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Inspection Report

Provider Name: Frankfort Early Learning Academy	Provider Information	CLR No: L383089
Provider Address: 959 Leestown Road, Frankfort, KY, 40601	Provider Type: LICENSED TYPE I	Capacity: 40
Owner(s): Frankfort Independent School District Finance Corporation		Director(s): Thornsberry, Tonya Lynn

Inspection Type: Renewal Application	Inspection Information	Inspection No: 220799
Date Initiated: 08/17/2017 9:20 AM	Date Concluded: 08/17/2017 11:10 AM	
	No. of Children Present: 10	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
60 - Zoning	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: (a) Provide written documentation from the local authority showing compliance with local zoning requirements;	
Findings: General: Based on Review of Documentation, documentation showing the facility was in compliance with local zoning laws was not presented for review at the time of the survey.	
65 - Fire Marshal	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: (b) Be approved by the Office of the State Fire Marshal or designee;	
Findings: General: Based on Review of Documentation, documentation showing approval from the State Fire Marshal was not presented for review at the time of the survey.	
Director Requirements	
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: (I) Provide for the health, safety, and comfort of each child;	
Findings: General: Based on Observation, the following was found: 1. There was a mop bucket containing dirty water sitting in the hallway as you enter the facility. 2. There was an uncovered electrical outlet in the hallway as you enter the facility. 3. The cords to the phone and CD player in the Preschool classroom were hanging down from the plugs in the wall. The cords were not secure and were accessible to the children in care.	

275 - Caregiver Alone

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:**

(n) Assure that a person acting as a caregiver of a child in care shall not be left alone with a child, if the licensee has not received the results of the background checks as described in Section 3(1)(e)6 of this administrative regulation;

Findings:

General: Based on Review of Documentation, the following was found: 1. Staff person hired 7/10/17 did not have the results of or evidence of the application for a CA/N on file in the facility. The staff person was observed to be the only adult present while assisting children in the bathroom. 2. Staff person with an undetermined hire date did not have the results of or evidence of the application for a criminal background check or CA/N on file in the facility. The staff person was observed to be the only staff in the Preschool classroom while supervising three (3) children.

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, the following was found: 1. Staff person hired 7/10/17 did not have the results of or evidence of the application for a CA/N on file in the facility. The staff person was observed to be the only staff present while assisting children in the bathroom. 2. Staff person with an undetermined hire date did not have the results of or evidence of the application for a criminal background check or CA/N on file in the facility. The staff person was observed to be the only staff present in the Preschool classroom while supervising three (3) children.

310 - Personnel File

Not In Compliance

922 KAR 2:110. Section 3. 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. Written record of training participation to include:

a. The training source;

b. Location;

c. Date; and

d. Number of clock hours completed;

5. Every two (2) years, a:

a. Statement from a health professional that the individual is free of active tuberculosis; or

b. Copy of negative tuberculin results; and

6. For a director, employee, volunteer, or any person with supervisory or disciplinary control over, or having unsupervised contact with, a child in care, the results of a:

a. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;

b. Criminal records check required by KRS 199.896(19);

c. Criminal records check from any previous state of residence completed once if:

(i) The individual resided outside the state of Kentucky in the last five (5) years; and

(ii) No criminal records check has been completed for the individual's previous state of residence; and

d. An address check of the Sex Offender Registry;

Findings:

General: Based on Review of Documentation, staff person with an undetermined hire date did not have a personnel file in the facility. The staff person was observed working alone with three (3) children in the Preschool classroom.

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 following was found: 1. Staff person hired 7/10/17 did not have evidence of proof of education on file in the facility. 2. Staff person with an undetermined hire date did not have evidence of proof of education on file in the facility.

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, staff person with an undetermined hire date did not have documentation of negative T.B. results on file in the facility that had been obtained within the past two (2) years.

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, it was determined that a staff person hired 7/31/09 had evidence of only twelve (12) hours of annual training on file for the last full year of employment. A review of ECE-TRIS records supports the information found during the survey.

Programming

In Compliance

Premises

Not In Compliance

460 - Inaccessible Items

Not In Compliance

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

(7) Except in accordance with subsection (8) of this section, the following shall be inaccessible to a child in care:

- (a) Toxic cleaning supplies, poisons, and insecticides;**
- (b) Knives and sharp objects;**
- (c) Matches, cigarettes, lighters, and flammable liquids;**
- (d) Plastic bags;**
- (e) Litter and rubbish;**
- (f) Bar soap; and**
- (g) Personal belongings and medications of staff.**

Findings:

General: Based on Observation, the following was found: 1. A can of Glade disinfecting spray was sitting on a low shelf in the Preschool classroom. The can was accessible to the children in care. A staff person's purse was sitting on a child-size table in the Preschool classroom. The purse was accessible to the children in care.

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 white trim around the doors and the white baseboards throughout the facility had an accumulation of dirt, dust and worn paint.

580 - Toilet Room

Not In Compliance

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.

