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Inspection Report

Provider Name: Safe Harbor Learning Academy	Provider Information	CLR No: L383949
Provider Address: 104 Mint Lane, Nicholasville, KY, 40356	Provider Type: LICENSED TYPE I	Capacity: 86
Owner(s): Safe Harbor Learning Academy, LLC		Director(s): Creque, Debra K

Inspection Type: Renewal Application	Inspection Information	Inspection No: 321691
Date Initiated: 07/27/2022 9:20 AM	Date Concluded: 07/27/2022 12:30 PM	
	No. of Children Present: 33	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
150 - Fire Marshal	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: (b) Be approved by the Office of the State Fire Marshal or designee;	
Findings:	
General: Based on interview and review of documentation, it was found that last Fire Marshal inspection was conducted on 4/22/2019. There were no written evidence that facility requested a new inspection.	
225 - Licensee Responsibility	Not In Compliance
922 KAR 2:090. Section 8. General. (1) A licensee shall: (a) Be responsible for the operation of the child-care center pursuant to this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280; and (b) Protect and assure the health, safety, and comfort of each child.	
Findings:	
General: Based on observation, the following was found:	
1.) The outlet plate cover was missing in the One's/Two's room.	
2.) Two uncovered electrical outlets were observed in the Early Einstein's room.	
3.) The toilet paper roll was placed on top of the cots in the One's/Two's bathroom. This is not a proper method of storage and promotes the spread of germs.	

Inspection Report

Director Requirements

Not In Compliance

360 - 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, two staff members (hire dates: 7/20/2019 and 1/13/2020) did not have evidence of an annual evaluation on file at the facility.

Employee Records

Not In Compliance

415 - CPR/First Aid Required Training

Not In Compliance

922 KAR 2:120. Section 7. First Aid and Medicine.

- (8) Each center shall ensure that every staff member has received training on first aid and cardiopulmonary resuscitation (CPR).**

Findings:

General: Based on review of documentation, three staff members (hire dates: 5/26/2022, 5/30/2022, and 6/22/2022) did not have evidence of completing the required CPR/First Aid training on file at the facility. A review of ECE-TRIS records supports the information found during the survey.

435 - 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 completed within the first three (3) months of employment in a child-care program;**
- (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment in a child care program, 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 completed between July 1 and the following June 30 of each subsequent year of employment in a child care program, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.**

- (17) A staff person's compliance with training requirements of this section shall be verified through the cabinet-designated database maintained pursuant to 922 KAR 2:240.**

Findings:

General: Based on review of documentation, the following was found:

- 1.) A staff member (hire date: 10/1/2021) did not take Orientation training within three months of employment. The course was taken 5/24/2022.
- 2.) Two staff members (hire dates: 7/20/2019 and 1/13/2020) did not complete the required PAHT training. These staff members have been employed for more than one year.
- 3.) Three staff members (hire dates: 5/1/2019, 7/20/2019, and 1/31/2020) did not have evidence of completing 15 hours of annual early care and education training on file.

A review of ECE-TRIS records supports the information found during the survey.

Programming

In Compliance

Premises

Not In Compliance

565 - 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, an open bag of pet bedding was on the floor in the common area. This was accessible to the children in care.

585 - 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, the following was found:

- 1.) The counter and top of the shelf were cluttered in the Infant room. The top of the shelf had item hanging down or leaning like a staff's personal bag and children were underneath it in bouncy seats. In addition, the countertop with a sink where staff and children wash their hands had a lot of cleaning supplies, staff's drink, brushes, etc.
- 2.) The classroom door was dirty with stains in the One's/Two's room.
- 3.) The classroom door and door frame had a chipped paint in the Infant room.
- 4.) The classroom door in the Early Einstein's room had a hole at the bottom and was dirty with stains.
- 5.) One of the doors in the Early Einstein's room had a broken handle.
- 6.) The classroom door in One's/Two's room had a fork in place of the hinge to hold the second half of the door.
- 7.) In the Pre-K/School-Age room the classroom door and bathroom door were dirty with stains.
- 8.) In the Pre-K/School-Age room the door that leads outside was in disrepair with white patches of wall mud but it was not smoot or painted.
- 9.) The kitchen door was extremely dirty with peeled paint and stains all over it.

