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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(Bldg 1: 49)
Owner(s): The Capital Academy, LLC		Director(s): Perry, Jacqueline Denise

Inspection Type: Renewal Application	Inspection Information	Inspection No: 291302
Date Initiated: 12/02/2019 10:29 AM	Date Concluded: 12/02/2019 1:10 PM	
	No. of Children Present: 26	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
275 - Abuse/Neglect Report Procedure	Not In Compliance
<p>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;</p>	
Findings:	
<p>General: Based on observation and review of documentation, this regulatory requirement was not met. A review of the facility's written policy for reporting suspected abuse and neglect indicates that if a staff person is accused of abuse or neglect by a parent or another co-worker, this must be reported to the facility director. The policy then indicates that the director will determine if there is reasonable cause that a child has been abused or neglected and if so, this will then be reported to the proper agency. This policy does not comply with the laws of the Commonwealth pertaining to child abuse and neglect.</p>	
Director Requirements	In Compliance

Inspection Report

Employee Records

Not In Compliance

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, this regulatory requirement was not met. A review of staff files and ECE-TRIS records found the following:

- 1) There were three staff with a hire date of 8/7/17, who had evidence of having completed only six hours of cabinet-approved annual training.
- 2) A staff person with a hire date of 1/11/18, had evidence completing only 7.5 hours of cabinet approved annual training.
- 3) A staff person with a hire date of 6/12/18, had evidence of completing only 12 hours of cabinet approved annual training.
- 4) A staff person hired 7/11/19, did not have evidence completing six hours of cabinet approved orientation training within the first 90 days of employment.

Programming

In Compliance

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, this regulatory requirement was not met. During a tour of the Preschool Room a low table located under a window was observed. On the table was a pen and pencil caddy that contained a pair of adult scissors. The scissors were accessible to the children.

540 - Premises Requirements

Not In Compliance

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

(1) The premises shall be:

- (a) Suitable for the purpose intended;**
- (b) Kept clean and in good repair;**

Findings:

General: Based on observation, this regulatory requirement was not met. An inspection of the boys' bathroom found a section in the wall by the sink that was cracked. There was an opening along one of the cracks.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Outdoor Play Area

Not In Compliance

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, this regulatory requirement was not met. An inspection of the small playground located at the front of the building revealed a small white, green and blue Step 2 brand plastic slide. The slide measured approximately seven inches tall and had been placed on concrete. Concrete is not an acceptable surface for equipment used to slide, climb or swing.

Inspection Report

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, this regulatory requirement was not met. During a tour of the facility, blue and red tri-fold nap mats were observed stored in the classrooms. A measurement was taken of the thickness of the mats and it was found they are one inch thick. Mats used for napping must be at least two inches thick. Several of the mats were torn down the sides and in the seams exposing the foam inside. This does not allow for proper sanitation of the mats.

820 - Indoor/Outdoor Equipment

Not In Compliance

922 KAR 2:120. Section 11. Toys and Furnishings.

- (2) Indoor and outdoor equipment shall:**
 - (a) Be clean, safe, and in good repair;**
 - (b) Meet the physical, developmental needs, and interests of children of different age groups;**
 - (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**
 - (d) Be designed to guard against entrapment or situations that may cause strangulation.**

Findings:

General: Based on observation, this regulatory requirement was not met. During an inspection of the playground located behind the building, there was a Little Tikes Cozy Coupe car that was missing one of the doors. A metal airplane shaped piece of equipment with wooden seats was observed. Some of the wooden seats had areas where the wood had splintered.

Transportation

In Compliance

Food Service/Food Program

Not In Compliance

990 - Snack Requirements

Not In Compliance

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

- (18) A snack shall include two (2) of the following:**
 - (a) Milk;**
 - (b) Protein;**
 - (c) Bread; or**
 - (d) 1. Fruit;**
 - 2. Vegetable; or**
 - 3. 100 percent juice.**

Findings:

General: Based on observation, interview and review of documentation, this regulatory requirement was not met. An interview with the staff person in charge found that the facility serves an a.m. snack and a p.m. snack. A snack menu for the week of 11/18-11/27 was observed posted. On the menu Chex Mix was listed as the only component for snack. An interview with the staff person in charge found that water is served with the items on the menu for both the a.m. and the p.m. snacks. The staff person in charge indicated that the menu for December was being reviewed in order to plan a grocery list. The surveyor reviewed the menu for the week and found that donuts and applesauce was listed as a snack for the week. In addition, it was found that Chex-mix with no other component was also listed on the December menu as well. Snack is required to contain two components which consist of milk, protein, bread, fruit or vegetable or 100% juice. Water does not meet the requirement as a component for snack. Furthermore, donuts do not meet the requirement as a component for snack.

995 - Lunch/Dinner Requirements

Not In Compliance

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

- (19) Lunch and dinner shall include:**
 - (a) Milk;**
 - (b) Protein;**
 - (c) Bread; and**
 - (d) 1. Two (2) vegetables;**
 - 2. Two (2) fruits; or**
 - 3. One (1) fruit and one (1) vegetable.**

Findings:

General: Based on observation and interview, this regulatory requirement was not met. An interview with the staff person in charge found that the children bring their lunch. At the time of the survey the surveyor observed lunch in the One-Year-Old Room and the Pre-K Room. Lunches were observed that did not meet the requirements for lunch included but are not limited to the following: 1) Cheez-its, milk, raisins. 2) Uncrustable, goldfish and milk 3) Peanut Butter sandwich and milk. 4) Strawberries, peanuts, string cheese, goldfish crackers, two carrot sticks and milk. Further interview with the staff person in charge found that components missing from a child's lunch are not supplemented by the facility. It was stated further that if a child's lunch does not meet the requirements for lunch a note is sent home to the child's parent.

Food Service

In Compliance

Children's Records

In Compliance

Inspection Report

Written Documentation

Not In Compliance

1185 - Confidentiality/Maintenance/Access

Not In Compliance

922 KAR 2:090. Section 9. Records.

(2) A child-care center shall:

- (a) Maintain the confidentiality of a child's record and information concerning a child or the child's parent;**
- (b) Maintain all records for five (5) years; and**
- (c) Provide the cabinet access and information in the completion of the investigation pursuant to KRS 620.030(4) and (5).**

Findings:

General: Based on observation, this regulatory requirement was not met. During a tour of the One-Year-Old Room, a clipboard was observed hanging on the wall by the door. Attached to the clipboard was the form used for parents to document their child's time of arrival and time of departure. In addition to this form, an incident report for one of the children in the classroom was observed attached to the clipboard. This information is in regard to a particular child and was not kept confidential.

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, this regulatory requirement was not met. At the time of the inspection, the surveyor observed the facility's license posted on the wall in the Preschool Room. The surveyor was unable to locate a statement of deficiencies and plan of correction from the renewal inspection conducted on 10/3/18, and a statement of deficiencies and plan of correction issued as a result of an investigation conducted on 3/13/19. The surveyor then observed folded documents that had been placed behind the license. The surveyor opened the documents and found they were the statement of deficiencies and plans for correction for the above mentioned inspections. The statements of deficiencies and plans for correction were not in a conspicuous place.

Animals

In Compliance

Signature of Provider/Representative

Title

Date