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INSPECTOR GENERAL

**Inspection Report**

|  |  |   |
|--|--|---|
| <b>Provider Name:</b> Jewish Community of Louisville - Early Learning Center<br><b>Provider Address:</b> 3600 Dutchmans Lane, Louisville, KY, 40205<br><b>Owner(s):</b> Jewish Community Of Louisville, Inc. | <b>Provider Information</b><br><b>Provider Type:</b> LICENSED TYPE I   | <b>CLR No:</b> L357027<br><br><b>Capacity:</b> 157<br><b>Director(s):</b> Bush, Jessica Marie |
| <b>Inspection Type:</b> Renewal Application<br><b>Date Initiated:</b> 01/05/2021 9:24 AM   | <b>Inspection Information</b><br><b>Date Concluded:</b> 01/05/2021 4:30 PM<br><b>No. of Children Present:</b> 68 | <b>Inspection No:</b> 305750  |

| Inspection Report   |  |
|---|--|
| Background Checks   | Not In Compliance  |
| <b>20 - Out of state background checks</b><br><b>922 KAR 2:280. Section 5. Checks of Other States.</b><br><b>(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:</b><br><b>(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:</b><br>1. An in-state criminal records check by:<br>a. Means of fingerprints for the state of residence; or<br>b. Any means accepted by a state of prior residency;<br>2. A check of the state's sex offender registry or repository; and<br>3. A check of the state-based child abuse and neglect registry and database; and<br><b>(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.</b> | <b>Not In Compliance</b>   |
| <b>Findings:</b><br>General: Review of presented staff files revealed a staff member with the hire date 02/24/2020 whose file did not contain a Tennessee out of state background check. Interview with the staff in-charge revealed the employee had lived in Tennessee before she was employed at the child care center. Upon request, an out of state Tennessee criminal records check, a Tennessee child abuse and neglect check and a Tennessee sex offender registry information was not presented for review. In interview with the staff in-charge, she stated she did not know that a separate background check had to be completed for the aforementioned staff member.   |  |
| <b>Supervision</b><br><b>Staffing Requirements</b><br><b>General Administration</b><br><b>Director Requirements</b>   | <b>In Compliance</b><br><b>In Compliance</b><br><b>In Compliance</b><br><b>Not In Compliance</b> |
| <b>345 - Staff Evaluation</b>   | <b>Not In Compliance</b>   |
| <b>922 KAR 2:090. Section 10. Director Requirements and Responsibilities.</b><br><b>(1) A director shall:</b><br><b>(j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;</b>  |  |
| <b>Findings:</b><br>General: Upon request, a staff evaluation was not presented for review for fifteen (15) staff members with the hire dates; 08/30/2015, 08/09/2013, 02/17/2014, 09/10/2012, 01/13/2013, 08/13/2018, 05/12/2015, 03/08/2012, 03/04/2019, 08/07/2017, 09/27/2019, 09/23/2019, 11/06/2019, 09/12/2019 and 12/09/2019.   |  |

**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: Observation of the olive classroom revealed an electrical outlet located beside the hand washing sink was not covered. Observation of the estrog classroom revealed an electrical outlet located above the handwashing sink faucet was not covered.

**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 presented staff files revealed three (3) staff members with the hire dates; 12/28/2020, 02/24/2020 and 01/23/2020 whose file did not contain a high school diploma, GED, or other qualifying documentation from a comparable educational entity. Upon request, the staff member in-charge did not present educational documentation for the aforementioned staff members.

**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: Interview and review of presented staff files revealed six (6) staff members with the hire dates 08/30/2015, 08/13/2018, 03/08/2012, 08/07/2017, 09/27/2019 and 09/12/2019 whose file did not contain documentation to verify completion of the one and one-half (1 1/2) hours of pediatric abusive head trauma training. Upon request, the staff member in-charge did not present the documentation for the aforementioned staff members. Review of ECE-TRIS report did not verify that the training had been completed. Further observation of the presented staff files revealed three (3) staff members with the hire dates 02/24/2020, 02/24/2020 and 09/21/2020 whose file did not contain verification that each staff member had completed six (6) hours of cabinet-approved orientation training within ninety (90) days of employment. Review of ECE-TRIS report did not verify that the training had been completed. Upon request, the staff member in-charge did not present documentation that the orientation training was completed within ninety (90) days of employment for the aforementioned staff members.

