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CABINET FOR HEALTH AND FAMILY SERVICES
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Adam Mather
INSPECTOR GENERAL

Inspection Report

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

Inspection Type: Investigation	Inspection Information	Inspection No: 318532
Date Initiated: 08/17/2021 1:50 PM	Date Concluded: 08/17/2021 3:05 PM	
	No. of Children Present: 46	

Inspection Report		
	Supervision	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 and interview, this regulatory requirement was not met. The following was found:

1. At 1:50PM, the surveyor entered the facility and observed one (1) staff person present in the Pre-K Classroom with 17 children (four - five year olds) that were lying on cots. While the surveyor was introducing herself to the staff person in the Pre-K Classroom, a staff person exited the adjacent three year old classroom and identified herself as the second staff person assigned to the Pre-K Classroom group. Since the youngest child in the group was a four year old, the minimum staff to child ratio would need to be one (1) staff person for 14 children. The facility exceeded the staff/child ratio by three (3) children.

2. The surveyor proceeded down the hallway to the tour the younger classrooms and observed one (1) staff person caring for a group of 12 children in the Two Year Old Classroom. The staff person stated that the second staff person assigned to the group went to use the restroom down the hall. This staff person entered the classroom approximately one (1) minute later. Since the youngest child in the group was a two year old, the minimum staff to child ratio would need to be one (1) staff person for 10 children. The facility exceeded the staff/child ratio by two (2) children.

General Administration

Not In Compliance

180 - Plan of Correction/15 days

Not In Compliance

Findings:

A PLAN OF CORRECTION WAS DUE ON 10/12/2021 AND AS OF 10/13/2021, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.

220 - Reports to Cabinet

Not In Compliance

922 KAR 2:090. Section 13. Reports.

(1) The following shall be reported to the cabinet or designee and other agencies specified in this section within twenty-four (24) hours from the time of discovery:

- (a) Communicable disease, which shall also be reported to the local health department pursuant to KRS 214.010;**
- (b) An accident or injury to a child that requires medical care initiated by the child-care center or the child's parent;**
- (c) An incident that results in legal action by or against the child-care center that:

 - 1. Affects a child or staff person; or**
 - 2. Includes the center's discontinuation or disqualification from a governmental assistance program due to fraud, abuse, or criminal conviction related to that program;****
- (d) An incident involving fire or other emergency, including a vehicular accident when the center is transporting a child receiving child care services;**
- (e) A report of child abuse or neglect that:

 - 1. Has been accepted by the cabinet in accordance with 922 KAR 1:330; and**
 - 2. Names a director, employee, volunteer, or person with supervisory or disciplinary control over, or having unsupervised contact with, a child in care as the alleged perpetrator; or****
- (f) An individual specified in Section 6(4) of this administrative regulation meeting a disqualifying criterion or background check result pursuant to 922 KAR 2:280.**

Findings:

Based on interview, the child care facility failed to report a communicable disease to the cabinet within 24 hours from the time of discovery. The staff person in charge stated during the inspection that the facility currently has a staff under quarantine due to health department directive. The staff person tested positive for COVID-19 on 8/9/21 and has not yet reported back to work. This was not reported to the DRCC office.

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 and interview, this regulatory requirement was not met. The following was found:

1. During the investigation, the surveyor noted that the staff person working in the infant classroom was not wearing a mask or any type of face covering throughout the entire visit (1:50PM - 3:05PM).
2. The surveyor found that two (2) staff observed working at the facility did not have any documentation on file for the surveyor to review, including no evidence or results of background checks. One (1) staff person (approximate hire date: 6/7/21) was observed working in the Two Year Old Classroom with another staff person and the second staff person (approximate hire date: 7/26/21) was observed working in the Pre-K Classroom with another staff person.
3. The surveyor observed two (2) infants pick up a staff person's flip flops, which were located on the floor near the entrance door. The two (2) children played with the flip flops and carried them around. The staff person took the flip flops away from the children; however, one (1) child retrieved the flip flops from the area and started playing with them again.

Employee Records

Not In Compliance

395 - 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 and interview, the facility failed to maintain staff files and failed to document hire dates. During the investigation, the surveyor found that two (2) staff observed working at the facility did not have any documentation on file for the surveyor to review, including no evidence or results of background checks. One (1) staff person was observed working in the Two Year Old Classroom with another staff person and the second staff person was observed working in the Pre-K Classroom with another staff person. The staff person in charge stated that the staff person in the Two Year Old Classroom started working at the facility at the beginning of the summer. The staff person in question estimated 6/7/21 as her hire date during interview. The staff person in charge asked the staff person working in the Pre-K Classroom when her first day was during the visit. The staff person responded "approximately three weeks ago"; therefore, her hire date is estimated as 7/26/21.

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: Based on review of documentation and interview, two (2) staff (hire dates: approximately 6/7/21 and approximately 7/26/21) did not have educational documentation on file. The staff person in charge stated that she did not have employee files for these two (2) staff.

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: Based on review of documentation and interview, two (2) staff (hire dates: approximately 6/7/21 and approximately 7/26/21) did not have T.B. documentation on file. The staff person in charge stated that she did not have employee files for these two (2) staff.

Programming

Not In Compliance

530 - Infant Sleep Position

Not In Compliance

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.

(1) An infant shall sleep or nap on the infant's back unless the infant's health professional signs a waiver that states the infant requires an alternate sleeping position.

Findings:

General: Based on observation, a child identified as being six weeks old was observed sleeping in a swing in the infant classroom during the survey. Documentation stating that the child required an alternate sleeping position was not provided.

Premises

In Compliance

Hygienic Practices

In Compliance

Signature of Provider/Representative

Title

Date