



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

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Inspector General

**Inspection Report**

|   |                                       |   |
|---|---------------------------------------|---|
| <b>Provider Name:</b> West End Kids Academy                   | <b>Provider Information</b>           | <b>CLR No:</b> L383500                  |
| <b>Provider Address:</b> 135 Memorial Dr., Paducah, KY, 42001 | <b>Provider Type:</b> LICENSED TYPE I | <b>Capacity:</b> 71                     |
| <b>Owner(s):</b> West End Kids Academy, LLC                   |                                       | <b>Director(s):</b> Hayes, Patricia Ann |

|   |   |                              |
|---|---|------------------------------|
| <b>Inspection Type:</b> Renewal Application | <b>Inspection Information</b>             | <b>Inspection No:</b> 278618 |
| <b>Date Initiated:</b> 04/16/2019 10:15 AM  | <b>Date Concluded:</b> 04/16/2019 2:40 PM |                              |
|   | <b>No. of Children Present:</b> 55        |                              |

| <b>Inspection Report</b>   |                          |
|--|--------------------------|
| <b>Background Checks</b>   | <b>In Compliance</b>     |
| <b>Supervision</b>   | <b>Not In Compliance</b> |
| <b>90 - Children Supervised</b>  | <b>Not In Compliance</b> |
| <b>922 KAR 2:120. Section 2. Child Care Services.</b><br><b>(3)(a) Each center shall maintain a child-care program that assures each child will be:</b><br><b>1. Provided with adequate supervision at all times by a qualified staff person who ensures the child is:</b><br><b>a. Within scope of vision and range of voice; or</b><br><b>b. For a school-age child, within scope of vision or range of voice;</b>   |                          |
| <b>Findings:</b><br>General: Based on observation, two (2) boys were unsupervised in a restroom located between the preschool and pre-k rooms. The restroom door was partially opened on the pre-k side and the surveyor observed the children in the restroom, for three (3) minutes, playing with their pants down. The responsible caregiver, hired on 9/17/18, was at the opposite end of the classroom preparing the children's plates for lunch. The children were not with the caregiver's scope of vision. |                          |
| <b>Staffing Requirements</b>   | <b>In Compliance</b>     |
| <b>General Administration</b>  | <b>In Compliance</b>     |
| <b>Director Requirements</b>   | <b>Not In Compliance</b> |
| <b>340 - Staff Meeting</b>   | <b>Not In Compliance</b> |
| <b>922 KAR 2:090. Section 10. Director Requirements and Responsibilities.</b><br><b>(1) A director shall:</b><br><b>(i) Conduct, manage, and document in writing recurring staff meetings;</b>   |                          |
| <b>Findings:</b><br>General: Based on interview, the director stated staff meetings were not documented.   |                          |
| <b>345 - Staff Evaluation</b>  | <b>Not In Compliance</b> |
| <b>922 KAR 2:090. Section 10. Director Requirements and Responsibilities.</b><br><b>(1) A director shall:</b><br><b>(j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;</b>   |                          |
| <b>Findings:</b><br>General: Based on review of documentation, a caregiver hired on 1/27/16, had an evaluation on file dated March 2016 to March 2017. A caregiver hired on 2/15/16, had an evaluation on file dated 4/12/18, and three (3) caregivers, hired on 1/27/16, 11/8/16, and 2/1/16, each had an evaluation on file dated 2/1/18 to 2/28/19.   |                          |

