



Andy Beshear
GOVERNOR

CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL

Eric Friedlander
SECRETARY

Melissa A. Moore, Director
Division of Regulated Child Care
Eastern Branch
455 Park Place, Suite 120A
Lexington, KY 40511

Adam Mather
INSPECTOR GENERAL

Phone: (859) 246-2301 Fax: (859) 246-2307
<https://chfs.ky.gov/agencies/os/oig>

Inspection Report

Provider Name: Southern Preschool & Childcare	Provider Information	CLR No: L358307
Provider Address: 109 Steele Street, Frankfort, KY, 40601	Provider Type: LICENSED TYPE I	Capacity: 112
Owner(s): Southern Preschool & Childcare, Inc.		Director(s): Anderson, Jessica Ann

Inspection Type: Renewal Application	Inspection Information	Inspection No: 244565
Date Initiated: 04/20/2018 8:45 AM	Date Concluded: 04/20/2018 11:40 AM	
	No. of Children Present: 76	

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 January 1, 2018, shall:</p> <p>(a) Have completed the background checks required in accordance with this administrative regulation and 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 Review of Documentation, it was found that the file for an employee rehired on 8-15-17 contained only the criminal records check and central registry check completed in 2016 upon her original hire date. There was no evidence of a new criminal records check or central registry check being completed. This employee reportedly does not work alone with the children. In addition, it was found that the file for an employee hired on 2-12-18 did not contain evidence of submission for or the results of a completed central registry check. According to the director and a second shift employee, on April 9, 2018 this staff person began working from 6:00 p.m. to 11:00 p.m. Monday, Thursday and Friday. During this time, she works alone with the infants and toddlers in a back classroom while another employee is up front with the older children.</p>	
Supervision	In Compliance

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) Minimum staff-to-child ratios and group size for an operating child-care center shall be maintained as follows:

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, it was found that upon entry to the facility at 8:45 a.m., there were forty-two (42) children ages three to five years old in the Three Year Old classroom area with three (3) staff members. The group was over the maximum group size of twenty-four (24) children by eighteen (18) children. They were also over ratio by six (6) children. The staff person in charge stated that the morning staff person called in so they were short staffed. The age groups were separated at 8:55 a.m. It could not be determined how long the group was over maximum group size and ratio prior to this time. At 8:55 a.m., one (1) staff person was found to be supervising twenty (20) four-year-old children. The room remained over ratio by six (6) children until a second staff person arrived at 9:00 a.m. At 8:55 a.m., one (1) staff person was found to be supervising twenty-two (22) three-year-old children. The room remained over ratio by ten (10) children until a second staff person arrived at 9:00 a.m.

General Administration

In Compliance

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:

- (l) Assure the health, safety, and comfort of each child;**

Findings:

General: Based on Observation, it was found that there was one (1) uncovered electrical outlet on the middle wall of the Toddler classroom. In the Infant classroom, two (2) children were observed to be seated in highchairs without the safety straps being engaged.

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, it was found that the file for one (1) employee did not contain a date of hire. The director was unable to determine the employee's date of hire even after looking through the file during the survey. The employee's hire date of 2-12-18 was emailed to the surveyor on 4-23-18.

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, it was found that the files for employees hired on 2-12-18, 8-15-17, 11-13-17 and 2-14-18 did not contain evidence of a high school diploma, GED or Commonwealth Childcare Credential.

395 - 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: Based on Review of Documentation, it was found that the files for employees hired on 11-13-17 and 2-12-18 did not contain evidence of a TB skin test or screening being completed.

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 Review of Documentation, it was found that the ECE-TRIS record and file for an employee hired on 8-15-17 did not contain evidence of the six (6) hour cabinet-approved orientation training being completed.