**Programming**

**Not In Compliance**

**495 - Bedding/Toys in Crib**

**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:**

- (a) For an infant:**
- 3. No loose bedding, such as a bumper or a blanket; and**
- 4. No toys or other items except the infant's pacifier;**

**Findings:**

General: Observation of the fig classroom revealed a five (5) month old child sleeping in a crib with a pacifier that contained an attachment. Further observation of the fig classroom revealed a four (4) month old child sleeping in a crib with a sound machine lying beside the child's head.

**Premises**

**Not In Compliance**

**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: Observation of the double sink located in the date classroom revealed, while the surveyor was measuring the water temperature, the water was running into the right side of the sink, the water started backing up into the left side of the sink causing that side of the sink to fill up. The water drained very slowly out of the sink. Observation of the double sink located in the fig classroom revealed, while the surveyor was measuring the water temperature, the water was running into the right side of the sink, the water started to back up into the left side of the sink causing the sink to start filling up with water. The water drained out of the sink very slowly.

**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: Observation of the restroom located upstairs in between the olive and wheat classrooms revealed the a wall was peeling paint. Continued observation of the restroom revealed there was one (1) ceiling tile that was missing, exposing wires and pipes. Observation of the main hallway ceiling revealed there were several brown stains on the ceiling tiles, indicative of water damage. Observation of a wall located in the lulav classroom revealed a wall was peeling paint and the drywall was exposed. Observation of the ceilings located in the wheat and sunflower classrooms revealed there were multiple brown stains on the ceiling tiles throughout the classrooms, indicative of water damage. Observation of a wall located in the date classroom revealed a hole in the concrete wall, exposing electrical wires. Observation of the library center located in the sunflower classroom revealed a one (1) inch hole in the wall, exposing the concrete. Observation of the ceiling located in the etrog classroom revealed a brown stain on a ceiling tile over the sink, indicative of water damage.

**645 - Sink**

**Not In Compliance**

**922 KAR 2:120. Section 10. 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: Observation of the hand washing sinks located in the olive classroom, wheat classroom, fig classroom, sunflower classroom, etrog classroom, lulav classroom and the date classroom revealed, the water temperature exceeded one hundred- twenty (120) degrees Fahrenheit.

**Hygienic Practices**

**Not In Compliance**

**685 - Diaper Changing Area/Surface**

**Not In Compliance**

**922 KAR 2:120. Section 10. 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: Observation of the changing tables in the olive classroom, wheat classroom, date classroom, fig classroom and etrog classroom revealed a buildup of dust and debris.

**First Aid/Medication**

**Not In Compliance**

**730 - Medication**

**Not In Compliance**

**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 12(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: Observation of the refrigerator door located in the lulav classroom revealed two (2) boxes of medication labeled 'Humalog 100 Unit / ML Vial' on each box. The medication was not stored in a locked container.

