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Inspection Report

Provider Name: Christ The King Preschool and After School Program	Provider Information Provider Type: LICENSED TYPE I	CLR No: L353572
Provider Address: 412 Cochran Road, Lexington, KY, 40502		Capacity: 99
Owner(s): Catholic Diocese of Lexington		Director(s): Cupolo, Tracy Michelle

Inspection Type: Renewal Application	Inspection Information	Inspection No: 278925
Date Initiated: 03/27/2019 9:21 AM	Date Concluded: 03/27/2019 1:05 PM	
	No. of Children Present: 79	

Inspection Report	
Background Checks	Not In Compliance
10 - Submit background check	Not In Compliance
<p>922 KAR 2:280 - Section 4. Procedures and Payments.</p> <p>(1) To initiate the process for obtaining background checks on a prospective child care staff member, the child care provider shall:</p> <p>(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;</p> <p>(b) Request that the prospective child care staff member complete and sign the:</p> <ol style="list-style-type: none"> 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 <p>(c) Log on to the NBCP portal and enter the prospective child care staff member's demographic information for a check of the:</p> <ol style="list-style-type: none"> 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. 	
Findings:	
General: Based on observation, review of documentation, and review of KARES, this regulatory requirement was not met. At the time of the survey an employee hired 10/27/17 did not have documentation to verify compliance with 922 KAR 2:280. A copy of an FBI check conducted by the school was on file at the facility for this individual with a date of 6/28/13.	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
Director Requirements	In Compliance

Inspection Report

Employee Records

Not In Compliance

385 - Personnel File

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

(e) A current personnel file for each child-care center staff person to include:

1. Name, address, date of birth, and date of employment;
2. Proof of educational qualifications;
3. Record of annual performance evaluation;
4. Documentation of compliance with tuberculosis screening in accordance with Section 11(1)(b) of this administrative regulation; and
5. The results of background checks conducted in accordance with 922 KAR 2:280;

Findings:

General: Based on review of documentation, this regulatory requirement was not met. A review of eleven (11) staff files found four (4) newly hired staff that did not have a documented date of hire. An interview with the director found that she is using the date the staff person became eligible for hire in the KAERS system as their date of hire.

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 documentation, this regulatory requirement was not met. A review of eleven (11) staff files found four (4) staff's files that did not contain a high school diploma, GED or other qualifying documentation on file at the facility. The director had not documented a date of hire for these four (4) staff.

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 1/2) 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 1/2) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.

Findings:

General: Based on observation, review of documentation, and ECE-TRIS records, this regulatory requirement was not met. There were three (3) staff with hire dates of 3/15/95, 8/16/16 and 11/8/17 who did not complete fifteen (15) hours of cabinet approved annual training. There were two (2) staff who the director indicated were hired 9/18 and 10/18 who had not completed six (6) hours of cabinet approved orientation training within the first ninety (90) days of employment.

Programming

In Compliance

Premises

Not In Compliance

520 - 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, this regulatory requirement was not met.

- 1) In Pre-K B which contained children ages two to three (2-3) years old, a bottle of Restore supplement and a bottle of D3 supplement were observed in a shelf by the teacher's desk. The shelf was located at a height that made the bottles of supplement accessible to the children. The label on the bottles contained a warning to keep out of reach of children.
- 2) In Pre-K 3 an adult screwdriver was found in a drawer in a cabinet located where the sink is located. A bottle of correction fluid was also found in another drawer in the same area. It should be noted that there were no child safety locks on the drawers, making the items accessible to the children.
- 3) In Pre-K 3 an open can of Diet Coke was found on the counter by the sink. The can of Diet Coke was accessible to the children. In the same room there was a drawer in a cabinet located beside a dry erase board. Inside the drawer were several empty plastic Kroger bags. There was not a child safety lock on the drawer, making the plastic bags accessible to the children.
- 4) In Pre-K 4 A bottles of correction fluid were found in two (2) drawers in a long built-in cabinet along the wall as you come into the room. A pair of adult scissors was also found. There were no child safety locks, making the items accessible to the children. In the bathroom in this same classroom, a Whole Foods grocery bag was observed by a green cabinet. Inside the bag were several empty plastic Kroger bags. The bags were accessible to the children.