| Inspection Report   |                          |
|---|--------------------------|
| Employee Records  | Not In Compliance        |
| <b>390 - Educational Requirements</b>   | <b>Not In Compliance</b> |
| <p><b>922 KAR 2:090. Section 11. Staff Requirements.</b></p> <p><b>(1) Child-care center staff:</b></p> <p><b>(a) Hired after January 1, 2009, who have supervisory power over a minor and are not enrolled in secondary education, shall have a:</b></p> <ol style="list-style-type: none"> <li><b>1. High school diploma;</b></li> <li><b>2. GED or qualifying documentation from a comparable educational entity; or</b></li> <li><b>3. Commonwealth Child Care Credential as described in 922 KAR 2:250;</b></li> </ol>   |                          |
| <p><b>Findings:</b></p> <p>General: Based on review of documentation, a caregiver hired on 10/22/18, had no education documents on file.</p>  |                          |
| <b>395 - TB Verification</b>  | <b>Not In Compliance</b> |
| <p><b>922 KAR 2:090. Section 11. Staff Requirements.</b></p> <p><b>(1) Child-care center staff:</b></p> <p><b>(b) Shall provide, prior to employment and every two (2) years thereafter:</b></p> <ol style="list-style-type: none"> <li><b>1. A statement from a health professional that the individual is free of active tuberculosis; or</b></li> <li><b>2. A copy of negative tuberculin results.</b></li> </ol>  |                          |
| <p><b>Findings:</b></p> <p>General: Based on review of documentation, three (3) caregivers, hired on 10/22/18, 9/17/18, and 3/20/19, did not have TB documentation on file.</p>   |                          |
| <b>410 - Training</b>   | <b>Not In Compliance</b> |
| <p><b>922 KAR 2:090. Section 11. Staff Requirements.</b></p> <p><b>(16) In accordance with KRS 199.896(15) and (16), a staff person with supervisory authority over a child shall complete the following:</b></p> <p><b>(a) Six (6) hours of cabinet-approved orientation within the first three (3) months of employment;</b></p> <p><b>(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</b></p> <p><b>(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.</b></p>  |                          |
| <p><b>Findings:</b></p> <p>General: Based on review of documentation, two (2) caregivers hired on 2/1/16 and 2/15/16, lacked three (3) hours of annual training. A caregiver hired on 1/27/16, lacked ten (10) hours of annual training. A caregiver hired on 11/8/16, lacked ten and a half (10 ½) hours of annual training. Also, a caregiver hired on 2/1/16, lacked six (6) hours of annual training.</p>   |                          |
| Programming   | Not In Compliance        |
| <b>430 - Electronic Viewing/Listening Devices</b>   | <b>Not In Compliance</b> |
| <p><b>922 KAR 2:120. Section 2. Child Care Services.</b></p> <p><b>(4) The child-care center shall provide a daily planned program:</b></p> <p><b>(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 the following:</b></p> <ol style="list-style-type: none"> <li><b>12. Use of electronic viewing and listening devices if the:</b> <ol style="list-style-type: none"> <li><b>a. Material is appropriate to the child using the equipment;</b></li> <li><b>b. Material does not include any violence, adult content viewing, or inappropriate language;</b></li> <li><b>c. Viewing or individual listening is limited to two (2) hours per day;</b></li> <li><b>d. Viewing or listening is discussed with parents prior to viewing or listening; and</b></li> <li><b>e. Viewing or listening is designed as an educational tool.</b></li> </ol> </li> <li><b>(5) A child who does not wish to use the electronic devices during the planned program shall be offered other appropriate activities.</b></li> </ol> |                          |
| <p><b>Findings:</b></p> <p>General: Based on observation, pop music was played in the toddler 1 room. The radio station was set on 96.5.</p>  |                          |
| Premises  | Not In Compliance        |
| <b>520 - Inaccessible Items</b>   | <b>Not In Compliance</b> |
| <p><b>922 KAR 2:120. Section 3. General Requirements.</b></p> <p><b>(7) The following shall be inaccessible to a child in care:</b></p> <ol style="list-style-type: none"> <li><b>(a) Toxic cleaning supplies, poisons, and insecticides;</b></li> <li><b>(b) Matches, cigarettes, lighters, and flammable liquids; and</b></li> <li><b>(c) Personal belongings and medications of staff.</b></li> </ol>  |                          |
| <p><b>Findings:</b></p> <p>General: Based on observation, a brown purse, an open can of Sprite, and a bottle of Dr. Pepper were on a desk in the preschool room. These items were accessible to the children in care.</p>   |                          |

**560 - Building Requirements**

**Not In Compliance**

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

**(5) The building shall be constructed to ensure the:**

**(a) Building is:**

- 1. Dry;**
- 2. Ventilated; and**
- 3. Well lit, including clean light fixtures that are:**
  - a. In good repair in all areas; and**
  - b. Shielded or have shatter-proof bulbs installed; and**

**(b) Following are protected:**

- 1. Windows;**
- 2. Doors;**
- 3. Stoves;**
- 4. Heaters;**
- 5. Furnaces;**
- 6. Pipes; and**
- 7. Stairs.**

**Findings:**

General: Based on observation, a light fixture was not shielded and did not have a shatter proof bulb in the restroom between the toddler 2 room and the two-year-olds' room.

**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 registered at sixty-three (63) degrees Fahrenheit at a sink in the toddler 2 room.