Programming

Not In Compliance

420 - Program of Activities Followed

Not In Compliance

922 KAR 2:120. Section 2. Child Care Services.

(4) The child-care center shall provide a daily planned program:

- (a) Posted in writing in a conspicuous location with each age group and followed;**
- (b) Of activities that are individualized and developmentally appropriate for each child served;**
- (c) That provides experience to promote the individual child's physical, emotional, social, and intellectual growth and well-being; and**
- (d) Unless the child-care center is a before- or after-school program that operates part day or less, that offers a variety of creative activities**

including the following:

- 1. Art or music;**
- 2. Math or numbers;**
- 3. Dramatic play;**
- 4. Stories and books;**
- 5. Science or nature;**
- 6. Block building or stacking;**
- 7. Tactile or sensory activity;**
- 8. Multi-cultural exposure;**
- 9. Indoor or outdoor play in which a child makes use of both small and large muscles;**
- 10. A balance of active and quiet play, including group and individual activity;**
- 11. An opportunity for a child to:**
 - a. Have some free choice of activities;**
 - b. If desired, play apart from the group at times;**

Findings:

General: Based on Observation, it was found that a ten-year-old child and an eleven-year-old child were present at the facility during the survey. The ten-year-old child was observed to be delivering items to various classrooms and sitting in the kitchen with her mother, the cook. She was reportedly picked up from school due to having a headache. She was present in the facility from 9:00 a.m. to 10:40 a.m. The eleven-year-old child was observed to be in the Four Year Old classroom. She was reportedly at the facility because she had an audition out of town at 1:00 p.m. She arrived at the facility at 9:00 a.m. and remained there for the duration of the survey. Appropriate programming was not provided for either school age child.

Inspection Report

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, it was found that the Janitor's supply closet located in the hallway was unlocked. The closet was found to contain a gallon of bleach, a can of spray paint and multiple gallons of paint. Each container bore the label, "Keep Out of Reach of Children." The spray paint also bore the label, "Flammable."

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, it was found that the floors around the baseboards and cabinets throughout the facility were discolored with a buildup of dirt and grime. It was also found that the paint on the door frames throughout the facility was chipped and peeling.

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, it was found that there was a broken ceiling tile in the boy's bathroom in the Two Year Old classroom. It was also found that there was a missing ceiling tile in the Toddler's bathroom. In the princess themed bathroom, it was found that a stall support bar was not properly attached to the wall and had been pulled through the drywall, creating a large gash.

650 - Toilet

Not In Compliance

922 KAR 2:120. Section 10. 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, it was found that the base of the toilet in the Toddler bathroom was littered with debris and hair. A toilet in the princess themed bathroom was found to contain urine.

Hygienic Practices

Not In Compliance

655 - Child Personal Care/Handwashing

Not In Compliance

922 KAR 2:120. Section 3. General Requirements.

- (4) A child shall:**
 - (a) Be helped with personal care and cleanliness based upon their developmental skills; and**
 - (b) Wash his or her hands with liquid soap and warm running water:**
 - 1. a. Upon arrival at the center; or**
 - b. Within thirty (30) minutes of arrival for school-age children;**
 - 2. Before and after eating or handling food;**
 - 3. After toileting or diaper change;**
 - 4. After handling animals;**
 - 5. After touching an item or an area of the body soiled with body fluids or wastes; and**
 - 6. After outdoor or indoor play time; and**
 - (c) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (b) of this subsection. The child shall wash the child's hands as soon as practicable once liquid soap and warm running water are available.**

Findings:

General: Based on Observation, it was found that the children in the Toddler classroom did not have their hands washed with liquid soap and running water prior to or after eating breakfast.

660 - Staff Hygiene/Handwashing

Not In Compliance

922 KAR 2:120. Section 3. General Requirements.

(5) Staff shall:

- (a) Maintain personal cleanliness;**
- (b) Conform to hygienic practices while on duty;**
- (c) Wash their hands with liquid soap and running water:**
 - 1. Upon arrival at the center;**
 - 2. After toileting or assisting a child in toileting;**
 - 3. Before and after diapering each child;**
 - 4. After wiping or blowing a child's or own nose;**
 - 5. After handling animals;**
 - 6. After caring for a sick child;**
 - 7. Before and after feeding a child or eating;**
 - 8. Before dispensing medication;**
 - 9. After smoking or vaping; and**
 - 10. If possible, before administering first aid; and**

(d) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (c) of this subsection. The staff shall wash the staff's hands as soon as practicable once liquid soap and warm running water are available.

Findings:

General: Based on Observation, it was found that a staff person in the Infant classroom changed a child's diaper, but did not wash her hands afterwards. She was observed to finish changing the child's diaper and then begin to clean a highchair.

