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Inspection Report

Provider Name: Smart Beez Learning Center	Provider Information	CLR No: L383125
Provider Address: 435 Southland Drive, Lexington, KY, 40503	Provider Type: LICENSED TYPE I	Capacity: 48
Owner(s): Smart Beez, Llc		Director(s): Jarrar, Roaa Majed

Inspection Type: Renewal Application	Inspection Information	Inspection No: 305909
Date Initiated: 02/22/2021 8:51 AM	Date Concluded: 02/22/2021 11:00 AM	
	No. of Children Present: 25	

Inspection Report	
Background Checks	Not In Compliance
20 - Out of state background checks	Not In Compliance
<p>922 KAR 2:280. Section 5. Checks of Other States.</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"> 1. An in-state criminal records check by: <ol style="list-style-type: none"> a. Means of fingerprints for the state of residence; or b. Any means accepted by a state of prior residency; 2. A check of the state's sex offender registry or repository; and 3. A check of the state-based child abuse and neglect registry and database; and <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>Findings:</p> <p>General: Based on review of documentation, the surveyor found a staff person hired on 2/12/2021, resided in Texas within the last five years. The staff person did not have the results of a criminal records check, a child abuse/neglect check, and a sex offender check from the state of Texas prior to hire.</p>	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
270 - Notification of Center Closure	Not In Compliance
<p>922 KAR 2:090. Section 12. Reports.</p> <p>(6) The cabinet and the parent of a child enrolled in a child-care center shall receive notice as soon as practicable, and prior to, a child-care center's temporary or permanent closure.</p> <p>Findings:</p> <p>Based on observation, the surveyor attempted to conduct a renewal inspection on 1/27/2021, but found the child-care center closed. The surveyor called the staff person in charge and found that the child-care center had been closed since 1/21/2021, due to a possible COVID exposure. The closure was not reported to the Division of Regulated Child-Care within a reasonable timeframe.</p>	
Director Requirements	In Compliance

Inspection Report

Employee Records

Not In Compliance

400 - CPR/First Aid Coverage

Not In Compliance

922 KAR 2:090. Section 11. Staff Requirements.

(3) For a child-care center licensed for infant, toddler, or preschool-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:

- (a) Infant and child cardiopulmonary resuscitation; and
- (b) Infant and child first aid.

(4) For a child-care center licensed for school-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:

- (a) Adult cardiopulmonary resuscitation; and
- (b) First aid.

Findings:

General: Based on review of documentation, none of the staff on duty and present with the children were currently certified by a cabinet approved training agency in CPR and First Aid.

Programming

Not In Compliance

420 - Program of Activities Followed

Not In Compliance

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

(4) The child-care center shall provide a daily planned program:

- (a) Posted in writing in a conspicuous location with each age group and followed;
- (b) Of activities that are individualized and developmentally appropriate for each child served;
- (c) That provides experience to promote the individual child's physical, emotional, social, and intellectual growth and well-being; and
- (d) Unless the child-care center is a before- or after-school program that operates part day or less, that offers a variety of creative activities including:

- 1. Art or music;
- 2. Math or numbers;
- 3. Dramatic play;
- 4. Stories and books;
- 5. Science or nature;
- 6. Block building or stacking;
- 7. Tactile or sensory activity;
- 8. Multi-cultural exposure;
- 9. Indoor or outdoor play in which a child makes use of both small and large muscles;
- 10. A balance of active and quiet play, including group and individual activity;
- 11. An opportunity for a child to:
 - a. Have some free choice of activities;
 - b. If desired, play apart from the group at times;

Findings:

General: Based on observation and interview, the programming needs of school-age children were not met.

Upon arrival at approximately 8:50 a.m., the surveyor found that five school-age children ages six- to twelve-years-old were sharing a classroom with eight preschool children ages three- to four-years-old. The school-age staff person stated that the school-age children had a designated classroom, but they had not used the classroom for approximately two weeks.

The surveyor noted that the school-agers were working on NTL assignments on laptops to the left side of the classroom, and the preschool children were participating in circle time to the right side of the classroom. However, the surveyor later noted that the preschool children started playing in activity centers on the left side of the classroom. At one point, a preschool-age child was observed crying loudly as he sat on a chair facing a twelve-year-old female who was sitting against the wall working on her laptop.

