



Andy Beshear
GOVERNOR

**CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL**

Melissa A. Moore, Director
Division of Regulated Child Care
Eastern Branch
455 Park Place, Suite 120A
Lexington, KY 40511
Phone: (859) 246-2301 Fax: (859) 246-2307
<https://chfs.ky.gov/agencies/os/oig>

Eric Friedlander
SECRETARY

Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Porter Memorial Baptist Preschool & Kindergarten	Provider Information Provider Type: LICENSED TYPE I	CLR No: L354055
Provider Address: 4300 Nicholasville Road, Lexington, KY, 40515		Capacity: 130
Owner(s): Board Of Trustees Of Porter Memorial Baptist Church		Director(s): Benton, Miranda Grace

Inspection Type: Renewal Application	Inspection Information	Inspection No: 290290
Date Initiated: 08/21/2019 9:45 AM	Date Concluded: 08/21/2019 1:15 PM	
	No. of Children Present: 50	

Inspection Report	
Background Checks	In Compliance
Supervision	Not In Compliance
90 - Children Supervised	Not In Compliance
922 KAR 2:120. Section 2. Child Care Services. (3)(a) Each center shall maintain a child-care program that assures each child will be: 1. Provided with adequate supervision at all times by a qualified staff person who ensures the child is: a. Within scope of vision and range of voice; or b. For a school-age child, within scope of vision or range of voice;	
Findings: General: Based on observation, this regulatory requirement was not met. During the renewal survey conducted on 8/21/19 the surveyor exited Room 148 which contained fifteen (15) four-year-old children and two (2) staff. The surveyor entered classroom 147 which is located across the hall. While in Room 147 the surveyor heard children's voices coming from the hallway. At approximately 10:40 a.m. the surveyor stepped into the hallway and observed a male and a female child in the hallway where back packs were observed hanging on hooks. The children were putting their lunchboxes in their backpacks. The door to room 147 was closed and there were no adults supervising the two (2) children. The surveyor then observed the female child walk to the door of Room 148, open it and go inside. The surveyor stepped inside Room 148 and confirmed the two (2) children belonged in Room 148. The children were not within scope of vision and range of voice as required by this regulation.	

Inspection Report**Staffing Requirements****Not In Compliance****125 - Ratios and Group Size****Not In Compliance****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.

Findings:

General: Based on observation, this regulatory requirement was not met. At approximately 10:50 a.m. the surveyor and a staff person with the hire date of 8/15/00 stepped into Room 140 to check for posted items. Upon entry into the classroom there were fifteen (15) children ages four-five (4-5) years old with one (1) staff person. Shortly after the surveyor and the staff person entered the room an additional staff person entered the room. The staff person indicated she left the room to use the ladies' room. It was undetermined as to how long this staff person had been out of the classroom.

General Administration**Not In Compliance****255 - Notification of Changes****Not In Compliance****922 KAR 2:090. Section 12. Reports.**

(4)(a) Written notification of the following shall be:

1. Made to the cabinet, in writing, to allow for approval before implementation:

a. Change of ownership;

b. Change of location;

c. Increase in capacity;

d. Change in hours of operation;

e. Change of services in the following categories:

(i) Infant;

(ii) Toddler;

(iii) Preschool-age;

(iv) School-age;

(v) Nontraditional hours; or

(vi) Transportation; or

f. Addition to or reduction of the square footage of a child-care center's premises;

Findings:

General: Based on observation and interview, this regulatory requirement was not met. At the time of the survey an interview with the staff person in charge found that Room 116 is currently used as a music room once a week. It was also found through interview that this room is not part of the facility's licensed space. At the time of the survey a group of children and staff were observed participating in music activities in that area.

Director Requirements**Not In Compliance****350 - Health, Safety, Comfort****Not In Compliance****922 KAR 2:090. Section 10. Director Requirements and Responsibilities.**

(1) A director shall:

(i) Assure the health, safety, and comfort of each child;

Findings:

General: Based on observation, this regulatory requirement was not met. An inspection of the gym used for indoor gross motor activities found there were several stacks of chairs along the outside edge of the gym floor. One (1) of the stacks of chairs measured approximately five (5) feet tall. The chairs were accessible to the children. A review of DRCC files found that this regulatory violation noting the chairs stacked along the inside edge of the gym was issued during renewal surveys conducted on 8/24/17 and 10/23/18.

Inspection Report**Employee Records****Not In Compliance****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 observation and review of documentation, this regulatory requirement was not met. A review of sixteen (16) staff files and ECE-Tris records found one (1) staff person hired 2/15/03 only had evidence of having completed one and a half (1 1/2) hours of annual training.

