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Inspection Report

Provider Information		CLR No: L357695
Provider Name: Bluegrass Academy Childcare Center Jeffersontown	Provider Type: LICENSED TYPE I	
Provider Address: 3830 Ruckriegel Parkway, Suite 124, Louisville, KY, 40299		Capacity: 150
Owner(s): Buttons & Bows Preschool of Louisville, INC		Director(s): Perry, Julie

Inspection Information		Inspection No: 320108
Inspection Type: Investigation	Date Concluded: 01/14/2022 4:15 PM	
Date Initiated: 01/14/2022 1:05 PM	No. of Children Present: 56	

Inspection Report	
Background Checks	Not In Compliance
5 - Background check/left alone/dismissed/relocated	Not In Compliance
<p>922 KAR 2:280. Section 3. Implementation and Enforcement.</p> <p>(1) A person who is a child care staff member prior to January 1, 2018, shall submit to and complete background checks in accordance with this administrative regulation no later than September 30, 2018.</p> <p>(2) A child care staff member hired on or after April 1, 2018, shall:</p> <p>(a) Have completed the background checks required in accordance with this administrative regulation and been found to have no disqualifying offense prior to becoming a child care staff member; or</p> <p>(b)1. Have submitted to the background checks required in accordance with this administrative regulation;</p> <p>2. Not be left unsupervised with a child in care pending the completion of the background checks in accordance with this administrative regulation; and</p> <p>3. Be dismissed or relocated from the residence if the person is found to have a disqualifying background check result.</p>	
Findings:	
<p>General: Based on observation, a staff member with the date of hire, 9/15/2021, was the sole supervising staff member with four (4) infants on 1/14/2022. Review of the Kentucky National Background Check Services database confirmed that the individual submitted her fingerprints for processing on 1/17/2022, which was the same date that her eligibility for employment was determined. Therefore, the staff member worked alone with children prior to her eligibility determination date.</p>	

15 - Submit fingerprints

Not In Compliance

922 KAR 2:280. Section 4. Procedures and Payments.

(4)(a) Upon submission of payment in accordance with subsections (2) and (3) of this section, the child care provider shall print a copy of the DCC-504, Applicant Child Care Staff Member Live Scan Fingerprinting Form, from the NBCP portal and provide the form to the child care staff member.

(b) The child care staff member shall:

- 1. Have no more than ninety (90) calendar days from the date of payment pursuant to subsections (2) and (3) of this section to submit the child care staff member's fingerprints at an authorized collection site for NBCP; and**
- 2. Present the DCC-504 and driver's license or other government-issued photo identification to the designated agent at an authorized collection site prior to fingerprint submission.**

Findings:

General: Based on observation, interview and review of documentation, two (2) staff members began their employment with the center prior to submitting their fingerprints for processing. A staff member with the hire date of 12/20/2021 was observed working in the presence of another staff member in the Toddler room on 1/14/2022. There were twelve (12) children present in the classroom. Interview and review of the Kentucky National Background Check Service database verified the staff member had not submitted his/her fingerprints for processing. Additionally, a staff member with the hire date of 9/15/2021 was observed as the sole supervising staff member in the Infant 1 room on 1/14/2022. There were four (4) infants present in the room. Review of the Kentucky National Background Check Service database on 1/19/2022 confirmed the referenced staff member submitted his/her fingerprints for processing on 1/17/2022 and a determination of eligibility did not occur until 1/17/2022. Therefore, that individual also began employment with the center prior to the submission of his/her fingerprints.

85 - Employment Status

Not In Compliance

922 KAR 2:280. Section 11. Status of Employment.

(1) A child care provider shall maintain the employment or residential status of each child care staff member who has submitted to a fingerprint-based criminal background check by reporting the status using the NBCP Web-based system.

Findings:

General: Based on interview and review of documentation, the employment status of four (4) previous staff members was not updated in the Kentucky National Background Check Services database to reflect their separation from the center.

Supervision

Discussed

Staffing Requirements

In Compliance

General Administration

Not In Compliance

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, interview and review of documentation, the health, safety and comfort of children in care were jeopardized due the following occurrences. Supervising staff members failed to have awareness of the number of children for whom they were responsible. On 1/14/2022, there were two (2) staff members in the Toddler room with twelve (12) one-year-old and two-year-old children. When asked how many children were in their care, both staff members asked each other and expressed an unawareness of the number of children in the room without counting them. Additionally on 1/14/2022 there was one (1) staff member in the Fours 1 room with eleven (11) children, ranging from four (4) to five (5) years old. When asked how many children were in his/her care, the staff member verbalized that there were ten (10) children present. Once the children were counted, the staff member acknowledged that he/she 'missed' one. Additionally, a significant, new, large abnormality was detected on the side of an nine-month-old infant's scalp by a staff member early in the day on a day in December 2021. Three (3) staff members assessed the abnormality and determined that it did not warrant an immediate call to the child's parents/guardians. The abnormality was also not reported to the parents/guardians when they arrived to pick the child up from care. Medical assessment was sought for the child on the following morning after the abnormality was detected by the parents/guardians, resulting in the determination that the child's skull was fractured. The lack of notification of the detected abnormality to the child's parents/guardians delayed medical assessment/treatment. Interviews and review of documented incident reports for the same infant revealed that the infant fell twice in the previous month, hitting his/her head. The incidents were not reported to the infant's parents/guardians until they arrived to pick the infant up for the day. Interview with staff members revealed the center does not notify parents when a child hits his/her head unless the child hits the front of his/her head or if the incident results in a noticeable injury.

Employee Records

Not In Compliance

400 - 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: Review of requested and presented employee records revealed the records for two (2) staff members (DOH: 9/3/2021 and 12/20/2021) failed to include documentation verifying that each staff member obtained a high school diploma, GED, or other comparable educational documentation.

405 - 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: Upon request no documentation was submitted for review verifying that three (3) staff members are free of active tuberculosis. The hire dates for the aforementioned staff members are: 12/20/2021, 5/7/2013, and 9/3/2021.

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: Interview and review of the Early Childhood Education Training Information System (ECE-TRIS) report revealed a staff member hired on 9/15/2021 has not completed the required Early Childhood and Education orientation within ninety (90) days of employment. As of 1/20/2022, the training was not completed.

Signature of Provider/Representative

Title

Date