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Inspection Report

Provider Name: Scribbles & Giggles Children's Academy	Provider Information Provider Type: LICENSED TYPE I	CLR No: L383560
Provider Address: 2900 Patti Lane, Jeffersontown, KY, 40299		Capacity: 52(Bldg 1: 0;Bldg 2: 0)
Owner(s): SCRIBBLES & GIGGLES CHILDREN'S ACADEMY, LLC		Director(s): Anthony-Clemons, Evette Mae

Inspection Type: Renewal Application	Inspection Information	Inspection No: 247489
Date Initiated: 11/28/2018 9:00 AM	Date Concluded: 11/28/2018 12:40 PM	
	No. of Children Present: 23	

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 April 1, 2018, shall:</p> <p>(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</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>	
<p>Findings:</p> <p>General: Based on review of documentation and interview, the child care center failed to comply with regulatory requirements regarding background checks. Upon request, the staff member in charge did not present verification that a file for an individual identified by the staff member in charge as a "volunteer" with a hire date of 11/07/18 contained the results of a completed background check. Observation revealed that the aforementioned volunteer was the sole caregiver of five (5) children in the Infant Room for the duration of the survey, from 9:00 am to 12:40 pm. Review of the KARES database confirmed that the aforementioned individual submitted her fingerprints but the results of the completed background check had not been received and the individual did not have an 'eligible' employment status at the time of the inspection and prior to having sole supervisory responsibility over children. Additionally, review of staff files and the KARES database revealed that staff members with hire dates of 09/13/16, 12/12/16, and 02/02/17 submitted their fingerprints for background checks in November 2018; therefore, the center did not comply with the regulation requiring the staff members to submit their fingerprints for a background check before 09/30/18.</p>	

Inspection Report

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 review of documentation, and interview, the child care center failed to comply with regulatory requirements in regard to background checks. Upon request, the staff member in charge did not present an out of state background check for the states of Nevada and New Mexico for a staff member with a hire date of 11/15/18. The staff member was not observed working at the time of the survey, but an interview with the staff member in charge revealed that she has previously worked as the sole caregiver to the children in the center.

Supervision

In Compliance

Staffing Requirements

In Compliance

General Administration

Not In Compliance

155 - Liability Insurance

Not In Compliance

922 KAR 2:090. Section 6. License Issuance.

(8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:

(d) Provide written proof of liability insurance coverage of at least \$100,000 per occurrence;

Findings:

General: Based on review of documentation and interview, the child care center failed to maintain written documentation in accordance with regulatory requirements. Upon request, the staff member in charge did not present verification that current commercial liability insurance had been obtained. Interview with the staff member in charge revealed the documentation was not available at the time of the survey.

245 - Staff Awake on Duty

Not In Compliance

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

(13) Each staff person shall remain awake while on duty except as specified in 922 KAR 2:120, Section 2(11)(f).

Findings:

General: Based on observation, the child care center failed to comply with regulatory requirements. Observation of the Preschool Room during naptime at 12:00 pm revealed the sole caregiver of eight children, ages three (3) to four (4) years old, identified by the staff member in charge as a volunteer, was asleep in a chair. The individual had her eyes closed and could be heard snoring.

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 director failed to assure compliance with regulatory requirements. Upon request, the staff member in charge did not present verification that an annual written performance evaluation had been conducted for staff members with hire dates of 09/13/16 and 02/02/17.

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. Observation of the Infant Room revealed an individual who was identified as a volunteer, but who was the sole caregiver of the children in the room, was sitting in a chair and feeding a bottle to an infant. The volunteer picked up another infant who was crawling near her with one arm while she fed the aforementioned infant. After a few moments, the volunteer put the infant she picked up back on the ground by sliding the infant down her leg, and then lifting the infant by the upper arm, as the infant's feet dangled, and placed her on the ground. Observation of the bathroom in the Preschool Room revealed a toilet brush and plunger were located next to the toilet, and accessible to the children in care.

365 - Altered/Falsified Records

Not In Compliance

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

(1) A director shall:

- (o) Assure each mandatory record specified in Section 9 of this administrative regulation has not been altered or falsified;**

Findings:

General: Based on review of documentation and interview, the child care center director failed to assure compliance with regulatory requirements. A Tuberculin (PPD) Screening Form presented for review at the time of survey for a staff member with a hire date of 09/13/16 appeared to be visibly altered. The date listed on the form as the date the test was administered was 2/1/17, and the date listed on the form as the date the test was read was 5/26/17. The year on both of the dates appeared to be whited out, with another year written in its place. On 11/29/18, an interview with the Louisville Metro Department for Public Health Tuberculosis Prevention and Control Program, which administered the test, revealed that the date of the last PPD screening for the aforementioned staff member was 05/26/16. In addition, a Tuberculin (PPD) Screening card presented for review at the time of survey for a volunteer with a hire date of 12/15/16, who was the sole caregiver of a group of children at the time of the survey, appeared to be visibly altered. The date listed on the card was 10/31/18, and the year appeared to have been altered. On 11/29/18, an interview with the Louisville Metro Department for Public Health Tuberculosis Prevention and Control Program, which administered the test, revealed that the date of the last PPD screening for the aforementioned staff member was 10/31/16; therefore, both PPD tests were confirmed to have been altered.

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 review of documentation and interview, the child care center failed to maintain employee files in accordance with regulatory requirements. Upon request, the staff member in charge did not present a personnel file containing the name, address, date of birth, and date of employment; documentation of compliance with tuberculosis screening; proof of educational qualifications; and the results of background checks for a staff member with a hire date of 11/21/18. Interview with the staff member in charge revealed that the documentation was not available 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 review of documentation, and interview, the child care center failed to maintain employee records in accordance with regulatory requirements. Upon request, the staff member in charge did not present verification that the file for a staff member with hire date of 11/15/18 contained a high school diploma, GED or qualifying documentation from a comparable educational entity; or Commonwealth Child Care Credential. The document presented at the time of the survey was a transcript, which listed a space for the registrar to sign, but it was not signed. The document also did not list a graduation date, or provide any indication that the aforementioned staff member had graduated from the facility.