The school-age staff person indicated that the preschool children generally do not bother the school-age children because they have on headphones. It should be noted, the surveyor found the arrangement for the school-agers not conducive to learning, but disruptive.

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, the surveyor found three vacuum cleaners accessible to the children in care. Two vacuum cleaners were found in the science area in the preschool classroom and the third vacuum cleaner was found next to the cots in the two-year-old classroom.

Inspection Report

540 - Premises Requirements

Not In Compliance

922 KAR 2:120. Section 4. Premises Requirements.

- (1) The premises shall be:**
 - (a) Suitable for the purpose intended;**
 - (b) Kept clean and in good repair;**

Findings:

General: Based on observation, the surveyor found the designated school-age classroom in disarray.

The surveyor observed several folded cribs, several crib mattresses, tri-fold boards, miscellaneous infant/ toddler equipment, a baby gate, toddler chairs, toddler tables, toddler sized shelving units, and ditto sheets and grocery bags scattered about the floor. It appeared that this room was being used for storage, not a school-age classroom.

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 surveyor found water stained ceiling tiles in the infant classroom and hallway restroom.

645 - Sink

Not In Compliance

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

- (3) A sink shall be:**
 - (a) Located in or immediately adjacent to toilet rooms;**
 - (b) Equipped with hot and cold running water that allows for hand washing;**
 - (c) Equipped with hot water at a minimum temperature of ninety (90) degrees Fahrenheit and a maximum of 120 degrees Fahrenheit;**
 - (d) Equipped with liquid soap;**
 - (e) Equipped with hand-drying blower or single use disposable hand drying material;**
 - (f) Equipped with an easily cleanable waste receptacle; and**
 - (g) Immediately adjacent to a changing area used for infants and toddlers.**

Findings:

General: Based on observation, the hot water temperature at the portable sink in the infant classroom measured at 80 degrees Fahrenheit.

Hygienic Practices

Not In Compliance

685 - 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, the surveyor found a tear in the diaper pad located in the infant classroom.

First Aid/Medication

In Compliance

Outdoor Play Area

In Compliance

Equipment

Not In Compliance

815 - Toys/Furniture

Not In Compliance

922 KAR 2:120. Section 11. Toys and Furnishings.

- (1) All toys 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, the veneer on the side of a bookshelf in the infant classroom was peeling. The surveyor touched the surface of the bookshelf and found it was wet. Based on interviews, it is unknown what caused the water damage to the bookshelf.

Transportation

Not Applicable

Inspection Report

Food Service/Food Program

Not In Compliance

975 - Milk Requirements

Not In Compliance

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

(3) A serving of milk shall consist of:

(a) Breast milk or iron-fortified formula for a child:

- 1. Age birth to twelve (12) months; or**
- 2. Beyond twelve (12) months of age as documented by the parent or the child's physician;**

(b) Pasteurized whole milk for children ages twelve (12) months to twenty-four (24) months; or

(c) Pasteurized low fat one (1) percent or fat-free skim milk for children ages twenty-four (24) months to school-age.

Findings:

Based on observation, three toddlers were not served an appropriate serving of milk with breakfast. The toddlers were eating cereal and oranges. The staff person indicated that she offers milk to the toddlers, but sometimes they refuse to take it.

Food Service

Not In Compliance

1040 - Kitchen Equipment Clean and Sanitary

Not In Compliance

922 KAR 2:120. Section 8. Kitchen Requirements.

(7) The following shall be clean and sanitary:

- (a) Eating and drinking utensils;**
- (b) Kitchenware;**
- (c) Food contact surfaces of equipment;**
- (d) Food storage utensils;**
- (e) Food storage containers;**
- (f) Cooking surfaces of equipment; and**
- (g) Nonfood contact surfaces of equipment.**

Findings:

General: Based on observation, a yellow substance was found in the bottom of the refrigerator located in the kitchen.

Children's Records

In Compliance

Written Documentation

In Compliance

Posted Documentation

In Compliance

Animals

Not Applicable

Emergency Regulation

Not In Compliance

1260 - Emergency Regulation

Not In Compliance

922 KAR 2:410E. 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 2:410E, to prevent the spread of COVID-19.

Findings:

General: Based on review of documentation presented for review, a staff person hired on 9/15/2020, had a criminal background check dated 11/24/2020; therefore, it was not completed prior to hire. The staff person in charge stated that this staff person was not left alone with children until the criminal background check was received.

Signature of Provider/Representative

Title

Date