was not provided to each child's parent/guardian when the plan was updated each year in accordance with KRS 199.895.

Inspection Report		
	Posted Documentation	Not In Compliance
1200 - Posting Requirements		Not In Compliance
<div>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.</div>		
Findings: General: Based on observation and interview, information on the Kentucky Consumer Product Safety Program and the program's website as specified in KRS 199.897, were not posted.		
Animals		In Compliance
Emergency Regulation		Not In Compliance
1255 - Emergency Regulation		Not In Compliance
<div>922 KAR 2:405E. 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 2:405E, to prevent the spread of COVID-19.</div>		
Findings: General: Based on observation, interview and review of documentation, the center failed to assure each adult, including parents and guardians, at drop-off and pick-up, wore a face mask while inside a child care center, in accordance with 922 KAR 2:405E Section 8(1). Surveyor observed a staff wear a mask below her nose inside the center. The center failed to assure a child who is five years of age or younger shall not wear a face mask due to the increased risk of suffocation and strangulation, in accordance with 922 KAR 2:405E Section 8(4). Surveyor observed eight (8) school age children not wear a mask inside the center. In addition, the center failed to create and post a cleaning and sanitizing plan in specific to the individual child care center or family child care home and outline the addition cleaning and sanitizing requirements from the Centers of Disease Control and Prevention for the child care during the a pandemic, in accordance with 922 KAR 2:405E Section 6(b). The center did not post the cleaning and sanitizing requirements.		