605 - Building Requirements

Not In Compliance

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

- (5) The building shall be constructed to ensure the:
 - (a) Building is:
 1. Dry;
 2. Ventilated; and
 3. Well lit, including clean light fixtures that are:
 - a. In good repair in all areas; and
 - b. Shielded or have shatter-proof bulbs installed; and
 - (b) Following are protected:
 1. Windows;
 2. Doors;
 3. Stoves;
 4. Heaters;
 5. Furnaces;
 6. Pipes; and
 7. Stairs.

Findings:

General: Based on observation, the following was found:

- 1.) In the common area bathroom, the ceiling light fixture had dead insects in it.
- 2.) The ceiling light in the Pre-K/School-Age bathroom did not have a cover on it.

615 - Pest Control

Not In Compliance

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

- (7) Measures shall be utilized to control the presence of:
 - (a) Rodents;
 - (b) Flies;
 - (c) Roaches; and
 - (d) Other vermin.

Findings:

General: Based on observation, the following was found:

- 1.) In the kitchen sink there were gnats flaying around.
- 2.) In the common area there were numerous flies.

625 - 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 following was found:

- 1.) There was chipped paint on the walls in the One's/Two's room.
- 2.) The window and window frame were dirty with stains in the One's/Two's room.
- 3.) An outlet in the One's/Two's room did not have a plate cover and was exposing the dry wall.
- 4.) The wall above the handwashing sink was in disrepair with a crack in the border.
- 5.) There was chipped and peeling paint on the walls in the Infant room.
- 6.) There were three holes in the ceiling in the Infant room.
- 7.) The walls in the Early Einstein's room contained holes, chipped paint, and stains.
- 8.) The ceiling vent was dirty in the Early Einstein's room.
- 9.) The bathroom floor in the Early Einstein's room was dirty with stains.
- 10.) The floor in the Early Einstein's room was bulging creating a tripping hazard.
- 11.) Part of the floor border was missing in the Early Einstein's room.
- 12.) The wall vent in the Early Einstein's room was covered in dust.
- 13.) In the common area bathroom, the ceiling vent was dirty.
- 14.) The walls in the common area were dirty with dark stains.
- 15.) The floor in the common room was bulging creating a tripping hazard.
- 16.) The floor border in the common room had chipped paint.
- 17.) The floor in the Pre-K/School-Age room was bulging in front of the door making it hard to open the classroom door.
- 18.) The window and window frame were dirty with stains in the Pre-K/School-Age room.
- 19.) The baseboard in the Pre-K/School-Age room was in disrepair creating a gap in the wall and was stained and dirty with chipped paint.
- 20.) The kitchen walls were dirty and contained chipped paint.

685 - Toilet Room

Not In Compliance

922 KAR 2:120. Section 12. Toilet, Diapering, and Toiletry Requirements.
(2) A toilet room shall:
(a) 1. Be provided for each gender; or
2. A plan shall be implemented to use the same toilet room at separate times;
(b) Have a supply of toilet paper; and
(c) Be cleaned and disinfected daily.

Findings:

General: Based on observation, there was a stuffed animal on the bathroom floor in the Early Einstein's room. Therefore, the bathroom was not clean.

690 - Sink

Not In Compliance

922 KAR 2:120. Section 12. 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, it was found that the water temperature in all rooms and bathrooms that children use was 70° Fahrenheit when measured with a calibrated thermometer.

Hygienic Practices

Not In Compliance

730 - Diaper Changing Area/Surface

Not In Compliance

922 KAR 2:120. Section 12. 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 pad on the changing table in the Infant room contained several tears. In addition, there was a plastic white binder and papers on it.

