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Inspection Report

Provider Name: The Capital Academy	Provider Information	CLR No: L383690
Provider Address: 317 Capital Avenue, Frankfort, KY, 40601	Provider Type: LICENSED TYPE I	Capacity: 35
Owner(s): The Capital Academy, LLC		Director(s): Perry, Jacqueline Denise

Inspection Type: Renewal Application	Inspection Information	Inspection No: 246498
Date Initiated: 10/03/2018 9:55 AM	Date Concluded: 10/03/2018 12:55 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 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, it was found that the file for an employee hired on 9-17-18 contained evidence that she was fingerprinted on 9-25-18. As of the date of the survey, the results of the national background check had not yet been received. This employee was found to be working alone with four (4) one-year-old children for the duration of the survey. She also stated during interview that she has been working alone with the children from 8:30am to 4:00pm Monday thru Friday since 10-1-18. It was also found that the file for an employee hired on 6-12-18 contained evidence that she was fingerprinted on 8-2-18 and the final results were obtained on 10-2-18. During interview, this employee revealed that she had been working alone with the younger one-year-old children from 7:30am to 4:00pm Monday thru Friday since July.</p>	
Supervision	In Compliance
Staffing Requirements	Not In Compliance
120 - Adequate Adults/Qualified Staff	Not In Compliance
<p>922 KAR 2:090. Section 11. Staff Requirements.</p> <p>(10) The minimum number of adult workers in a child-care center shall be sufficient to ensure that:</p> <p>(a) Minimum staff-to-child ratios in accordance with 922 KAR 2:120 are followed;</p> <p>(b) Each staff person under eighteen (18) years of age and each student trainee are under the direct supervision of a qualified staff person who meets the requirements of this section; and</p> <p>(c) Unless providing care with a qualified staff person, a person under the age of eighteen (18) shall not be counted as staff for the staff-to-child ratio.</p> <p>Findings:</p> <p>General: Based on Observation, it was found that upon arrival to the facility, there were two (2) individuals on the front playground with the children. One (1) of the individuals was seventeen-years-old and the other individual did not have her background checks completed as required. The individuals were together without a qualified staff person for approximately (5) minutes.</p>	

Inspection Report

General Administration

In Compliance

Director Requirements

Not In Compliance

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, it was found that a one-year-old child was laying on a boppy pillow on the floor while drinking a bottle.

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, it was found that an employee hired on 9-17-18 was working alone with four (4) one-year-old children for the duration of the survey. During interview, this employee stated that she has been working alone with the children from 8:30am to 4:00pm Monday thru Friday since 10-1-18. It was also found that an employee hired on 6-12-18 was working alone with six (6) one-year-old children for the majority of the survey. During interview, this employee revealed that she had been working alone with the younger one-year-old children from 7:30am to 4:00pm Monday thru Friday since July. The file for the employee hired on 9-17-18 contained evidence that she was fingerprinted on 9-25-18; however, as of the date of the survey, the results of the national background check had not yet been received. The file for the employee hired on 6-12-18 contained evidence that she was fingerprinted on 8-2-18 and the final results were obtained on 10-2-18.

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, it was found that the files for two (2) employees did not contain evidence of a high school diploma, GED or Commonwealth Childcare Credential.

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, it was found that the file for an employee hired on 10-30-17 contained the results of a TB skin test that was read on 9-1-16. This date is not within the two (2) year timeframe as required. It was also found that the files for employees hired on 2-12-18 and 1-9-18 contained the results of TB skin tests or screenings that were completed on 2-15-18 and 1-10-18. These dates are not prior to date of hire as required by the regulation.

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, it was found that three (3) employees hired on 8-7-17 completed the six (6) hour cabinet-approved orientation training on 3-10-18, 2-10-18 and 3-11-18. These dates are not within ninety (90) days of hire as required by the regulation. An employee hired on 6-12-18 did not have evidence of the six (6) hour cabinet-approved orientation training being completed. This information was gathered from a review of employee files and their ECE-TRIS records.

Inspection Report

Programming

Not In Compliance

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, it was found that an eleven-month-old child was sleeping in a crib while sucking on a pacifier. The pacifier had a tethering strap attached to it.

Premises

Not In Compliance

565 - 35 Square Feet per Child

Not In Compliance

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

(6) Exclusive of the kitchen, bathroom, hallway, and storage area, there shall be a minimum of thirty-five (35) square feet of space per child.

Findings:

General: Based on Observation, it was found that there were four (4) children being cared for in the Transition classroom. Based on square footage, this classroom has the capacity for three (3) children. In addition, it was found during interview that there have been eight (8) children being cared for in the Pre-K classroom in the past due to drop-ins. Based on square footage, this classroom has the capacity for seven (7) children.

625 - Infant/Toddler Indoor Space

Not In Compliance

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

(1) Inside areas for infants and toddlers under twenty-four (24) months of age shall:

(a) Be separate from an area used by an older child;

(b) Not be an exit or entrance; and

(c) Have adequate crawling space for an infant or toddler away from general traffic patterns of the center.

Findings:

General: Based on Observation, it was found that the children from the Pre-K classroom and the Preschool classroom walk through the Transition classroom to get to the bathroom. The Transition classroom is used for the one-year-old children.

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, it was found that 1) the bottom row of siding on the side of the building that makes up one (1) side of the front playground had three (3) holes in it, creating sharp edges; 2) the bottom row of siding on the side of the building that makes up one (1) side of the back playground was found to be damaged, creating a sharp corner that sticks out.

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, it was found that a pink fabric covered child-size chair in the library was stained in multiple places.

Transportation

Not Applicable

Food Service/Food Program

In Compliance

Inspection Report

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, it was found that there were three (3) unlabeled bottles in the refrigerator located in the Infant classroom.

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, it was found that two (2) children's files out of ten (10) children's files reviewed did not contain a current immunization certificate.

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, it was found that the parents of nine (9) children had already signed the end of the week verification, despite their child being present at the facility and there being days of the week remaining.

Posted Documentation

Not In Compliance

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, it was found that the posted schedule of daily activities was dated for the month of September.

Animals

Not Applicable

Signature of Provider/Representative

Title

Date