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Inspection Report

Provider Name: Kribs2Kids Academy Fairdale	Provider Information	CLR No: L383240
Provider Address: 8104 Tolls Lane, Louisville, KY, 40214, 5824	Provider Type: LICENSED TYPE I	Capacity: 40
Owner(s): Kribs2kids Academy Fairdale, LLC		Director(s): Nicholas, Shashi

Inspection Type: Renewal Application	Inspection Information	Inspection No: 290342
Date Initiated: 07/11/2019 9:15 AM	Date Concluded: 07/11/2019 1:12 PM	
	No. of Children Present: 18	

Inspection Report

Background Checks

Not In Compliance

5 - Background check/left alone/dismissed/relocated

Not In Compliance

922 KAR 2:280. Section 3. Implementation and Enforcement.

- (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.
- (2) A child care staff member hired on or after April 1, 2018, shall:
 - (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
 - (b) 1. Have submitted to the background checks required in accordance with this administrative regulation;
 - 2. Not be left unsupervised with a child in care pending the completion of the background checks in accordance with this administrative regulation; and
 - 3. Be dismissed or relocated from the residence if the person is found to have a disqualifying background check result.

Findings:

General: Based on observation, interview and review of documentation, the child care center failed to comply with regulatory requirements. Observation revealed a staff member, alone with ten (10) children. Interview with the staff member revealed the children ranged in age from three (3) years to seven (7) years. A review of documentation revealed the staff member's eligibility had not been determined in a KARES report. The aforementioned staff member had an unknown start date. Interview with the staff in charge revealed the staff file had not been completed at the time of the survey.

10 - Submit background check

Not In Compliance

922 KAR 2:280 - Section 4. Procedures and Payments.

- (1) To initiate the process for obtaining background checks on a prospective child care staff member, the child care provider shall:
 - (a) Request that the prospective child care staff member provide a copy of his or her driver's license or other government-issued photo identification and verify that the photograph clearly matches the prospective child care staff member;
 - (b) Request that the prospective child care staff member complete and sign the:
 - 1. DCC-500, Applicant Child Care Staff Member Waiver Agreement and Statement; and
 - 2. DCC-501, Disclosures to Be Provided to and Signed by the Applicant Child Care Staff Member; and
 - (c) Log on to the NBCP portal and enter the prospective child care staff member's demographic information for a check of the:
 - 1. Child abuse and neglect central registry pursuant to 922 KAR 1:470;
 - 2. National Crime Information Center's National Sex Offender Registry in accordance with 34 U.S.C. 20921; and
 - 3. Sex Offender Registry established in accordance with KRS 17.500 through 17.580.

Findings:

General: Based on observation, interview and review of documentation, the child care center failed to assure compliance with regulatory requirements. A review of documentation of a KARES report failed to reveal submission of fingerprints for a staff member with an unknown hire date. Observation revealed the staff member working alone with ten (10) children upon the surveyor's arrival. Interview with the staff in charge revealed the documentation was not available at the time of the survey.

15 - Submit fingerprints

Not In Compliance

922 KAR 2:280. Section 4. Procedures and Payments.

(4)(a) Upon submission of payment in accordance with subsections (2) and (3) of this section, the child care provider shall print a copy of the DCC-504, Applicant Child Care Staff Member Live Scan Fingerprinting Form, from the NBCP portal and provide the form to the child care staff member.

(b) The child care staff member shall:

- 1. Have no more than ninety (90) calendar days from the date of payment pursuant to subsections (2) and (3) of this section to submit the child care staff member's fingerprints at an authorized collection site for NBCP; and**
- 2. Present the DCC-504 and driver's license or other government-issued photo identification to the designated agent at an authorized collection site prior to fingerprint submission.**

Findings:

General: Based on observation, interview and review of documentation, the child care center failed to assure compliance with regulatory requirements regarding background checks. A review of a KARES report failed to reveal fingerprints had been submitted to NBCP for a staff member with an unknown hire date. Observation revealed the staff member supervising children upon the surveyor's arrival into the center. Interview revealed the documentation was not available at the time of the survey.

Supervision

In Compliance

Staffing Requirements

In Compliance

General Administration

In Compliance

Director Requirements

Not In Compliance

350 - Health, Safety, Comfort

Not In Compliance

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.