755 - Toy Sanitation Procedure

Not In Compliance

922 KAR 2:120. Section 13. Toys and Furnishings.

- (4) A toy or another item that is considered a mouth contact surface by a child not toilet trained shall be sanitized daily by:**
- (a) 1. Scrubbing in warm, soapy water using a brush to reach into crevices;**
 - 2. Rinsing in clean water;**
 - 3. Submerging in a sanitizing solution for at least two (2) minutes; and**
 - 4. Air dried; or**
 - (b) Cleaning in a dishwasher if the toy or other item is dishwasher safe.**

Findings:

General: Based on interview, the staff person in the Infant room stated that the items mouthed by a child are rinsed, then sprayed with sanitizing spray, and then rinsed again. This is not the proper procedure for sanitizing these items.

First Aid/Medication

Not In Compliance

760 - First Aid Supplies

Not In Compliance

922 KAR 2:120. Section 7. First Aid and Medicine.

- (1) First aid supplies shall:**
- (a) Be available to provide prompt and proper first aid treatment;**
 - (b) Be stored out of reach of a child;**
 - (c) Be periodically inventoried to ensure the supplies have not expired;**
 - (d) If reusable, be:**
 - 1. Sanitized; and**
 - 2. Maintained in a sanitary manner; and**
 - (e) Include:**
 - 1. Liquid soap;**
 - 2. Adhesive bandages;**
 - 3. Sterile gauze;**
 - 4. Medical tape;**
 - 5. Scissors;**
 - 6. A thermometer;**
 - 7. Flashlight;**
 - 8. Cold pack;**
 - 9. First aid book;**
 - 10. Disposable gloves; and**
 - 11. A cardiopulmonary resuscitation mouthpiece protector.**

Findings:

General: Based on observation, the facility's first aid kit did not include a first aid book.

Outdoor Play Area

Not In Compliance

795 - 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 following was found:

- 1.) There were excessive plants and branches protruding through the fence on the small and big playgrounds.
- 2.) The grass was not maintained and was growing tall by the fence and the all over children's play areas on the small and big playgrounds.
- 3.) There were puddles of standing water under the swings on the big playground.
- 4.) The shed on the big playground was in disrepair. The wood planks that were inclined as an entrance to the shed had a piece missing.

800 - 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, the area under the swings and metal climbing structure, used by the children did not have a sufficient amount of protective surfacing material. The mulch was sparse and grass/dirt was visible.

835 - Crib/Mattress/Sheet

Not In Compliance

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.

(3) Rest time shall occur in an adequate space according to the child's age as follows:

(a) For an infant:

- 1. An individual non-tiered crib that meets Consumer Product Safety Commission standards established in 16 C.F.R. 1219-1220;**
- 2. A firm crib mattress in good repair with a clean tight-fitted sheet that shall be changed:**
 - a. Weekly; or**
 - b. Immediately if it is soiled or wet;**

Findings:

General: Based on observation, a crib sheet was very dirty with stains in the One's/Two's room.

840 - Individual Bed/Mat/Cot and Bedding

Not In Compliance

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.

(3) Rest time shall occur in an adequate space according to 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, the following was found:

- 1.) Children's bedding was not stored in sanitary manner. The bedding was stored on the top of the sleeping cots in the Early Einstein's room and in the small plastic pool that was placed on top of the sleeping cots in the Pre-K/School-Age room. This method of storage promotes the spread of germs and bacteria.
- 2.) The children's bedding that was on the shelf in the Early Einstein's room was very dirty.

850 - Cots/Mats Disinfected

Not In Compliance

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.

(8)(a) Cots or mats not labeled for individual use by a child shall be cleaned after each use.

(b) Cots or mats labeled for individual use by a child shall be:

- 1. Cleaned at least weekly; and**
- 2. Disinfected immediately if it is soiled or wet.**

Findings:

General: Based on observation, the sleeping cots were very dirty in the Early Einstein's and Pre-K/School-Age rooms.

860 - Toys/Furniture

Not In Compliance

922 KAR 2:120. Section 13. 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 following was found:

- 1.) A white shelf in the One's/Two's room had several pieces of tape that was accumulating dirt.
- 2.) A small gray children's table had a strip of paint that had peeled off in the One's/Two's room.
- 3.) The green shelf in the Early Einstein's room was dirty with marks and stains.
- 4.) The shelf in the Early Einstein's room where the children's belonging were stored was dirty with several stains and marks.
- 5.) Chairs that children use in the Early Einstein's room were dirty with black stains and marks.
- 6.) A shelf in the Early Einstein's room had tape residue all over that had accumulated dirt.
- 7.) In the common area there was a blue couch that was dirty with stains.
- 8.) In the common area there was a toy/shelf that was labeled "grocery store" that had several pieces of tape residue accumulating dirt.
- 9.) In the Pre-K/School-Age room a white shelf was dirty with accumulated dirt and stains.