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: Based on observation, this regulatory requirement was not met.

- 1) In Pre-K A on the wall where a large cupcake is hanging, there were several areas of chipping and peeling paint. In the same room along the back wall where the blocks are located, there were areas of chipping and peeling paint.
- 2) In Pre-K 4 A the wall near the shelf where the aquarium is located, there were areas of chipping and peeling paint.

Hygienic Practices

Not In Compliance

710 - Toy Sanitation Procedure

Not In Compliance

922 KAR 2:120. Section 11. 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, this regulatory requirement was not met. An interview with staff in Pre-K 2 A found that some of the children in the room are not toilet trained. Staff in the room were asked about the sanitation of the toys in the room. It was found that toys are sanitized daily using soap, water and bleach. This process does not meet the requirement for sanitizing toys that are considered mouth contact toys by children not toilet trained. Staff stated further that sometimes they use the dishwasher if there is a contagious illness going through the classroom. However, this is not a process that is used daily.

First Aid/Medication

Not In Compliance

715 - 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, this regulatory requirement was not met. In Pre-K A it was found that the first aid kit is stored on the bottom shelf of an open storage unit located by the door as you enter the room. This method of storage allows the first aid supplies to be accessible to the children.

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: Based on observation, this regulatory requirement was not met. In Pre-K B on an open shelf by the teacher's desk a bottle of Kroger brand antacid was observed. The bottle of antacid was not labeled for an individual person and was not in a locked container or area, making the antacid accessible to the children.

Outdoor Play Area

Not In Compliance

755 - 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, this regulatory requirement was not met. It was found that the mulch at the end of the slide and under the climbing structure was very thin. Several areas of the dirt beneath were visible. This does not allow for adequate cushioning if a child should fall.

Equipment

Not In Compliance

795 - Individual Bed/Mat/Cot and Bedding

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:

(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, this regulatory requirement was not met. In Pre-K 2B some of the blue and red trifold mats used for nap had torn edges exposing the foam. This does not allow for the mats to be properly sanitized after use.

820 - Indoor/Outdoor Equipment

Not In Compliance

922 KAR 2:120. Section 11. 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, this regulatory requirement was not met.

1) In Pre-K 2B the trash can located beside the sink in the classroom had an accumulation of dirt and grime on the lid and sides.

2) In Pre-K 4B the trash can located by the art shelf had a dried substance on the lid.

Transportation

Not Applicable

Food Service/Food Program

In Compliance

Food Service

In Compliance

Children's Records

In Compliance

Inspection Report

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(2)(U).

Findings:

General: Based on review of documentation, this regulatory requirement was not met. A review of the emergency evacuation plan submitted by the facility to the Lexington-Fayette Urban County Government had a date of 2/1/18 as the date submitted. A review of the letter the facility received from the same agency had language in it that identifies that the submitted plan is for the year 2018. An interview with the director found that this is the last time she submitted an emergency evacuation plan for review. Therefore, the facility has not submitted an emergency evacuation plan for approval for 2019.

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. It was found that the names of children that participated in quarterly earthquake and tornado drills in 2018 were not documented.

Posted Documentation

Not In Compliance

1210 - Disaster Course of Action

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

(j) A written plan and diagram outlining the course of action in the event of a natural or manmade disaster, posted in a prominent place;

Findings:

General: Based on observation, this regulatory requirement was not met. It was found that the facility had a posted diagram outlining where to go in the event of natural or manmade disaster. However, the written plan outlining the course of action to take was not posted with the diagram.

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 observation, this regulatory requirement was not met. In Pre-K 2A the posted plan of activities was dated 3/15/19, which is the week prior to the survey. An interview with the staff person in the room found that she forgot to change the date when making out the plan for the current week.

Animals

Not In Compliance

1225 - Animals in the Presence of Children

Not In Compliance

922 KAR 2:120. Section 13. 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 observation, this regulatory requirement was not met. In Pre-K 2B a fish tank with a Beta fish was observed. In Pre-K 4A an aquarium with a salamander was also observed. An interview with the director found that they do not have written parental consent from each child's parent allowing these pets to be in their child's classroom.

Signature of Provider/Representative

Title

Date