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, it was found that the toys in the Toddler classroom were cleaned by dipping them in bleach water, rinsing them and then allowing them to air dry. This procedure does not meet the requirements of the regulation.

First Aid/Medication

In Compliance

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, it was found that on the playground used by the older children, a large metal boat-shaped climber was positioned next to the sidewalk that runs alongside the playground. There was no protective ground covering along one (1) side of the piece of equipment. On the playground used by the younger children, a green car-shaped metal climber, an airplane ride-on spring toy and a race car ride-on spring toy were positioned on the grass. On this same playground, it was found that adequate fall zones were not present around several pieces of equipment. A little tikes climber/slide was positioned next to the landscape timbers framing the playground. Two (2) little tikes climber/slides approximately three (3) feet tall were positioned less than two (2) feet apart. A large green metal car-shaped climber and three (3) little tikes climbers were positioned less than one (1) foot apart. A two (2) feet tall school bus shaped climber/slide was positioned less than one (1) foot from a brick wall.

Equipment

In Compliance

Transportation

Not Applicable

Food Service/Food Program

Not Applicable

Inspection Report

Food Service

Not In Compliance

1010 - Kitchen Requirements

Not In Compliance

922 KAR 2:120. Section 8. Kitchen Requirements.

(1) The kitchen shall:

(a) Be clean;

(b) Be equipped for proper food:

1. Preservation;

2. Storage;

3. Preparation; and

4. Service;

(c) Be adequately ventilated to the outside air; and

(d) Except in a Type II child-care center when a meal is not being prepared, not be used for the activity of a child.

Findings:

General: Based on Observation, it was found that a ten-year-old child was present in the kitchen during the survey. She was reportedly picked up from school because she had a headache. The child remained in the kitchen from approximately 9:15 a.m. until she was picked up at 10:40 a.m.

1050 - Bottles

Not In Compliance

922 KAR 2:120. Section 8. Kitchen Requirements.

(9) Bottles shall be:

(a) Individually labeled;

(b) Promptly refrigerated;

(c) Covered when not in use; and

(d) Consumed within one (1) hour of being heated or removed from the refrigerator.

Findings:

General: Based on Observation, it was found that there were two (2) uncovered bottles in the refrigerator located in the Toddler classroom.

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 Review of Documentation, it was found that a ten-year-old child present in the facility did not have a file on hand, therefore there was no record of identifying information, parental contact, pickup authorization, physician's contact information, information regarding the parent's preferred hospital, authorization for emergency medical care or immunization record. The director stated that the child was not enrolled, but was at the facility because her mother picked her up from school due to her having a headache.

Written Documentation

Not In Compliance

1160 - 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, it was found that only eleven (11) of the twelve (12) children present in the Two Year Old classroom were signed in. It was also found that only six (6) of the nine (9) children present in the Infant classroom were signed in. One (1) school age child present in the facility was found to not be signed in.

Inspection Report

1170 - 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, it was found that the file for one (1) eligible individual did not contain evidence of an annual professional development plan being completed.

Posted Documentation

Not In Compliance

1200 - Posting Requirements

Not In Compliance

922 KAR 2:090. Section 8. General.

(6) In addition to the posting requirement of KRS 199.898(3), a child-care center shall post the following in a conspicuous place and make available for public inspection:

- (a) The provider's preliminary or regular license;
- (b) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;
- (c) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;
- (d) Information on the Kentucky Consumer Product Safety Program and the program's website as specified in KRS 199.897;
- (e) A description of services provided by the child-care center, including:
 - 1. Current rates for child care; and
 - 2. Each service charged separately and in addition to the basic rate for child care;
- (f) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and
- (g) Daily planned program.

Findings:

General: Based on Observation, it was found that a daily schedule was not posted in the School Age classroom.

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, it was found that the posted schedule of daily activities in the Toddler classroom was dated for the week of 2-12-18. A current schedule of daily activities was not posted. It was also found that a schedule of daily activities was not posted in the Infant classroom or the School Age classroom.

1220 - Diapering/Handwashing

Not In Compliance

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.

- (9) The proper methods of diapering and hand-washing shall be posted at each diaper changing area.

Findings:

General: Based on Observation, it was found that the diapering steps were not posted near the changing area in the Infant classroom.

Animals

Not Applicable

Signature of Provider/Representative

Title

Date