**Outdoor Play Area**

**In Compliance**

| Inspection Report  |                          |
|--|--------------------------|
| Equipment  | Not In Compliance        |
| <b>815 - Toys/Furniture</b>  | <b>Not In Compliance</b> |
| <b>922 KAR 2:120. Section 11. Toys and Furnishings.</b><br><b>(1) All toys and furniture contacted by a child shall be:</b><br><b>(a) Kept clean and in good repair; and</b><br><b>(b) Free of peeling, flaking, or chalking paint.</b>  |                          |
| <b>Findings:</b><br>General: Observation of the climbing room revealed there were vinyl steps that were cracked and the inside material was exposed. Further observation of the climbing room revealed multiple vinyl large shaped blocks that were cracked and torn, exposing the inside material. Observation of the outside playground revealed a small green riding toy that was missing the handle bar and a small plastic school bus that was broken, leaving sharp pointed edges protruding from the toy. Continued observation of the outside playground revealed a white picnic table with attached benches that were missing the end caps on both ends of the benches. The ends of the benches were sharp to the touch. Observation of the date classroom revealed two bucket seat tables that each seats eight (8) children. There were no safety restraints in fifteen (15) of the sixteen (16) bucket seats. The tables were used for the children to eat on. Observation of the etrog classroom revealed a large blue vinyl mat and three (3) vinyl blocks that were torn and cracked, exposing the inside material.   |                          |
| Transportation   | Not Applicable           |
| Food Service/Food Program  | In Compliance            |
| Food Service   | Not In Compliance        |
| <b>1040 - Kitchen Equipment Clean and Sanitary</b>   | <b>Not In Compliance</b> |
| <b>922 KAR 2:120. Section 8. Kitchen Requirements.</b><br><b>(7) The following shall be clean and sanitary:</b><br><b>(a) Eating and drinking utensils;</b><br><b>(b) Kitchenware;</b><br><b>(c) Food contact surfaces of equipment;</b><br><b>(d) Food storage utensils;</b><br><b>(e) Food storage containers;</b><br><b>(f) Cooking surfaces of equipment; and</b><br><b>(g) Nonfood contact surfaces of equipment.</b>   |                          |
| <b>Findings:</b><br>General: Observation of the refrigerator freezer located in the sunflower classroom revealed one (1) small dead insect lying on the freezer floor. Continued observation of the refrigerator revealed there was a buildup of debris and food particles throughout the refrigerator. Observation of the refrigerator located in the date classroom revealed there was dried food on the outside of the refrigerator. Further observation of the refrigerator revealed there were two (2) bottom drawers that contained a dried flakey white substance. Continued observation of the refrigerator freezer revealed there was a brown sticky substance on the shelf inside the freezer door. Observation of the white refrigerator freezer located in the olive classroom revealed there was debris and food particles throughout the freezer. Observation of the refrigerator located in the fig classroom revealed nine (9) clear plastic containers that were individually labeled with the children's names and each container was used to store the children's bottles. All nine (9) of the plastic containers had a buildup of debris and a dried white flakey substance inside each container. |                          |
| Children's Records   | In Compliance            |
| Written Documentation  | Not In Compliance        |
| <b>1150 - Evacuation Plan</b>  | <b>Not In Compliance</b> |
| <b>922 KAR 2:090. Section 5. Evacuation Plan.</b><br><b>(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).</b>  |                          |
| <b>Findings:</b><br>General: Based on interview and review of documentation, the child care center did not submit documentation pertaining to procedures in the event of a fire, natural disaster or other threatening situations that may pose a health or safety hazard for a child in care. The last document submitted was dated 07/01/2019. Interview with the staff in-charge revealed a current emergency preparedness plan was not available for review.   |                          |
| <b>1170 - Professional Development</b>   | <b>Not In Compliance</b> |
| <b>922 KAR 2:090. Section 9. Records.</b><br><b>(1) A child-care center shall maintain:</b><br><b>(f) A written annual plan for child-care staff professional development;</b>   |                          |
| <b>Findings:</b><br>General: Upon request, the child care center did not present a written annual plan for child care staff professional development for fifteen (15) staff members with the following hire dates; 08/30/2015, 08/09/2013, 02/17/2014, 09/10/2012, 09/21/2018, 09/26/2018, 05/12/2015, 03/08/2012, 08/19/2019, 08/07/2017, 09/27/2019, 09/23/2019, 11/06/2019, 09/12/2019 and 12/09/2019.  |                          |
| <b>1175 - Earthquake/Tornado/Fire Drills</b>   | <b>Not In Compliance</b> |
| <b>922 KAR 2:090. Section 9. Records.</b><br><b>(1) A child-care center shall maintain:</b><br><b>(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;</b><br><b>(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;</b>   |                          |
| <b>Findings:</b><br>General: Based on interview and review of the emergency drills logs, there was no documentation that detailed the date, time, and children who participated in an earthquake drill conducted for the fourth (4th) quarter of 2020.   |                          |

# Inspection Report

## 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: Observation and review of documentation in the Iulav classroom revealed there was personal information concerning a child that was not kept confidential as it was posted on a wall inside the classroom. The information consisted of dietary and medical information.

Posted Documentation

In Compliance

Animals

Not Applicable

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 observation, interview and review of documentation, the child care center failed to assure compliance with the requirements specific to the current pandemic as established in 922 KAR 2:410e. The standards established in 922 KAR 2:410e prohibits the use of machine washable toys. Observation of the fig classroom revealed there was a large vinyl mat lying on the floor covered with a blanket. There were four (4) children lying on the blanket. Further observation of the classroom revealed three (3) boppy pillows that were lying on the shared blanket. Therefore, the children were sharing cloth materials and the cloth materials were not washed in between use of the children. Interview with the staff member revealed the pillows are shared throughout the day.

922 KAR 2:410e requires name based background checks, to include a Criminal Records Check (CRC) and a Child Abuse and Neglect (CAN) check to be requested for all staff members who have been hired since the onset of the current pandemic. Additionally, the results of the required checks must be obtained prior to a new staff member working alone with children, without the direct oversight of an employee who has the required background checks on file. Review of presented staff files revealed two (2) staff members with the hire dates 12/28/2020 and 09/21/2020 did not have a Criminal Records Check (CRC) and a Child Abuse and Neglect (CAN) check. Upon request, the staff in-charge presented a background check from DataSource. The documents presented were not from a cabinet approved source.

Signature of Provider/Representative

Title

Date