



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: Young Kids Academy II	Provider Information	CLR No: L383662
Provider Address: 6501 Shepherdsville Rd., Louisville, KY, 40228	Provider Type: LICENSED TYPE I	Capacity: 49(Bldg 1: 49)
Owner(s): Young NonProfit Foundation, INC.		Director(s): Young, Jacque DeShay

Inspection Type: Renewal Application	Inspection Information	Inspection No: 246152
Date Initiated: 09/14/2018 9:00 AM	Date Concluded: 09/14/2018 2:00 PM	
	No. of Children Present: 19	

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 observation and review of documentation, the child care center failed to maintain background checks in accordance with regulatory requirements. Observation of the nemo and nemo 2 room revealed two (2) staff members escorted all of the children from both rooms except for one (1) child. After the children and two (2) staff members exited the room and went toward the eating area out of view, observation revealed a staff member with the hire date 9/3/18 was left in the nemo room alone with one (1) child. The staff member then changed the child's diaper with no other staff member in the room. Review of the staff file for the staff member with the hire date 9/3/18 revealed there was not a completed background check on file. The file did contain documentation that the staff member with the hire date 9/3/18 had submitted fingerprints on 8/28/18.</p>	

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, the child care center failed to maintain background checks in accordance with regulatory requirements. Review of presented staff files revealed a high school diploma from Virginia dated for 2016 for a staff member with the hire date 4/16/18; however, the file did not contain a criminal record check, a sex offender registry and a child abuse and neglect registry check for the state of Virginia.

Supervision

Not In Compliance

90 - Children Supervised

Not In Compliance

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

(3)(a) Each center shall maintain a child-care program that assures each child will be:

1. Provided with adequate supervision at all times by a qualified staff person who ensures the child is:

- a. Within scope of vision and range of voice; or**
- b. For a school-age child, within scope of vision or range of voice;**

Findings:

General: Based on observation and interview, the child care center failed to maintain adequate supervision in accordance with regulatory requirements. Observation of the nemo and nemo 2 room revealed there was one (1) staff member to supervise the children in both rooms. Observation of the rooms revealed they are divided by a wall that is made with equipment (furniture and a large changing station). Observation revealed the one (1) staff member squatted down beside the changing station with her back to the children; the surveyor went to that area and was observing children, two (2) children were behind a shelf out of the scope of vision at that time. Observation of the nemo and nemo 2 room revealed at 9:31 a.m. while the surveyor was standing beside the one (1) staff member that was positioned in the nemo room was unable to see two (2) two-year-old children who were in the nemo 2 room. When the surveyor walked around to the nemo 2 room, the two (2) aforementioned children were behind a shelf out of the scope of vision from the nemo room. The surveyor went back to the nemo room and one (1) of the two-year-old children came into the scope of vision, then at 9:34 a.m. the second child came into the scope of vision of the staff member in the nemo room. Interview with a staff member revealed the age of the children in the nemo 2 room is two-years-old. At 9:35 a.m. another staff member arrived and began to care for the children in the nemo 2 room.

Staffing Requirements

In Compliance

General Administration

In Compliance

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, a staff evaluation was not presented for review for three (3) staff members with the hire date of 7/10/17.

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 summer camp room revealed two (2) heavy boxes propped against a wall. Observation of the red bathroom revealed a plunger beside the toilet accessible to children.

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, the child care center director failed to assure compliance with regulatory requirements. Observation of the nemo and nemo 2 room revealed two (2) staff members escorted all of the children from both rooms except for one (1) child. After the children and two (2) staff members exited the room and went toward the eating area out of view, observation revealed a staff member with the hire date 9/3/18 was left in the nemo room alone with one (1) child. The staff member then changed the child's diaper with no other staff member in the room. Review of the staff file for the staff member with the hire date 9/3/18 revealed there was not a completed background check on file.

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, a high school diploma, GED or Commonwealth Child Care Credential was not presented for review for four (4) staff members with the hire dates; 9/4/18, 4/14/18, 3/12/18 and 4/6/18.

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, written documentation from a health care professional was not presented for review to verify that two (2) staff members with the hire dates 9/3/18 and 9/4/18 was free from active TB. Review of two (2) additional documents stating two staff members with the hire dates 3/12/18 and 4/14/18 were free from active TB revealed the owner/director was the person who had signed them. There was an address of a medical facility on the two (2) aforementioned documents, and there were two (2) different telephone numbers for the medical facility. The aforementioned TB test were submitted to the medical facility that was listed on them for verification of authenticity. Review of documentation from the medical facility revealed the TB test were not performed at the medical facility listed on them.

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. Review of presented staff files revealed three (3) staff members with the hire dates 6/23/17 and 7/10/17 did not have on file verification of completion of Fifteen (15) hours of cabinet-approved early care and education training. Review of the ECE TRIS report did not verify the training hours were completed. Interview with the staff in charge revealed she was not able to verify the training hours were completed. Upon request, the staff member in charge did not provide verification that three (3) staff members with hire dates; 4/16/18, 3/12/18 and 4/6/18 completed six (6) hours of cabinet-approved orientation within the first three (3) months of their employment. Upon request documentation was not presented to verify that a staff member with the hire date 7/10/17 had completed one and one half (1 ½) hours of cabinet-approved pediatric abusive head trauma training to be current.