**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, a bottle of amoxicillin medication was not locked in a refrigerator in the infants' room. A tube of Desitin Rapid Relief Diaper Ointment, a pack of Nexium Oral Suspension, a tube of Aquaphor Healing Ointment, and a tube of Boudreaux's Butt Paste were all in the children's cubbies and not labeled to indicate to whom each belonged in the infants' room.

| Inspection Report   |  |                          |
|---|--|--------------------------|
| Outdoor Play Area   |  | Not In Compliance        |
| <b>755 - Protective Surface</b>   |  | <b>Not In Compliance</b> |
| <b>922 KAR 2:120. Section 4. Premises Requirements.</b><br><b>(21) A protective surface shall:</b><br><b>(a) Be provided for outdoor play equipment used to:</b><br><b>1. Climb;</b><br><b>2. Swing; and</b><br><b>3. Slide; and</b><br><b>(b) Have a fall zone equal to the height of the equipment.</b>   |  |                          |
| <b>Findings:</b><br>General: Based on observation, there was a sparse pea gravel and dirt underneath two (2) swings located in the outdoor play area.   |  |                          |
| Equipment   |  | Not In Compliance        |
| <b>800 - Twelve Inch Spacing</b>  |  | <b>Not In Compliance</b> |
| <b>922 KAR 2:120. Section 6. Sleeping and Napping Requirements.</b><br><b>(6) Cots, equipment, and furnishings used for sleeping and napping shall be spaced twelve (12) inches apart to allow free and safe movement by a person.</b>  |  |                          |
| <b>Findings:</b><br>General: Based on observation, a crib was six (6) inches from one crib and nine (9) inches from another crib. A crib was placed against a wall and was eight (8) inches from another crib. A crib was placed nine and a half (9 ½) inches from another crib. These cribs were located in the infants' room.   |  |                          |
| <b>820 - Indoor/Outdoor Equipment</b>   |  | <b>Not In Compliance</b> |
| <b>922 KAR 2:120. Section 11. Toys and Furnishings.</b><br><b>(2) Indoor and outdoor equipment shall:</b><br><b>(a) Be clean, safe, and in good repair;</b><br><b>(b) Meet the physical, developmental needs, and interests of children of different age groups;</b><br><b>(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</b><br><b>(d) Be designed to guard against entrapment or situations that may cause strangulation.</b>  |  |                          |
| <b>Findings:</b><br>General: Based on observation, the Plexiglas of two (2) cribs had smudges and smears in the toddler 1 room. Two (2) Graco highchairs did not have restraint belts in the toddler 1 room. These highchairs had a warning label which stated, "To prevent serious injury or death from falls or sliding out always secure child in the restraint." A child was placed in a Fisher Price highchair that did not have a restraint belt in the toddler 2 room. Also, a blue highchair had no restraint belt located in the infants' room. An Angeles Rider Tricycle was missing both foot pedals in the outdoor play area. |  |                          |
| Transportation  |  | Not Applicable           |
| Food Service/Food Program   |  | In Compliance            |
| Food Service  |  | Not In Compliance        |
| <b>1050 - Bottles</b>   |  | <b>Not In Compliance</b> |
| <b>922 KAR 2:120. Section 8. Kitchen Requirements.</b><br><b>(9) Bottles shall be:</b><br><b>(a) Individually labeled;</b><br><b>(b) Promptly refrigerated;</b><br><b>(c) Covered while not in use; and</b><br><b>(d) Consumed within one (1) hour of being heated or removed from the refrigerator.</b>  |  |                          |
| <b>Findings:</b><br>General: Based on observation, four (4) Dr. Brown's Bottles, one (1) blue whale-printed bottle, one (1) MAM bottle, one (1) cookie monster bottle, and one (1) Mickey Mouse bottle were not labeled to indicated to whom each belonged. This bottles were in a refrigerator in the toddler 1 room. In addition, one (1) Dr. Brown's Bottle was not covered in the toddler 1 room.   |  |                          |
| Children's Records  |  | In Compliance            |
| Written Documentation   |  | Not In Compliance        |
| <b>1170 - Professional Development</b>  |  | <b>Not In Compliance</b> |
| <b>922 KAR 2:090. Section 9. Records.</b><br><b>(1) A child-care center shall maintain:</b><br><b>(f) A written annual plan for child-care staff professional development;</b>  |  |                          |
| <b>Findings:</b><br>General: Based on review of documentation, two (2) caregivers hired on 1/27/16 and 2/1/16, each had a professional development plan on file dated 4/12/18.  |  |                          |

**Inspection Report****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 posted statement of deficiencies and plan of corrections were dated 1/27/16 and 5/2/16. However, there was no current statement of deficiencies and plan of corrections posted for the current licensure year.

**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 observation, there was no date on the posted schedule of daily activities in the toddler 2 room, two-year-olds' room, preschool room, and pre-K room.

**Animals****Not Applicable**

Signature of  
Provider/Representative

Title

Date