(1) A director shall:

- (l) Assure the health, safety, and comfort of each child;**

Findings:

General: Based on observation, the child care center director failed to assure compliance with regulatory requirements.

1) Observation in the Two Year Old room revealed the safety of all of the children was jeopardized by children throwing pieces of puzzles, plastic bugs and dinosaurs into the air and falling onto other children.

2) Also, a child was observed climbing on a narrow book shelf that was free standing. The staff member removed the child from the book shelf. The child immediately returned to climbing on the book shelf as the staff member watched and failed to redirect.

3) Continued observation in the Two Year Old room revealed a pink and white toy box used in place of a gate. Children continually climbed into the box attempting to leave the classroom, as the staff member continued to remove the children from the toy box.

360 - Caregiver Alone

Not In Compliance

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.

(1) 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 922 KAR 2:280;**

Findings:

General: Based on observation, interview and review of documentation, the child care center director failed to assure compliance with regulatory requirements. Observation revealed a single staff member supervising ten (10) children. Interview with the staff member revealed the children ranged in age from three (3) years to seven (7) years. A review of a KARES report failed to reveal the background review process had been started for this staff member. Interview with the staff in charge revealed the documentation was not available at the time of the survey.

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 observation, interview and review of documentation, the child care center failed to maintain employee records in accordance with regulatory requirements. A review of documentation failed to reveal a personnel file containing the name, address, date of birth and date of hire, proof of educational requirements, record of annual performance evaluations, documentation of compliance with tuberculosis screening and the results of background checks conducted in accordance with 922 KAR2:280. Interview with staff in charge revealed the file had not been compiled and was not available for review at the time of the survey.

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 observation and review of documentation, the child care center failed to maintain employee files in accordance with regulatory requirements. A review of documentation failed to reveal negative results from a tuberculosis test or a written statement from a health care professional stating the individual is free of tuberculosis for a staff member with an unknown hire date.

395 - TB Verification

Not In Compliance

922 KAR 2:090. Section 11. 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 interview and review of documentation, the child care center failed to maintain employee records in accordance with regulatory requirements. A review of documentation failed to reveal negative results from a tuberculin test or a written statement from the individual is free of tuberculosis for a staff with an unknown hire date. Interview with the staff in charge revealed the documentation was not available at the time of the survey.

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 observation, interview and review of documentation, the child care center failed to maintain employee records in accordance with regulatory requirements. A review of documentation failed to reveal training requirements for staff members with an unknown hire date and 04/16/14. Interview with the staff in charge revealed the documentation was not available at the time of the survey.

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 review of documentation, the child care center failed to comply with regulatory programming requirements. Observation in the Two Year Old room and the Toddler Plus failed to reveal a planned program, posted in writing in a conspicuous place, of activities that are individualized and developmentally appropriate for each child served, including art, music, block building, dramatic play, stories and books, science or nature, tactile or sensory activity, multi-cultural exposure, indoor and outdoor play and a balance of active and quiet play. The children in the Two Year Old room received no guidance or direction to an activity, but were allowed to walk around the room aimlessly, throwing toys, and climbing on chairs, a toy box, and a book shelf.

Inspection Report

435 - Regularity of Routines

Not In Compliance

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

(6) Regularity of routines shall be implemented to afford the child familiarity with the daily schedule of activity.

Findings:

General: Based on observation, interview and review of documentation, the child care center failed to comply with regulatory programming requirements. Observation in the Two Year Old room, and in the Toddler Plus room failed to reveal a routine of activities. Interview with staff members failed to reveal that a regular routine of activities was conducted on a daily basis. Both staff members stated there was no daily schedule followed.

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 child care center failed to maintain the premises in accordance with regulatory requirements. Observation revealed the kitchen was accessible to the children by a folding door which remained open during the length of the survey and during lunch time when approximately twelve (12) children were in an adjoining lunch room. The lower kitchen cabinets were observed to contain two (2) gallons of bleach, Clorox Wipes, Super Strength Mean Green and other containers of chemicals.

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, the child care center failed to maintain the premises in accordance with regulatory requirements. Observation revealed sharp kitchen knives located in a low kitchen cabinet. The kitchen door was observed open during the length of the survey, allowing accessibility into the kitchen by children.

