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Inspection Report

Provider Name: The Learning Academy Child Care and Preschool Provider Address: 525 Old Highway 60, Hardinsburg, KY, 40143 Owner(s): The Learning Academy Child Care and Preschool	Provider Information Provider Type: LICENSED TYPE I	CLR No: L384105 Capacity: 83 Director(s): Riedinger, Ernestine
Inspection Information Inspection Type: Renewal Application Date Initiated: 12/03/2021 9:55 AM Date Concluded: 12/03/2021 1:40 PM No. of Children Present: 28		
Inspection No: 319635		

Inspection Report	
Background Checks	Not In Compliance
10 - Submit background check 922 KAR 2:280 - Section 4. Procedures and Payments. (1) To initiate the process for obtaining background checks on a prospective child care staff member, the child care provider shall: (a) Request that the prospective child care staff member provide a copy of his or her driver's license or other government-issued photo identification and verify that the photograph clearly matches the prospective child care staff member; (b) Request that the prospective child care staff member complete and sign the: 1. DCC-500, Applicant Child Care Staff Member Waiver Agreement and Statement; and 2. DCC-501, Disclosures to Be Provided to and Signed by the Applicant Child Care Staff Member; and (c) Log on to the NBCP portal and enter the prospective child care staff member's demographic information for a check of the: 1. Child abuse and neglect central registry pursuant to 922 KAR 1:470; 2. National Crime Information Center's National Sex Offender Registry in accordance with 34 U.S.C. 20921; and 3. Sex Offender Registry established in accordance with KRS 17.500 through 17.580.	Not In Compliance
Findings: General: Based on review of documentation, a caregiver hired on 8/3/20, had a name-based child abuse/neglect check and a criminal record check on file. However, a review of the center's KARES report indicated the caregiver did not initiate the process to obtain background checks through the National Background Check Portal (NBCP). In addition, a caregiver hired on 10/1/20, did not initiate the process to obtain background checks through the NBCP.	In Compliance
Supervision	In Compliance

Inspection Report	
Staffing Requirements	Not In Compliance
125 - Ratios and Group Size	Not In Compliance
<div>922 KAR 2:120. Section 2. Child Care Services. (2) For an operating child-care center, minimum staff-to-child ratios and group size shall be maintained as established in the table established in this subsection. Age of Children Ratio Maximum Group Size* Infant 1 staff for 5 children 10 Toddler 12 to 24 months 1 staff for 6 children 12 Toddler 24 to 36 months 1 staff for 10 children 20 Preschool-age 3 to 4 years 1 staff for 12 children 24 Preschool-age 4 to 5 years 1 staff for 14 children 28 School-age 5 to 7 years 1 staff for 15 children 30 School-age 7 and older 1 staff for 25 children (for before and after school) 30 1 staff for 20 children (full day of care) 30 *Maximum Group Size shall be applicable only to Type I child-care centers. (b) The age of the youngest child in the group shall determine the: 1. Staff-to-child ratio; and 2. Maximum group size.</div>	
Findings: General: Based on observation, a caregiver was observed in the hallway with a child upon arrival. Interview determined the caregiver left another caregiver to supervise eleven (11) children, aged two to five-years-old, alone in the preschool room for less than a minute.	
General Administration	In Compliance
Director Requirements	Not In Compliance
355 - Staff Meeting	Not In Compliance
<div>922 KAR 2:090. Section 10. Director Requirements and Responsibilities. (1) A director shall: (i) Conduct, manage, and document in writing recurring staff meetings;</div>	
Findings: General: Based on review of documentation, the center failed to provide documentation of more than one (1) staff meeting (8/7/20) being conducted.	
360 - Staff Evaluation	Not In Compliance
<div>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;</div>	
Findings: General: Based on review of documentation, three (3) caregivers hired on 8/3/20, 8/31/20, and 10/1/20, each did not have an annual written performance evaluation on file.	
Employee Records	Not In Compliance
435 - Training	Not In Compliance
<div>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.</div>	
Findings: General: Based on review of documentation, three (3) caregivers hired on 6/21/21, 8/19/21, 7/7/21, did not complete six (6) hours of cabinet approved orientation training. A caregiver hired on 10/1/20, did not complete any hours of training during her first year of employment, which included Pediatric Abusive Head Trauma Training.	
Programming	In Compliance

Inspection Report	
Premises	Not In Compliance
695 - Toilet	
922 KAR 2:120. Section 12. 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, a toilet lid was missing from the toilet tank in the girls' restroom.	
Hygienic Practices	In Compliance
First Aid/Medication	Not In Compliance
775 - Medication	
922 KAR 2:120. Section 7. First Aid and Medicine.	
(6) Medication, including refrigerated medication, shall be:	
(a) Stored in a separate and locked place, out of the reach of a child unless the medication is:	
1. A first aid supply and is maintained in accordance with subsection (1) of this section;	
2. Diaper cream, sunscreen, or toothpaste. Diaper cream, sunscreen, or toothpaste shall be inaccessible to a child;	
3. An epinephrine auto-injector. A licensed child-care center shall comply with KRS 199.8951 and 311.646, including:	
a. An epinephrine auto-injector shall be inaccessible to a child;	
b. A child-care center shall have at least one (1) person onsite who has received training on the administration of an epinephrine auto-injector if the child-care center maintains an epinephrine auto-injector;	
c. A child-care center shall seek emergency medical care for a child if an auto-injector is administered to the child; and	
d. A child-care center shall report to the child's parent and the cabinet in accordance with 922 KAR 2:090, Section 13(1)(b) if an epinephrine auto-injector is administered to a child; or	
4. An emergency or rescue medication for a child in care, such as medication to respond to diabetic or asthmatic condition, as prescribed by the child's physician. Emergency or rescue medication shall be inaccessible to a child in care;	
(b) Kept in the original bottle; and	
(c) Properly labeled.	
(7) Medication shall not be given to a child if the medication's expiration date has passed.	
Findings:	
General: Based on observation, a bottle of Motrin Migraine and a bottle of Children's Pain and Fever were not labeled to indicate to whom they belonged to and were stored unlocked on top of a cubby in the two-year-olds' room.	
Outdoor Play Area	Not In Compliance
795 - Playground Conditions	
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, black weed block was above the mulch under three (3) swings in the outdoor play area.	
Equipment	In Compliance
Transportation	Not Applicable
Kitchen Requirements	In Compliance
Food Service	In Compliance
Meal Planning/Center Provides Meals	In Compliance
Meal Planning/Center Does Not Provide Meals	Not Applicable
Children's Records	Not In Compliance
1245 - Immunization	
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, a child enrolled on 9/27/21, had an immunization certificate on file that was valid until 12/1/21. A child enrolled on 8/2/21, had an immunization certificate on file that was valid until 10/4/21.	

Inspection Report

1250 - 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, a child enrolled on 9/27/21, and a child enrolled on 2/4/21, each did not have information on file for staff to contact the child's physician.

Written Documentation

Not In Compliance

1270 - 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, thirty-one (31) children were present, and only thirty (30) children had a documented arrival time. Therefore, a child did not have a documented arrival time on the attendance records.

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, four (4) caregivers hired on 8/3/20, 8/28/20, 8/31/20, and 10/1/20, each did not have a written annual professional development plan on file.

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, a monthly, practiced fire drill was not conducted in November 2021.

Posted Documentation

In Compliance

Animals

Not Applicable

Signature of Provider/Representative

Title

Date