



Andy Beshear
GOVERNOR

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

Melissa A. Moore, Director
Division of Regulated Child Care
Eastern Branch
455 Park Place, Suite 120A
Lexington, KY 40511
Phone: (859) 246-2301 Fax: (859) 246-2307
<https://chfs.ky.gov/agencies/os/oig>

Eric Friedlander
SECRETARY

Adam Mather
INSPECTOR GENERAL

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: 245723
Date Initiated: 08/20/2018 10:30 AM	Date Concluded: 08/20/2018 12:00 PM	
	No. of Children Present: 16	

Inspection Report	
Background Checks	Not In Compliance
5 - Background check/left alone/dismissed/relocated	Not In Compliance
<p>922 KAR 2:280. Section 3. Implementation and Enforcement.</p> <p>(1) A person who is a child care staff member prior to January 1, 2018, shall submit to and complete background checks in accordance with this administrative regulation no later than September 30, 2018.</p> <p>(2) A child care staff member hired on or after April 1, 2018, shall:</p> <p>(a) Have completed the background checks required in accordance with this administrative regulation and been found to have no disqualifying offense prior to becoming a child care staff member; or</p> <p>(b) 1. Have submitted to the background checks required in accordance with this administrative regulation;</p> <p>2. Not be left unsupervised with a child in care pending the completion of the background checks in accordance with this administrative regulation; and</p> <p>3. Be dismissed or relocated from the residence if the person is found to have a disqualifying background check result.</p> <p>Findings:</p> <p>General: Based on Observation, there was an adult (DOB 5/29/1998) in Room 103 that was not an employee of the facility. In an interview with the Director it was found that the adult was a staff person's daughter that was "just helping her mother decorate her classroom." The adult was observed interacting with the children and acting in a care-taking role. The adult did not have evidence of the submission for or the results of a background check from the NBCP on file in the facility.</p>	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
155 - Liability Insurance	Not In Compliance
<p>922 KAR 2:090. Section 6. License Issuance.</p> <p>(8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:</p> <p>(d) Provide written proof of liability insurance coverage of at least \$100,000 per occurrence;</p> <p>Findings:</p> <p>General: Based on Review of Documentation, there was no documentation made available at the time of the survey regarding current liability insurance.</p>	
Director Requirements	In Compliance

Inspection Report	
Employee Records	Not In Compliance
405 - Adequate Substitute(s)	Not In Compliance
<p>922 KAR 2:090. Section 11. Staff Requirements.</p> <p>(6) Child-care centers shall have available in case of need:</p> <p>(a) One (1) qualified substitute staff person for a Type II child-care center; or</p> <p>(b) Two (2) qualified substitute staff persons for a Type I child-care center.</p> <p>(7) Each qualified substitute staff person shall:</p> <p>(a) Meet the staff requirements of this administrative regulation; and</p> <p>(b) Provide the required documentation to verify compliance with this administrative regulation.</p> <p>Findings:</p> <p>General: Based on Interview, it was found that the facility has only one (1) substitute on file. The director stated that she thought only one (1) substitute was required.</p>	
410 - Training	Not In Compliance
<p>922 KAR 2:090. Section 11. Staff Requirements.</p> <p>(16) In accordance with KRS 199.896(15) and (16), a staff person with supervisory authority over a child shall complete the following:</p> <p>(a) Six (6) hours of cabinet-approved orientation within the first three (3) months of employment;</p> <p>(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</p> <p>(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.</p> <p>Findings:</p> <p>General: Based on Review of Documentation, staff person hired 9/8/15 did not have documentation of completing the pediatric abusive head trauma training within the past five (5) years. The training certificate on file was dated 6/12/13. A review of ECE-TRIS records supports the information found during the survey.</p>	
Programming	Not In Compliance
480 - Infant/Toddler Combined with Older Children	Not In Compliance
<p>922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.</p> <p>(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.</p> <p>(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:</p> <p>(a) Space for the toddler is available in the preschool-age group;</p> <p>(b) The staff-to-child ratios and group sizes are maintained based on the age of the youngest child;</p> <p>(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</p> <p>(d) The child care center has obtained the signature and approval of the toddler's parent on the toddler's transition plan.</p> <p>Findings:</p> <p>General: Based on Observation, there were nine (9) children ranging in age from two to three (2 to 3) years being cared for in Room 104. The youngest child in the group was twenty-eight (28) months old. In an interview with staff it was found that the children are grouped together the entire time they are present in the facility. In an interview with the Director it was determined that the facility did not have a procedure for transitioning toddlers or signed approval from the toddlers' parents on a transition plan.</p>	
Premises	In Compliance
Hygienic Practices	In Compliance