Hygienic Practices

In Compliance

First Aid/Medication

Not In Compliance

730 - Medication

Not In Compliance

922 KAR 2:120. Section 7. First Aid and Medicine.

(6) Medication, including refrigerated medication, shall be:

(a) Stored in a separate and locked place, out of the reach of a child unless the medication is:

- 1. A first aid supply and is maintained in accordance with subsection (1) of this section;**
- 2. Diaper cream, sunscreen, or toothpaste. Diaper cream, sunscreen, or toothpaste shall be inaccessible to a child;**
- 3. An epinephrine auto-injector. A licensed child-care center shall comply with KRS 199.8951 and 311.646, including:**
 - a. An epinephrine auto-injector shall be inaccessible to a child;**
 - b. A child-care center shall have at least one (1) person onsite who has received training on the administration of an epinephrine auto-injector if the child-care center maintains an epinephrine auto-injector;**
 - c. A child-care center shall seek emergency medical care for a child if an auto-injector is administered to the child; and**
 - d. A child-care center shall report to the child's parent and the cabinet in accordance with 922 KAR 2:090, Section 12(1)(b) if an epinephrine auto-injector is administered to a child; or**
- 4. An emergency or rescue medication for a child in care, such as medication to respond to diabetic or asthmatic condition, as prescribed by the child's physician. Emergency or rescue medication shall be inaccessible to a child in care;**

(b) Kept in the original bottle; and

(c) Properly labeled.

(7) Medication shall not be given to a child if the medication's expiration date has passed.

Findings:

General: Based on observation, the child care center failed to comply with the regulatory requirements regarding medication. Observation in the cubbies revealed a large container of Aquaphor which was not in a separate and locked place.

Inspection Report

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, the child care center failed to maintain the outdoor play area in accordance with regulatory requirements. Observation failed to reveal a sufficient amount of ground covering evidenced by multiple sets of weeds, and black weed preventer material protruding up from the existing mulch, in areas containing climbing equipment.

Equipment

Not In Compliance

775 - Sufficient Appropriate Equipment

Not In Compliance

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

(28) A child-care center shall have enough toys, play apparatus, and developmentally appropriate materials to provide each child with a variety of activities during the day, as specified in Section 2 of this administrative regulation.

Findings:

General: Based on observation, the child care center failed to maintain equipment in accordance with regulatory requirements. Observation failed to reveal a sufficient amount of toys, play apparatus and developmentally appropriate materials to provide each child with a variety of activities during the day. Children were observed with several puzzles, a few trucks, and an insufficient amount of various other toys.

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, the child care center failed to maintain the equipment in accordance with regulatory requirements. Observation revealed an accumulation of riding toys and other outdoor equipment in disrepair in an area the children pass through to enter the play area.

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 observation and review of documentation, the child care center failed to maintain the children's records in accordance with regulatory requirements. A review of documentation failed to reveal a designated hospital preference for a child with an enrollment date of 05/01/19.

Inspection Report

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 observation, interview and review of documentation, the child care center failed to maintain written documentation in accordance with regulatory requirements. A review of documentation failed to reveal a written evacuation plan in the event of a fire, natural disaster, or other threatening situation that may pose a health or safety issue for a child in care. Interview with the staff in charge revealed the plan had not been resubmitted on an annual basis.

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 observation, interview and review of documentation, the child care center failed to maintain written documentation in accordance with regulatory requirements. A review of written policies failed to reveal a written policy that specifies that the procedures that were taught at the orientation training shall be implemented by each child care center staff member. Interview with the staff in charge revealed the documentation was not available at the time of the survey.

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, interview and review of documentation, the child care center failed to maintain postings in accordance with regulatory requirements. A review of postings failed to reveal each statement of deficiency issued by the cabinet to the child care center and the plans of correction submitted by the child care center for the current year. Interview with the staff in charge revealed the documentation had been misplaced and was not available at the time of the survey.

1215 - Daily Activities

Not In Compliance

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.

(1) 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 interview and review of documentation, the child care center failed to post documentation in accordance with regulatory posting requirements. A review of documentation in the Two Year Old room and in the Toddler Plus room failed to reveal a schedule of daily activities to include dates and times of activities to be conducted with the children in each classroom. Interview with the staff members in the aforementioned rooms revealed there was not a daily schedule available. Staff members stated activities conducted are random and are not conducted on a regular basis at a consistent time.

Animals

In Compliance

Signature of Provider/Representative

Title

Date