



Andy Beshear
GOVERNOR

CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL

Eric Friedlander
SECRETARY

Melissa A. Moore, Director
Division of Regulated Child Care
Northern Branch
908 W. Broadway, 10-W
Louisville, KY 40203

Adam Mather
INSPECTOR GENERAL

Phone: (502) 595-5781 Fax: (502) 595-5773
<https://chfs.ky.gov/agencies/os/oig>

Inspection Report

Provider Name: Busy Bee Academy	Provider Information	CLR No: L383252
Provider Address: 423 Washburn Avenue, Louisville, KY, 40222	Provider Type: LICENSED TYPE I	Capacity: 79
Owner(s): Busy Bee Academy, Llc		Director(s): Strobo, Ashley Erin

Inspection Type: Renewal Application	Inspection Information	Inspection No: 245644
Date Initiated: 08/02/2018 9:42 AM	Date Concluded: 08/02/2018 12:51 PM	
	No. of Children Present: 29	

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 January 1, 2018, shall:</p> <p>(a) Have completed the background checks required in accordance with this administrative regulation and 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>	
Findings:	
<p>General: Based on review of documentation and interview, the child care center failed to comply with regulations for background checks. Upon review of presented staff files, the file for the staff member with the hire date of 12/04/2017 did not contain a completed Child Abuse and Neglect check (CAN) with the determination that the aforementioned staff member was cleared from any substantiated child abuse or neglect.</p> <p>Further review revealed the written documentation obtained from the incomplete Child Abuse and Neglect check (CAN) indicated the aforementioned staff member lived in the state of Indiana; however, the file did not contain an out of state criminal records check for the aforementioned staff member.</p> <p>Further review of presented staff files revealed the aforementioned staff member's records did not contain a final determination of clearance from the National Background Check Program (NBCP) for fingerprinting. It was observed that this aforementioned staff member was working alone in the three-year-old room with seven (7) three and four year-old children on the date of survey.</p> <p>Interview with the director revealed the requested documentation was unavailable at the time of survey.</p>	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance

Inspection Report**Director Requirements****Not In Compliance****345 - Staff Evaluation****Not In Compliance****922 KAR 2:090. Section 10. Director Requirements and Responsibilities.****(1) A director shall:**

- (j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;**

Findings:

General: Based on review of documentation and interview, the child care center failed to comply with regulations for director requirements. Review of staff files revealed an annual written performance evaluation was not presented for the staff member with hire date of 06/21/2017. Interview with the director revealed the requested documentation was unavailable at the time of survey.

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 failed to comply with regulations regarding director requirements. Observation in the Pre-K room revealed there was a toilet brush in the bathroom next to the toilet.

Employee Records**Not In Compliance****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 review of documentation and interview, the child care center failed to maintain employee records in accordance with regulations. Review of staff files revealed the file for a staff member with the hire date of 06/05/2018 did not have proof of education documentation (high school diploma, GED, or Commonwealth Child Care Credential). Interview with the director revealed the requested documentation was unavailable at the time of 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 review of documentation and interview, the child care center failed to maintain employee records in accordance with regulations. Review of staff files and ECE-TRIS report revealed the fifteen (15) hours of cabinet approved training was not presented for review at the time of survey for eight (8) staff members with the following hire dates: 10/21/2014, 09/08/2015, 06/18/2015, 09/27/2016, 03/24/2017, 06/20/2014, 06/21/2017, and 05/19/2016. Further review of staff files revealed five (5) staff members with a hire dates of 09/27/2016, 01/19/2018, 04/26/2018, 06/21/2017, and 05/19/2016 had not completed state approved orientation training. Interview with the director revealed the requested documentation was unavailable at the time of survey.

Programming**Not In Compliance****455 - Discipline****Not In Compliance****922 KAR 2:120. Section 2. Child Care Services.****(10) A child shall not be subjected to:**

- (a) Corporal physical discipline pursuant to KRS 199.896(18);**
- (b) Loud, profane, threatening, frightening, humiliating, or abusive language; or**
- (c) Discipline that is associated with:**
 - 1. Rest;**
 - 2. Toileting; or**
 - 3. Food.**

Findings:

General: Based on observation and interview, the child care center failed to maintain programming in accordance with regulations. Observation of the toddler room revealed a staff member was using a loud threatening tone when speaking to a one-year-old child; "sit down, don't do that". Interview with the director revealed that she also observed the aforementioned staff member using a loud threatening tone when speaking with the one-year-old child, during the time of survey.

Inspection Report

Premises

Not In Compliance

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 and interview, the child care center failed to comply with regulations regarding premises. Based on observation in the two-year-old room, three-year-old room, and the Pre-K bathroom there were several areas of paint chipping from the wall.