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 and interview, the child care center failed to maintain employee records in accordance with regulatory requirements. Upon request, the staff member in charge did not present verification that the file for a staff member with a hire date of 09/13/16 and a volunteer who was the sole care giver of a group of children at the time of the survey with a hire date of 12/15/16 contained a current statement from a health professional that the individual is free of active tuberculosis; or a copy of negative tuberculin results.

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 regulatory requirements. Upon request, the staff member in charge did not present verification that staff members with hire dates of 09/13/16, 12/12/16 and 02/02/17 had completed fifteen (15) annual hours of cabinet approved early care and education training. Review of ECE-TRIS reports revealed that the training hours were not completed within the employees' review period. Further review revealed the file for a staff member with a hire date of 02/02/17 did not contain verification that the staff member had completed one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training within the past five (5) years.

Inspection Report

Programming

Not In Compliance

445 - Waiting Period

Not In Compliance

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

- (8) A child shall not be required to stand or sit for a prolonged period of time:**
 - (a) During an activity;**
 - (b) While waiting for an activity to start; or**
 - (c) As discipline.**

Findings:

General: Based on observation, the child care center failed to comply with programming activities. Observation of the Toddler Room revealed that from 9:05 am- 09:25 am, eight (8) children sat in a feeding table with no food or activities offered to them. The staff member present said to the children "Are you ready?" several times, but did not offer an activity. Interview with the staff members revealed the children were one (1) and two (2) years old.

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 of the Two (2) Year Old Room revealed a staff member's purse was on a low toy shelf and accessible to the children in care. Observation of the Toddler Room revealed a staff member's purse was on a chair and accessible to the children in care.

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 child care center failed to maintain the premises in accordance with regulatory requirements. Observation of the Preschool Room revealed two (2) separate areas of chipped paint located on the wall between the cubbies and door leading to the playground.

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 child care center failed to maintain the premises in accordance with regulatory requirements. Observation of the sink in the Preschool bathroom revealed it was not equipped with liquid soap.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

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, the child care center failed to maintain an outdoor play area in accordance with regulatory requirements. Observation of the playground revealed the plexiglass on the window near the ground, located on the building by the garden hose, was broken, exposing jagged, sharp edges to the children in care.

Equipment

In Compliance

Transportation

Not Applicable

Food Service/Food Program

In Compliance

Inspection Report

Food Service

Not In Compliance

1025 - Refrigerator

Not In Compliance

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

- (4) A cold-storage facility used for storage of perishable food in a nonfrozen state shall:
 - (a) Have an indicating thermometer or other appropriate temperature measuring device;
 - (b) Be in a safe environment for preservation; and
 - (c) Be forty (40) degrees Fahrenheit or below.

Findings:

General: Based on observation, the child care center failed to maintain food service in accordance with regulatory requirements. Observation of the mini refrigerator in the Infant Room revealed that it did not contain a thermometer or other appropriate temperature-measuring device.

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 regulatory requirements. Observation of the refrigerator and freezer in the kitchen revealed the shelves were soiled with debris and an unknown substance. Observation of the toaster oven revealed an accumulation of burned food was located on the bottom portion of the apparatus. Observation of the microwave revealed it was soiled with food particles.

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, the child care center failed to maintain food service in accordance with regulatory requirements. Observation of the mini refrigerator in the Infant Room revealed one bottle was not labeled.

1075 - Bottle Preparation by Parent

Not In Compliance

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

- (4) Formula or breast milk provided by the parent shall be prepared and labeled.

Findings:

General: Based on observation, the child care center failed to maintain food service in accordance with regulatory requirements. Observation of the Infant Room revealed a staff member mixed formula from a large container with water from the faucet for a child's bottle, which was not prepared by the child's parent.

1130 - Menu

Not In Compliance

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

- (16) A weekly menu shall be:
 - (a) Prepared;
 - (b) Dated;
 - (c) Posted in advance in a conspicuous place;
 - (d) Kept on file for thirty (30) days; and
 - (e) Amended in writing with any substitutions on the day the meal is served.

Findings:

General: Based on review of documentation, the child care center failed to maintain food service in accordance with regulatory requirements. Review of the weekly menu revealed that there was no date listed.

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, the child care center failed to maintain children's records in accordance with regulatory requirements. Review of ten (10) children's files revealed the enrollment records in all ten (10) files did not include authorization by the parent for the provider to seek emergency medical care for the child in the parent's absence. The staff member in charge acknowledged that the missing information was not included on any of the enrollment forms. Continued review revealed the file for a child with an enrollment date of 1/21/16 did not contain a preferred hospital.

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 review of documentation and interview, the child care center failed to maintain written documentation in accordance with regulatory requirements. Upon request, the staff member in charge did not present a current written evacuation plan.

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 post documentation in accordance with regulatory requirements. Review of posted documentation revealed that the civil penalties received in the current licensure year were not posted. Interview with the staff member in charge revealed she was not aware the documentation was required to be 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 review of documentation, the child care center failed to post documentation in accordance with regulatory requirements. Review of posted documentation in the Infant, Toddler, Two (2) Year Old, Preschool, and School Age rooms revealed that the daily schedule of activities, which included the dates and times of activities to be conducted, were not current.

Animals

Not Applicable

Signature of Provider/Representative

Title

Date