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Inspection Report

Provider Name: Genius Generation	Provider Information	CLR No: L383997
Provider Address: 337 Pike Street, Covington, KY, 41011	Provider Type: LICENSED TYPE I	Capacity: 33
Owner(s): Genius Generation Limited Liability Company		Director(s): Dixon, Jamie

Inspection Type: Renewal Application	Inspection Information	Inspection No: 305898
Date Initiated: 02/03/2021 2:20 PM	Date Concluded: 02/03/2021 3:55 PM	
	No. of Children Present: 5	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
140 - Zoning	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: (a) Provide written documentation from the local authority showing compliance with local zoning requirements;	
Findings:	
General: Based on review of documentation, the facility did not have documentation of local zoning compliance on file for the surveyor to review.	
145 - 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 review of documentation, the facility did not have documentation of state fire marshal inspection on file for the surveyor to review.	
275 - Abuse/Neglect Report Procedure	Not In Compliance
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;	
Findings:	
General: Based on review of documentation, the facility did not have this specific written policy/procedure available for the surveyor to review.	

Inspection Report

Director Requirements

Not In Compliance

340 - Staff Meeting

Not In Compliance

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.

(1) A director shall:

(i) Conduct, manage, and document in writing recurring staff meetings;

Findings:

General: Based on review of documentation and interview, this regulatory requirement was not met. At the time of the survey, the facility could not provide written evidence of conducted staff meetings. The staff person in charge stated that she took her licensing binder home to work on.

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, three staff eligible for an annual performance review did not have documentation of a review on file in the facility.

Employee Records

Not In Compliance

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, four staff files (all hired 9/9/19) contained results of negative T.B. tests that are no longer current. The tests were dated 2/23/18 and three on 12/2017, which exceeds the two year time frame.

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 the Training Records Information System (TRIS), one staff person (hire date: 9/9/19) did not complete the six hours of cabinet-approved training within the first three months of employment.

Programming

Not In Compliance

480 - Infant/Toddler Combined with Older Children

Not In Compliance

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

(2) Except in accordance with subsection (3) of this section or Section 2(2)(c) of this administrative regulation, an infant or toddler under twenty-four (24) months of age shall not participate in an activity with an older child for no more than one (1) hour per day.

(3) If a toddler is developmentally appropriate for a transition to a preschool age group, a toddler may participate in an activity with an older child for more than one (1) hour per day if:

(a) Space for the toddler is available in the preschool-age group;

(b) The staff-to-child ratios and group sizes are maintained based on the age of the youngest child;

(c) The center has a procedure for listing a transitioning toddler on attendance records, including a specific day and time the toddler is with either age group; and

(d) The child care center has obtained the signature and approval of the toddler's parent on the toddler's transition plan.

Findings:

General: Based on observation and interview, this regulatory requirement was not met. The surveyor observed one staff person caring for a group of five children in the preschool/school-age classroom during the inspection. There were no other children or staff present. The staff person in charge identified the ages of the children present as being one year, three years, four years, six years and eight years old. Four of the children were identified as being siblings. The staff person in charge stated that she was the only staff working at the facility on the day of the inspection and indicated that the children had been cared for as one group all day.

The one-year-old child and his three siblings arrived at the facility at 8:30 AM; therefore, they were combined longer than one hour.

Inspection Report

Premises

Not In Compliance

650 - Toilet

Not In Compliance

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.

- (4) Each toilet shall:**
 - (a) Be kept in clean condition;**
 - (b) Be kept in good repair;**
 - (c) Be in a lighted room; and**
 - (d) Have ventilation to outside air.**

Findings:

General: Based on observation, this regulatory requirement was not met. The surveyor toured the children's bathroom closest to the preschool/school-age classroom and observed the toilet to be unclean. Urine was observed on the toilet seat and the toilet needed to be flushed.

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 and interview, this regulatory requirement was not met. The surveyor toured the playground and observed numerous cigarette butts lying on the ground along with several pieces of broken glass, an empty mini liquor bottle, and a metal can that was split open down the side. A broken plastic trash can with jagged edges was also observed in the children's play area.

The staff person in charge stated that people that live in apartments above the facility often throw trash out the window.

Equipment

In Compliance

Transportation

Not Applicable

Food Service/Food Program

In Compliance

Food Service

Not In Compliance

1130 - Menu

Not In Compliance

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

- (16) 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 review of documentation, this regulatory requirement was not met. A review of the facility's postings revealed that October 2020's menu was still posted.

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, two children did not have an immunization certificate on file.

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, one child's file/enrollment documentation did not contain information for the family's preferred hospital and it did not have physician contact information.

Written Documentation

Not In Compliance

1150 - 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, this regulatory requirement was not met. The facility did not have an emergency preparedness plan on file for the surveyor to review and no evidence that it had been submitted to the local emergency management official.

1155 - Policies and Procedures

Not In Compliance

922 KAR 2:090. Section 8. General.

- (4) Program policies and procedures shall:**
- (a) Be in writing; and**
 - (b) Include:**
 - 1. Staff policies;**
 - 2. Job descriptions;**
 - 3. An organization chart;**
 - 4. Chain of command; and**
 - 5. Other procedures necessary to ensure implementation of:**
 - a. KRS 199.898, Rights for children in child-care programs and their parents, custodians, or guardians - posting and distribution requirements;**
 - b. 922 KAR 2:120, Child-care center health and safety standards;**
 - c. 922 KAR 2:280, Background checks for child care staff members, reporting requirements, and appeals; and**
 - d. This administrative regulation.**

Findings:

General: Based on review of documentation and interview, this regulatory requirement was not met. At the time of the survey, there was no evidence of written program policies and procedures, including staff policies and job descriptions.

The staff person in charge stated that she took her licensing binder home to work on it.

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, this regulatory requirement was not met. The following was found:

1. Four children that were observed present at the facility during the visit and were observed to be picked up by their parent during the visit, did not have an arrival or departure time listed.
2. The surveyor reviewed the daily attendance record for 1/29/21 and found that the departure times for three children were not documented.

Inspection Report

1170 - 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, four staff eligible for a staff professional development plan did not have documentation of a plan on file.

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, this regulatory requirement was not met. At the time of the survey it was found that there was no record of fire, earthquake or tornado drills conducted by the facility in 2020.

1190 - Orientation Procedure

Not In Compliance

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

- (3)(b) The program shall include:
 - 2. Written policy that specifies that the procedures that were taught at the orientation training shall be implemented by each child-care center staff member.

Findings:

General: Based on review of documentation, the facility did not have this specific written policy/procedure available for the surveyor to review.

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 review of documentation, this regulatory requirement was not met. The statement of deficiencies and plan of correction from a 6/18/20 investigation was not posted.

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 review of documentation, this regulatory requirement was not met. The preschool/school-age classroom had a schedule of daily activities posted that was dated June 2020; therefore, it was no longer current.

Animals

In Compliance

Emergency Regulation

Not In Compliance

1260 - Emergency Regulation

Not In Compliance

922 KAR 2:410E. Emergency Regulation.

Due to the current declared public health emergency caused by the Novel Coronavirus Disease (COVID-19), licensed child care centers must operate under Centers for Disease Control and Prevention and public health guidelines, as mandated by 922 KAR 2:410E, to prevent the spread of COVID-19.

Findings:

General: Based on review of documentation and the Training Records Information System (TRIS), two staff (both hired 9/9/19) did not have evidence of completing the required ECE 202 training class (Requirements for Reopening Child Care in Kentucky).

Signature of Provider/Representative

Title

Date