Inspection Report

865 - Indoor/Outdoor Equipment

Not In Compliance

922 KAR 2:120. Section 13. 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, the following was found:

- 1.) The dust pan that was on the floor, was very dirty in the One's/Two's room.
- 2.) There was a leak in the kitchen sink and plastic bucket was placed underneath to catch constant dripping water from the sink.
- 3.) The mop sink in the kitchen was very dirty.
- 4.) A area rug in the common room was dirty with a lot of small white pieces on it.
- 5.) A metal airplane toy, slides, and metal bouncy elephant toy were not in good condition. Paint was peeling of these toys and several pieces on the slide were broken off and exposing rust.

Transportation

Not Applicable

Kitchen Requirements

Not In Compliance

1040 - 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 temperature in the refrigerator being used to store bottles for the children in the Infant classroom was 54° Fahrenheit.

Food Service

In Compliance

Meal Planning/Center Provides Meals

Not In Compliance

1220 - Menu

Not In Compliance

922 KAR 2:120. Section 10. Meal Planning Requirements for a Center that Provides Meals.

(9) 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 observation, the menu was not posted anywhere in the facility. At the end of the inspection the staff in charge brought a menu to the surveyor from the office that did not include the date or the week. Therefore, it could not be determined if this menu was current.

Meal Planning/Center Does Not Provide Meals

In Compliance

Children's Records

In Compliance

Written Documentation

Not In Compliance

1260 - 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, it was found that last emergency preparedness plan was written 7/30/2021, however there was no evidence that the plan had been submitted to the local emergency management authority.

1280 - Professional Development

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

- (f) A written annual plan for child-care staff professional development;

Findings:

General: Based on review of documentation, it was found that three staff members did not have a current professional development plan on file.

Inspection Report

1305 - Fire Drills

Not In Compliance

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

- (12) A fire drill shall be:
 - (a) Conducted during hours of operation at least monthly; and
 - (b) Documented.
- (13) An earthquake drill, shelter-in-place or lockdown drill, and tornado drill shall be:
 - (a) Conducted during hours of operation at least quarterly; and
 - (b) Documented.

Findings:

General: Based on review of documentation, the following was found:

- 1.) The last documented earthquake, lockdown, and tornado drills were completed on 12/21/2021. Therefore, these drills were not conducted quarterly.
- 2.) The last documented fire drill was completed on 1/21/2022. Therefore, these drills were not conducted monthly.

Posted Documentation

Not In Compliance

1310 - 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 Web site 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, the daily planned program of activities (lesson plan) was not posted in the One's/Two's, Infant, and Early Einstein's rooms.

1325 - 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, the One's/Two's and Early Einstein's rooms did not have posted schedule of daily activities.

1330 - Diapering/Handwashing

Not In Compliance

922 KAR 2:120. Section 12. Toilet, Diapering, and Toiletry Requirements.

- (9) The proper methods of diapering and hand-washing shall be posted at each diaper changing area.

Findings:

General: Based on observation, the proper methods of diapering and hand washing were not posted at the changing area in the Infant room, Early Einstein's room and the common area bathroom.

Animals

Not In Compliance

1335 - Animals in the Presence of Children

Not In Compliance

922 KAR 2:120. Section 15. Animals.

- (1) An animal shall not be allowed in the presence of a child in care:
 - (a) Unless:
 - 1. The animal is under the supervision and control of an adult;
 - 2. Written parental consent has been obtained; and
 - 3. The animal is certified as vaccinated against rabies; or
 - (b) Except in accordance with subsection (3) of this section.

Findings:

General: Based on review of documentation, it was found that facility has a rabbit in the common area, but only three children had written permission signed by a parent/guardian.

Signature of Provider/Representative

Title

Date