



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
Eastern Branch
455 Park Place, Suite 120A
Lexington, KY 40511

Adam Mather
INSPECTOR GENERAL

Phone: (859) 246-2301 Fax: (859) 246-2307
<https://chfs.ky.gov/agencies/os/oig>

Inspection Report

Provider Name: Gan Shalom Preschool	Provider Information	CLR No: L356663
Provider Address: 2048 Edgewater Court, Lexington, KY, 40502	Provider Type: LICENSED TYPE I	Capacity: 57
Owner(s): Ohavay Zion Congregation, Inc.		Director(s): Howe, Amy Jo

Inspection Type: Renewal Application	Inspection Information	Inspection No: 278942
Date Initiated: 04/11/2019 9:45 AM	Date Concluded: 04/11/2019 1:05 PM	
	No. of Children Present: 40	

Inspection Report	
Background Checks	Not In Compliance
20 - Out of state background checks	Not In Compliance
<p>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.</p>	
Findings:	
General: Based on review of documentation, this regulatory requirement was not met. A review of eleven (11) staff files found one (1) staff person had evidence of living in the state of Texas during the last five years. Further review of documentation found that an out of state background check for the state of Texas had not been obtained.	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance

Inspection Report

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, this regulatory requirement was not met. During a tour of the facility the following was observed.

- 1) A toilet plunger was found by the toilet in the first stall in the boy's bathroom located near the facility office.
- 2) A toilet plunger was found by the toilet in the first stall in the girls' bathroom located near the facility office.
- 3) In the Toddler II room there were large vinyl blocks in various shapes for children to walk and climb on. These blocks were observed in the corner of the room near a low wooden shelf. One (1) of the blocks, shaped like a triangle, was placed on the floor to form a ramp to the other blocks. Some of the children were observed running down the ramp. Due to the location of the end of the ramp and the position of the shelf there was not enough space to keep a child from hitting the shelf if they should happen to fall.

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, this regulatory requirement was not met. A review of eleven (11) staff files found one (1) staff person with a hire date of 10/11/18 did not have a copy of a high school diploma, GED or other qualifying documentation on file at 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, this regulatory requirement was not met. A review of eleven (11) staff files found one (1) staff person with a hire date of 8/15/18 who had the results of a T.B. test read on 3/2/19. This date is after the employee's date of hire and not prior to the date of hire as stated in this regulation. There was no other documentation on file to verify that a T.B. test had been completed prior to employment.

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.

- 1) A staff person hired 2/22/02 had documentation of completing pediatric abusive head trauma training on 10/30/13. There was no documentation to verify this staff person had completed this training once every five (5) years.
- 2) A staff person hired 3/9/12 had evidence of completing pediatric abusive head trauma training on 12/12/13. There was no documentation to verify this staff person had completed this training once every five (5) years.
- 3) A staff person hired 4/6/15 had evidence of completing pediatric abusive head trauma training on 8/12/13. There was no documentation to verify this staff person had completed this training once every five (5) years.

Programming

In Compliance

Inspection Report

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, this regulatory requirement was not met. During a tour of the facility the following was found:

- 1) in the preschool room a water stained ceiling tile was found in one corner of the classroom.
- 2) Dusty ceiling vents were found in each of the classrooms.
- 3) In Toddler II there were areas of chipping and peeling paint on the wall where the tables were located.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Outdoor Play Area

In Compliance

Equipment

Not In Compliance

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. On the large playground there was a tall stationary climber in the middle of the play area. There was a red plastic side panel on the side close to the sand box that was cracked and broken where it was attached to a metal support bar. Colored duct tape had been used to repair the crack and was starting to fray at the edges.

Transportation

Not Applicable

Food Service/Food Program

In Compliance

Food Service

In Compliance

Children's Records

In Compliance

Written Documentation

In Compliance

Posted Documentation

In Compliance

Animals

Not Applicable

Signature of Provider/Representative

Title

Date