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**Inspection Report**

|   |                                       |   |
|---|---------------------------------------|---|
| <b>Provider Name:</b> Creative Minds Development Center       | <b>Provider Information</b>           | <b>CLR No:</b> L383505                  |
| <b>Provider Address:</b> 2901 Ohio Street, Paducah, KY, 42003 | <b>Provider Type:</b> LICENSED TYPE I | <b>Capacity:</b> 40                     |
| <b>Owner(s):</b> Creative Minds Development Center LLC        |                                       | <b>Director(s):</b> Brooks, Renda Lenay |

|   |  |                              |
|---|--|------------------------------|
| <b>Inspection Type:</b> Renewal Application | <b>Inspection Information</b>              | <b>Inspection No:</b> 279047 |
| <b>Date Initiated:</b> 05/20/2019 9:30 AM   | <b>Date Concluded:</b> 05/20/2019 12:00 PM |                              |
|   | <b>No. of Children Present:</b> 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 and review of documentation, a staff, hired on 04/22/19, did not have backgrounds checks on file from Illinois and supervised eight (8) children alone from 9:30 am to 10:30 am.

**20 - Out of state background checks**

**Not In Compliance**

**922 KAR 2:280. Section 5. Checks of Other States.**

- (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:
  - (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:
    - 1. An in-state criminal records check by:
      - 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
  - (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.

**Findings:**

General: Based on interview and review of documentation, a staff, hired on 04/10/18, did not submit background checks to Illinois and Arkansas. A staff, hired on 04/22/19, did have backgrounds checks on file from Illinois.

**Supervision**

**In Compliance**

**Inspection Report**

**Staffing Requirements**

**In Compliance**

**General Administration**

**Not In Compliance**

**275 - Abuse/Neglect Report Procedure**

**Not In Compliance**

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

**(3)(b) The program shall include:**

- 1. A procedure to ensure compliance with and inform child care staff of the laws of the Commonwealth pertaining to child abuse or neglect set forth in KRS 620.030;**

**Findings:**

General: Based on review of documentation, the center did not have a child abuse and neglect policy in writing.

**290 - Fire Marshal/Zoning Compliance**

**Not In Compliance**

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

- (2) A child-care center shall be in compliance with the State Fire Marshal and the local zoning laws.**

**Findings:**

General: Based on interview and review of documentation, the most current Fire Marshal inspection report was dated 01/22/16.

**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, a staff, hired on 02/24/16, had an annual written performance evaluation on file that was dated 02/26/18. A staff, hired on 09/27/16, had an annual written performance evaluation on file that was dated 09/27/17. A staff, hired on 08/22/17, and a staff, hired on 04/10/18, did not have an annual written performance evaluation on file. A staff, hired on 04/15/16, had an annual written performance evaluation on file that was dated 04/16/18.

**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 and review of documentation, a staff, hired on 04/22/19, did have background checks on file from Illinois and supervised eight (8) children alone from 9:30 am to 10:30 am.

**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, a staff, hired on 04/22/19, did not have education verification on file.

**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 review of documentation, a staff, hired on 04/22/19, did not have TB documentation on file.

**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, a director, hired on 02/24/16, completed two (2) hours of cabinet approved training during a subsequent year of employment. A staff, hired on 02/24/16, did not have documentation of completing any cabinet approved training hours during a subsequent year of employment. A staff, hired on 04/10/18, completed six (6) hours of cabinet approved training the first year of employment and did not complete one and a half (1 ½) hours of cabinet approved pediatric abusive head trauma training. A staff, hired on 04/15/16, completed ten and a half (10 ½) hours of cabinet approved training during a subsequent year of employment.

**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 interview and review of documentation, the program of activities was not developed and posted in the two and three-year-olds' room.

**480 - Infant/Toddler Combined with Older Children**

**Not In Compliance**

**922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.**

- (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.**
- (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:**
  - (a) Space for the toddler is available in the preschool-age group;**
  - (b) The staff-to-child ratios and group sizes are maintained based on the age of the youngest child;**
  - (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**
  - (d) The child care center has obtained the signature and approval of the toddler's parent on the toddler's transition plan.**

**Findings:**

General: Based on interview and review of documentation, six (6), two-year-old toddlers were combined with two (2) three-year-olds, and were not in a transition program in the two-and-three-year olds' room.

**495 - Bedding/Toys in Crib**

**Not In Compliance**

**922 KAR 2:120. Section 6. Sleeping and Napping Requirements.**

- (3) Rest time shall include adequate space specified by the child's age as follows:**
  - (a) For an infant:**
    - 3. No loose bedding, such as a bumper or a blanket; and**
    - 4. No toys or other items except the infant's pacifier;**

**Findings:**

General: Based on observation, an infant slept in a crib with a bib around her neck in the infants' room.