Programming

In Compliance

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, the child care center failed to maintain the premises in accordance with regulatory requirements. Observation of the summer camp room revealed a ceiling tile not secured in place that was located by the gray door.

Inspection Report

Hygienic Practices

Not In Compliance

655 - Child Personal Care/Handwashing

Not In Compliance

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

(4) A child shall:

- (a) Be helped with personal care and cleanliness based upon his or her developmental skills;
- (b) Except as established in paragraph (c) of this subsection, wash his or her hands with liquid soap and warm running water:
 - 1. a. Upon arrival at the center; or
 - b. Within thirty (30) minutes of arrival for school-age children;
 - 2. Before and after eating or handling food;
 - 3. After toileting or diaper change;
 - 4. After handling animals;
 - 5. After touching an item or an area of the body soiled with body fluids or wastes; and
 - 6. After outdoor or indoor play time; and
- (c) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (b) of this subsection. The child shall wash the child's hands as soon as practicable once liquid soap and warm running water are available.

Findings:

General: Based on observation, the child care center failed to comply with hygienic practices in accordance with regulatory requirements. Observation of the nemo room revealed a child arrived for care and went right into the classroom and began to use the materials without washing his hands. Observation of the nemo 2 room revealed a staff member changed three (3) children's diaper then placed each child back in the classroom area without washing their hands; the children were then observed using materials in the classroom.

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, the child care center failed to comply with hygienic practices in accordance with regulatory requirements. Observation of the nemo 2 room revealed a staff member changed three (3) children's diaper without washing her hands between each diaper change and at the end of the diaper changes.

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 comply with hygienic practices in accordance with regulatory requirements. Observation of the changing area located in the infant room revealed the changing pad was torn, exposing the inside absorbent material.

First Aid/Medication

In Compliance

Outdoor Play Area

In Compliance

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 maintain equipment in accordance with regulatory requirements. Observation of the nemo older room revealed the yellow sink in the children's sized kitchen set was cracked. Observation of the nemo 2 room revealed the red sink in the children's kitchen set was cracked. Observation of the summer camp room revealed a soiled circle rug.

Transportation

In Compliance

Food Service/Food Program

In Compliance

Food Service

Not In Compliance

1010 - Kitchen Requirements

Not In Compliance

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

- (1) The kitchen shall:**
 - (a) Be clean;**
 - (b) Be equipped for proper food:**
 - 1. Preservation;**
 - 2. Storage;**
 - 3. Preparation; and**
 - 4. Service;**
 - (c) Be adequately ventilated to the outside air; and**
 - (d) Except in a Type II child-care center when a meal is not being prepared, not be used for the activity of a child.**

Findings:

General: Based on observation, the child care center failed to maintain food service in accordance with regulatory requirements. Observation of the kitchen revealed there was not ventilation to outside air.

1030 - Frozen Food

Not In Compliance

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

- (5) Frozen food shall be:**
 - (a) Kept at a temperature of zero degrees Fahrenheit or below; and**
 - (b) Thawed:**
 - 1. At refrigerator temperatures;**
 - 2. Under cool, potable running water;**
 - 3. As part of the cooking process; or**
 - 4. By another method in accordance with the Department of Public Health's food safety standards and permits, established in KRS Chapter 217.**

Findings:

General: Based on observation, the child care center failed to maintain food service in accordance with regulatory requirements. Observation of the freezer in the kitchen revealed the thermometer registered nine (9) degrees Fahrenheit.

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 refrigerator located in the infant room revealed a bottle that was not covered.

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 and interview, the child care center failed to maintain children's records in accordance with regulatory requirements. Upon request, a current immunization certificate was not presented for a child with the enrollment date 7/31/18.

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 following 1. Five (5) files did not contain information for the parents preferred hospital; 2. Two (2) files did not contain the name and phone number of each person to be contacted in an emergency involving or impacting the child; 3. One (1) file did not contain the information for the family physician; 4. One (1) file, the parent did not sign the written record; and 5. One (1) file did not contain authorization by the parent for the child care center to seek emergency medical care for the child in the parent's absence.

Written Documentation

Not In Compliance

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 review of documentation and interview, the child care center failed to maintain written documentation in accordance with regulatory requirements. Upon request, a staff schedule was not presented for review. The staff in charge did provide a staff listing for review.

1175 - Earthquake/Tornado/Fire Drills

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

- (h) A written record of quarterly practiced earthquake drills and tornado drills detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;**
- (i) A written record of practiced fire drills conducted monthly detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;**

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, documentation of the fire, earthquake and tornado drill was presented for review; however, the names of the children who participated were not documented and presented for review.

Posted Documentation

In Compliance

Animals

In Compliance

Signature of Provider/Representative

Title

Date