In the Pre-K bathroom, there was a brown stain on the ceiling and the wall behind the toilet indicative of water damage.

Interview with the director revealed there was some water damage in the Pre-K bathroom from the roof.

650 - Toilet

Not In Compliance

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

(4) Each toilet shall:

- (a) Be kept in clean condition;**
- (b) Be kept in good repair;**
- (c) Be in a lighted room; and**
- (d) Have ventilation to outside air.**

Findings:

General: Based on observation and interview, the child care center failed to maintain the premises in accordance with regulations. Observation of the two-year-old bathroom revealed one (1) toilet that was not in working order.

Interview with a staff member revealed the toilet was not able to flush and is currently not working.

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 child care center failed to maintain hygienic practices in accordance with regulations. In the toddler room, the diaper changing pad on top of the diaper changing table was torn and tattered exposing fabric at the seams.

First Aid/Medication

In Compliance

Outdoor Play Area

Not In Compliance

745 - Playground Clean

Not In Compliance

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

(20) An outdoor play area shall be:

(c) Free from:

- 1. Litter;**
- 2. Glass;**
- 3. Rubbish; and**
- 4. Flammable materials;**

Findings:

General: Based on observation, the child care center failed to comply with regulations regarding outdoor play area. Observation of the small playground revealed there was a plastic storage bin filled with discarded art crafts.

Further observation revealed multiple discarded riding toys thrown about behind the shed.

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, the child care center failed to comply with regulations regarding outdoor play area. Observation of the small playground revealed a yellow snail crawl-through apparatus that was surrounded by overgrown weeds.

Inspection Report

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 child care center failed to comply with regulations regarding equipment. Observation in the play room revealed there was a blue throw rug with torn edges, exposing fabric at the seams, causing a tripping hazard.

Transportation

Not Applicable

Food Service/Food Program

In Compliance

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, the child care center failed to maintain food service in accordance with regulations. The center failed to ensure all equipment surfaces contacting food were clean and sanitary. The microwave had food debris and grease buildup on the inside walls and on the inside of the doors.

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 and interview, child care center failed to maintain children's records in accordance with regulatory requirements. The written record for eight (8) children with the enrollment dates of 06/01/2015, 08/01/2017, 10/20/2014, 01/15/2018, 10/22/2017, 01/02/2017, 01/31/2018 and 08/04/2014 failed to contain authorization by the parent for the center to seek emergency medical care for the child in the parent's absence.

The two records for (2) children with the enrollment dates of 01/02/2017 and 01/03/2018 did not contain a preferred hospital.

The record for a child with the enrollment date of 01/03/2018 did not contain family physician, a person designated to pick up the child, a person designated to be contacted in case of an emergency situation and a status of the child's general health and medical history.

Interview with the director revealed the requested documentation was unavailable at the time of survey.

Observation on the playground revealed the sole supervising adult was a third party Soccer Shots coach caring for three (3) two and three-year-old children at the time of survey from 9:42am until 10:05 am. Further observation revealed the same aforementioned third party Soccer Shots coach was the sole supervising adult caring for another group of four (4) three and four-year-old children at the time of survey from 10:05am to 10:20am on the playground.

Interview with the director revealed the requested written permission from the parents for the third party Soccer Shots professional was unavailable at the time of survey.

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(2)(U).

Findings:

General: Based on review of documentation and interview with the director, the child care center failed to maintain written documentation in accordance with regulatory requirements. The child care center director did not present for review a current 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 that had been submitted to the local emergency management team. Interview with the director revealed the requested documentation was unavailable at the time of survey.

1160 - Daily Attendance Records

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

(c) Daily attendance records documenting the arrival and departure time of each child, including records that are required in accordance with 922 KAR 2:160, Section 13, if a child receives services from the child-care center through the Child Care Assistance Program;

Findings:

General: Based on review of documentation and interview, the child care center failed to comply with regulations regarding written documentation. Review of the attendance records and interview with the director revealed not all twenty-nine (29) children present during time of survey were signed into the daily attendance records; only twenty-seven (27) were signed into the daily attendance record for that day.

1170 - Professional Development

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

(f) A written annual plan for child-care staff professional development;

Findings:

General: Based on review of documentation and interview, the child care center failed to maintain written documentation in accordance with regulations. Review of staff files revealed a professional development plan was not presented for review at the time of survey for the staff member with hire date of 06/21/2017. Interview with the director revealed the requested documentation was unavailable at the time of 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 review of documentation and interview, the child care center failed to comply with regulations regarding posted documentation. Review of posted documentation revealed the Statement of Deficiencies issued by the cabinet and Plan of Corrections submitted by the center during the current licensure year were not readily available. Interview with the director revealed the requested documentation was unavailable at the time of survey.

Animals

Not Applicable

Signature of Provider/Representative

Title

Date