Inspection Report

Premises

Not In Compliance

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, small green plastic bags were stored on the open shelf under the diapering station in the infants' restroom and the toddlers' restroom. The plastic bags were accessible to children and were not a part of the planned program of instruction

Hygienic Practices

Not In Compliance

660 - Staff Hygiene/Handwashing

Not In Compliance

922 KAR 2:120. Section 3. General Requirements.

- (5) Staff shall:
  - (a) Maintain personal cleanliness;
  - (b) Conform to hygienic practices while on duty;
  - (c) Except as established in paragraph (d) of this subsection, wash their hands with liquid soap and running water:
    1. Upon arrival at the center;
    2. After toileting or assisting a child in toileting;
    3. Before and after diapering each child;
    4. After wiping or blowing a child's or own nose;
    5. After handling animals;
    6. After caring for a sick child;
    7. Before and after feeding a child or eating;
    8. Before dispensing medication;
    9. After smoking or vaping; and
    10. If possible, before administering first aid; and
  - (d) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (c) of this subsection. The staff shall wash the staff's hands as soon as practicable once liquid soap and warm running water are available.

Findings:

General: Based on observation, a caregiver failed to wash her hands with liquid soap and warm running water before diapering a child in the infants' room. A caregiver failed to wash her hand with liquid soap and warm running water after wiping the nose of a child in the infants' room.

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 anti-diarrhea syrup, a box of decongestant pills, and a bottle of stomach relief syrup were not labeled to indicate to whom they each belonged and were stored in an unlocked cabinet on the wall in the one-year-olds' room. A tub of protectant paste was stored unlocked on the open shelf under the diapering station in the infants' restroom.

**Inspection Report**

**Outdoor Play Area**

**Not In Compliance**

**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, an approximate ten-foot-long water hose was unraveled on the ground on the one-year-olds' playground. Black fabric weedblock was raised above the protective surface in several areas. The largest area measured approximately twelve (12) feet long and a foot high on the one-year-olds' playground. Black fabric weedblock was raised above the protective surface in three (3) areas on the two-year-olds' playground. The largest area measured three-feet-long and one (1) foot high.

**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, sparse protective surface was underneath a climbing and sliding apparatus on the one-year-olds' playground.

**Equipment**

**Not In Compliance**

**795 - Individual Bed/Mat/Cot and Bedding**

**Not In Compliance**

**922 KAR 2:120. Section 6. Sleeping and Napping Requirements.**

**(3) Rest time shall include adequate space specified by the child's age as follows:**

- (b) For a toddler or preschool-age child:**
  - 1. An individual bed, a two (2) inch thick waterproof mat, or cot in good repair; and**
  - 2. Bedding that is in good repair and is changed:**
    - a. Weekly; or**
    - b. Immediately if it is soiled or wet.**

**Findings:**

General: Based on observation, a tear, which exposed foam, was in ten (10) red and blue nap mats stored in the hallway.

**Transportation**

**Not Applicable**

**Food Service/Food Program**

**In Compliance**

**Food Service**

**Not In Compliance**

**1050 - Bottles**

**Not In Compliance**

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

**(9) Bottles shall be:**

- (a) Individually labeled;**
- (b) Promptly refrigerated;**
- (c) Covered while not in use; and**
- (d) Consumed within one (1) hour of being heated or removed from the refrigerator.**

**Findings:**

General: Based on observation, a bottle was not covered in the infants' room.

**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, a child, first date of attendance on 03/13/18, and a child first date of attendance on 04/24/18, did not have an immunization certificate on file.

Inspection Report

Written Documentation

Not In Compliance

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, three (3) children did not have a documented arrival time on 5/20/19.

1165 - Staff Schedule

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

(d) A written schedule of staff working hours;

Findings:

General: Based on interview and review of documentation, the schedule of staff working hours was not in writing.

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, a director, hired on 02/24/16, and a staff, hired on 02/24/16, each had an annual professional development plan on file that was dated 02/24/18. A staff, hired on 09/27/16, and a staff, hired on 04/10/18, each had an annual professional development plan on file that was dated 04/19/18. A staff, hired on 04/10/18, had an annual professional development plan on file that was dated 04/10/18. A staff, hired on 08/22/17, had a professional development plan on file that was dated 08/22/17. A staff, hired on 04/15/16, had a professional development plan on file that was dated 04/16/18.

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 interview and review of documentation, the center's statement of deficiency and plan of corrections for the current year were not posted.

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, a written daily schedule was not developed and posted in the one-year-olds' room and two and three-year-olds' room.

Animals

Not Applicable

Signature of Provider/Representative

Title

Date