Inspection Report	
First Aid/Medication	Not In Compliance
715 - First Aid Supplies	Not In Compliance
<p>922 KAR 2:120. Section 7. First Aid and Medicine.</p> <p>(1) First aid supplies shall:</p> <p>(a) Be available to provide prompt and proper first aid treatment;</p> <p>(b) Be stored out of reach of a child;</p> <p>(c) Be periodically inventoried to ensure the supplies have not expired;</p> <p>(d) If reusable, be:</p> <p>1. Sanitized; and</p> <p>2. Maintained in a sanitary manner; and</p> <p>(e) Include:</p> <p>1. Liquid soap;</p> <p>2. Adhesive bandages;</p> <p>3. Sterile gauze;</p> <p>4. Medical tape;</p> <p>5. Scissors;</p> <p>6. A thermometer;</p> <p>7. Flashlight;</p> <p>8. Cold pack;</p> <p>9. First aid book;</p> <p>10. Disposable gloves; and</p> <p>11. A cardiopulmonary resuscitation mouthpiece protector.</p> <p>Findings:</p> <p>General: Based on Observation, a bag containing a first aid kit was hanging on a nail near the door in Room 103. The bag and its contents were accessible to the preschool-age children in the classroom. Also, the kit did not contain a working flashlight or medical tape</p>	
Outdoor Play Area	Not In Compliance
735 - Fence Requirement	Not In Compliance
<p>922 KAR 2:120. Section 4. Premises Requirements.</p> <p>(20) An outdoor play area shall be:</p> <p>(a) Except for an after-school child-care program located on the premises of a public or state-accredited nonpublic school, fenced for the safety of the children;</p> <p>Findings:</p> <p>General: Based on Observation, a group of seven (7) preschool-age children were observed playing in an unfenced area in front of the school where the program is housed. The area was approximately twenty-five (25) feet from an active bus lane in front of the school. In an interview with the Director it was found that the children did not have written permission from parents to play in an unfenced area.</p>	
Equipment	Not In Compliance
795 - Individual Bed/Mat/Cot and Bedding	Not In Compliance
<p>922 KAR 2:120. Section 6. Sleeping and Napping Requirements.</p> <p>(3) Rest time shall include adequate space specified by the child's age as follows:</p> <p>(b) For a toddler or preschool-age child:</p> <p>1. An individual bed, a two (2) inch thick waterproof mat, or cot in good repair; and</p> <p>2. Bedding that is in good repair and is changed:</p> <p>a. Weekly; or</p> <p>b. Immediately if it is soiled or wet.</p> <p>Findings:</p> <p>General: Based on Observation, there were several torn nap mats in the cubbies in Room 104. The tears were large and left exposed foam.</p>	
Transportation	Not In Compliance
870 - 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 Interview, the Director stated that the program has a third-party contract with Frankfort Independent Schools for transportation. However, the Director could not find the contract at the time of the survey.</p>	
Food Service/Food Program	In Compliance
Food Service	In Compliance

Inspection Report**Children's Records****Not In Compliance****1135 - Immunization****Not In Compliance****922 KAR 2:090. Section 9. 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, child enroll 3/8/18 did not have a current immunization certificate on file in the facility.

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, two (2) children that were siblings were both listed on one (1) enrollment form. Each child did not have an individual written record. The same two (2) children did not have a preferred hospital listed on their enrollment form.

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 Review of Documentation, there was no disaster plan presented at the time of the survey that included the requirements listed in KRS 199.895. The Director stated that she had not completed a new plan since the facility changed location in July, 2018.

1155 - Policies and Procedures**Not In Compliance****922 KAR 2:090. Section 8. General.****(4) 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 2:120, Child-care center health and safety standards;

c. 922 KAR 2:280, Background checks for child care staff members, reporting requirements, and appeals; 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 job descriptions.

Inspection Report

1175 - Earthquake/Tornado/Fire Drills

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

(h) A written record of quarterly practiced earthquake drills and tornado drills detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;

(i) A written record of practiced fire drills conducted monthly detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;

Findings:

General: Based on Review of Documentation, there was no documentation of practiced fire, earthquake or tornado drills provided for review at the time of the survey. The Director stated that she had them but could not locate the documents at that time.

1190 - Orientation Procedure

Not In Compliance

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

(3)(b) The program shall include:

2. Written policy that specifies that the procedures that were taught at the orientation training shall be implemented by each child-care center staff member.

Findings:

General: Based on Review of Documentation, there was no evidence of an orientation procedure for staff on file in the facility.

Posted Documentation

Not In Compliance

1200 - Posting Requirements

Not In Compliance

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.

Findings:

General: Based on Observation, the statement of deficiencies and plan of correction from the previous re-licensure survey was not posted in the facility.

Animals

In Compliance

Signature of Provider/Representative

Title

Date