(2) A toilet room shall:

- (a) 1. Be provided for each gender; or**
- 2. A plan shall be implemented to use the same toilet room at separate times;**
- (b) Have a supply of toilet paper; and**
- (c) Be cleaned and sanitized daily.**

Findings:

General: Based on Observation, the following was found: 1. The baseboards and floor in the Boys' bathroom had a build up dirt, grime and spilled soap. 2. The baseboards and mirror in the Girls' bathroom had a build up of dirt, grime and smears. 3. A ceiling tile was stained by water damage in the Boys' bathroom.

Inspection Report		
Hygienic Practices		Not In Compliance
625 - Diaper Changing Area/Surface		Not In Compliance
<p>922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.</p> <p>(10) When a child is diapered, the child shall:</p> <p>(b) Be placed on a surface that is:</p> <ol style="list-style-type: none"> 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. 		
<p>Findings:</p> <p>General: Based on Observation, the diaper changing pad in the Twos classroom was torn on one end leaving exposed foam.</p>		
First Aid/Medication		In Compliance
Outdoor Play Area		Not In Compliance
690 - Playground Conditions		Not In Compliance
<p>922 KAR 2:120. Section 4. Premises Requirements.</p> <p>(20) An outdoor play area shall be:</p> <p>(d) Safe from foreseeable hazard;</p> <p>(e) Well drained;</p> <p>(f) Well maintained;</p> <p>(g) In good repair; and</p> <p>(h) Visible to staff at all times.</p>		
<p>Findings:</p> <p>General: Based on Observation, the following was found: 1. The black garden liner on the small playground was coming up through the mulch in several areas. This poses a tripping hazard. 2. There was an abundance of tall grass and weeds growing around and up through the sand in the sandbox.</p>		
Equipment		In Compliance
Transportation		Not In Compliance
810 - Transportation Notification/Third Party Contracts		Not In Compliance
<p>922 KAR 2:120. Section 12. Transportation.</p> <p>(3) Prior to transporting a child, a center providing transportation services of a child shall notify the cabinet or its designee in writing of the:</p> <p>(f) Contracts, agreements, or documents detailing arrangements with any third party for services;</p>		
<p>Findings:</p> <p>General: Based on Review of Documentation, the transportation contract with Frankfort Independent Schools was not presented for review at the time of the survey.</p>		
Food Service		Not In Compliance
925 - Food Service Permit		Not In Compliance
<p>922 KAR 2:120. Section 8. Kitchen Requirements.</p> <p>(2) A child-care center required to have a food service permit shall be in compliance with 902 KAR 45:005 and this administrative regulation.</p>		
<p>Findings:</p> <p>General: Based on Review of Documentation, the food permit for the facility that caters the facility's meals was not presented for review at the time of the survey.</p>		
Children's Records		Not In Compliance
1070 - Immunization		Not In Compliance
<p>922 KAR 2:110. Section 3. Records.</p> <p>(1) A child-care center shall maintain:</p> <p>(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;</p>		
<p>Findings:</p> <p>General: Based on Review of Documentation, child enrolled 8/10/15 did not have a current immunization certificate on file in the facility.</p>		

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, child enrolled 9/14/16 did not have a physician's name and contact information or a preferred hospital on file in the facility.

Written Documentation

Not In Compliance

1090 - Policies and Procedures

Not In Compliance

922 KAR 2:110. Section 2. General.

(5) Program policies and procedures shall:

(a) Be in writing; and

(b) Include:

- 1. Staff policies;**
- 2. Job descriptions;**
- 3. An organization chart;**
- 4. Chain of command; and**
- 5. Other procedures necessary to ensure implementation of:**
 - a. KRS 199.898, Rights for children in child-care programs and their parents, custodians, or guardians - posting and distribution requirements;**
 - b. 922 KAR 2:090, Child-care center licensure;**
 - c. 922 KAR 2:120, Child-care center health and safety standards; and**
 - d. This administrative regulation.**

Findings:

General: Based on Review of Documentation, there were no policies and procedures presented at the time of the survey that included staff policies, chain of command and other procedures necessary to ensure the implementation of KRS 199.898, 922 KAR 2:090, 922 KAR 2:110 and 922 KAR 2:120.

1100 - Staff Schedule

Not In Compliance

922 KAR 2:110. Section 3. Records.

(1) A child-care center shall maintain:

(d) A written schedule of staff working hours;

Findings:

General: Based on Review of Documentation, there was no written schedule of staff hours presented at the time of the survey.

Posted Documentation

Not In Compliance

1165 - Daily Activities

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:

(h) Post a schedule of daily activities, to include dates and times of activities to be conducted with the children in each classroom;

Findings:

General: Based on Review of Documentation, the schedule of daily activities, including lists and dates of activities to be conducted with the children was not current. The dates on the schedule were 6/26/17 through 6/30/17.

Animals

Not Applicable

Signature of Provider/Representative

Title

Date