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. During a tour of the facility the following was found:

- 1) In Room 143 a spray bottle of Hillyard Sanitizer/Deodorizer was observed on the top edge of a pull down diaper changing station located in the bathroom. There was a step stool with two (2) steps in front of the sink which is located beside the pull down diaper changing station. The label on the spray bottle of sanitizer/deodorizer had information indicating to keep out of the reach of children and the contents are hazardous to humans and domesticated animals.
- 2) In Room G135 a container of Clorox wipes was observed on the counter by the sink. The label on the container indicated to keep out of the reach of children. The container of wipes was accessible to the children.
- 3) In Room 140 a pull down diaper changing station was observed mounted on the purple wall. A container of Clorox wipes and a spray bottle of Hillyard sanitizing solution had been placed on the top edge of the diaper changing station. The labels on both containers have warning to keep out of the reach of children. Both of these items were accessible to the children.
- 4) In Room 147 stored on the counter next to the sink there were two (2) spray bottles of Hillyard sanitizing solution, one (1) bottle of Assurance HD spray and wipe cleaner and two (2) spray bottles of Window-Clean Professional Cleaner. The labels on these bottles of cleaning solution contained warnings to keep out of the children. In the cabinet under the sink, there were four (4) containers of Clorox wipes. There was a warning on the label to keep out of the reach of children. There was not a child safety lock or other form of lock on the cabinet. All of the items stored on the counter and in the cabinet were accessible to the children.
- 5) In Room 92, located downstairs a staff's purse was observed inside an unlocked tall metal cabinet. The purse was accessible to the children.

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: Based on observation during a tour of the facility multiple electrical receptacles were found that did not have a plug cover. This was observed in the gym and Room 147.

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 of the gym used for indoor gross motor activities it was found that one (1) of the floor vent covers was bent and did not fit properly in the space cut out for the vent.

Inspection Report	
Hygienic Practices	Not In Compliance
685 - Diaper Changing Area/Surface	Not In Compliance
<p>922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.</p> <p>(10) When a child is diapered, the child shall:</p> <p>(b) Be placed on a surface that is:</p> <ol style="list-style-type: none"> 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. 	
<p>Findings:</p> <p>General: Based on observation in Preschool G135 a pull down diaper changing station was observed mounted to the wall beside the sink located in the classroom. It was found that there was not a padded nonporous surface on the changing table.</p>	
First Aid/Medication	In Compliance
Outdoor Play Area	Not In Compliance
755 - Protective Surface	Not In Compliance
<p>922 KAR 2:120. Section 4. Premises Requirements.</p> <p>(21) A protective surface shall:</p> <p>(a) Be provided for outdoor play equipment used to:</p> <ol style="list-style-type: none"> 1. Climb; 2. Swing; and 3. Slide; and <p>(b) Have a fall zone equal to the height of the equipment.</p>	
<p>Findings:</p> <p>General: Based on observation, this regulatory requirement was not met. An inspection of the outdoor playground located near the gym found that the mulch under a Hippo shaped climber and a caterpillar shaped climber was sparse. The dirt under and around the climbers could be seen through the mulch.</p>	
Equipment	Not In Compliance
820 - Indoor/Outdoor Equipment	Not In Compliance
<p>922 KAR 2:120. Section 11. Toys and Furnishings.</p> <p>(2) Indoor and outdoor equipment shall:</p> <ol style="list-style-type: none"> (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. 	
<p>Findings:</p> <p>General: Based on observation in the boys' and girls' bathrooms located downstairs it was found that the blue step stools used by the children to reach the sink had an accumulation of dirt and grime embedded in the grooved surface. These bathrooms are used by the children in Room 92.</p>	
Transportation	Not Applicable
Food Service/Food Program	In Compliance
Food Service	In Compliance

Inspection Report		
	Children's Records	Not In Compliance
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 observation and review of documentation, this regulatory requirement was not met. A review of ten (10) children's enrollment information found one (1) child's information did not include a preferred hospital. The space allocated for this documentation had been left blank.		
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 observation and review of documentation, this regulatory requirement was not met. A review of the evacuation plan found that it was last submitted for approval on 10/27/16.		
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 observation and review of documentation, this regulatory requirement was not met. A review of records found there was no documentation to verify a fire drill was conducted and documented with the date time and children who participated in a fire drill for December 2018 and May 2019.		
1195 - 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 and a tornado drill shall be: (a) Conducted during hours of operation at least quarterly; and (b) Documented.		
Findings: General: Based on review of documentation, this regulatory requirement was not met. A review of records found there was no documentation to verify that a monthly fire drill was conducted for December 2018 and May 2019.		
Posted Documentation		In Compliance
Animals		Not Applicable

Signature of Provider/Representative

Title

Date