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**Adam Mather**  
INSPECTOR GENERAL

**Inspection Report**

<b>Provider Name:</b> Academy of Learning-Harvard	<b>Provider Information</b>	<b>CLR No:</b> L358403
<b>Provider Address:</b> 730 Harvard Drive, Owensboro, KY, 42301	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 99
<b>Owner(s):</b> Academy Of Learning-Harvard, LLC		<b>Director(s):</b> Morales , Tammy Renee

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 290915
<b>Date Initiated:</b> 09/24/2019 9:30 AM	<b>Date Concluded:</b> 09/24/2019 12:40 PM	
	<b>No. of Children Present:</b> 28	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
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 and interview, a caregiver supervised seven (7), one-year-old children outside on the playground. Interview confirmed she was aware staff/child ratios were not maintained for a hour.

Inspection Report	
General Administration	Not In Compliance
<b>275 - Abuse/Neglect Report Procedure</b>	<b>Not In Compliance</b>
<b>922 KAR 2:120. Section 2. Child Care Services.</b> <b>(3)(b) The program shall include:</b> <b>1. A procedure to ensure compliance with and inform child care staff of the laws of the Commonwealth pertaining to child abuse or neglect set forth in KRS 620.030;</b>	
<b>Findings:</b> General: Based on review of documentation, the center did not have a procedure to ensure compliance with and inform child care staff of the laws of the Commonwealth for reporting child abuse/neglect set forth in KRS 620.030. The center's policy states "It is the responsibility of every staff member to report to his/her director any incidence or suspected incidence of client abuse or neglect." Also, the director will report to the owner. "If appropriate, the Director shall report the incident to appropriate legal authorities."	
Director Requirements	Not In Compliance
<b>345 - Staff Evaluation</b>	<b>Not In Compliance</b>
<b>922 KAR 2:090. Section 10. Director Requirements and Responsibilities.</b> <b>(1) A director shall:</b> <b>(j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;</b>	
<b>Findings:</b> General: Based on review of documentation, a caregiver hired 03/15/18; a caregiver hired 03/06/18; a caregiver hired 06/19/07, and a caregiver hired 10/04/06, did not have a written annual performance evaluation.	
Employee Records	Not In Compliance
<b>390 - Educational Requirements</b>	<b>Not In Compliance</b>
<b>922 KAR 2:090. Section 11. Staff Requirements.</b> <b>(1) Child-care center staff:</b> <b>(a) Hired after January 1, 2009, who have supervisory power over a minor and are not enrolled in secondary education, shall have a:</b> <b>1. High school diploma;</b> <b>2. GED or qualifying documentation from a comparable educational entity; or</b> <b>3. Commonwealth Child Care Credential as described in 922 KAR 2:250;</b>	
<b>Findings:</b> General: Based on interview and review of documentation, a caregiver hired 08/29/19, did not have her education documentation on file. Interview revealed the paper work was requested but not received.	
<b>410 - Training</b>	<b>Not In Compliance</b>
<b>922 KAR 2:090. Section 11. Staff Requirements.</b> <b>(16) In accordance with KRS 199.896(15) and (16), a staff person with supervisory authority over a child shall complete the following:</b> <b>(a) Six (6) hours of cabinet-approved orientation within the first three (3) months of employment;</b> <b>(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</b> <b>(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.</b>	
<b>Findings:</b> General: Based on review of documentation, a caregiver hired 03/06/18, did not complete one and one-half (1 1/2) hour of pediatric abusive head trauma training within her first year of employment.	
Programming	In Compliance
Premises	Not In Compliance
<b>520 - Inaccessible Items</b>	<b>Not In Compliance</b>
<b>922 KAR 2:120. Section 3. General Requirements.</b> <b>(7) The following shall be inaccessible to a child in care:</b> <b>(a) Toxic cleaning supplies, poisons, and insecticides;</b> <b>(b) Matches, cigarettes, lighters, and flammable liquids; and</b> <b>(c) Personal belongings and medications of staff.</b>	
<b>Findings:</b> General: Based on observation, a pint of paint was stored underneath the children's hand washing sink in the three-year-old room. A can of Glade disinfectant set on a shelf above the children's cubbies and a bottle labeled bleach water set on a desk. These items were in the preschool room.	
<b>580 - Floors, Walls, Ceilings</b>	<b>Not In Compliance</b>
<b>922 KAR 2:120. Section 4. Premises Requirements.</b> <b>(9) Floors, walls, and ceilings shall be smooth, in good repair, and constructed to be easily cleaned.</b>	
<b>Findings:</b> General: Based on observation, a large piece of floor tile was cracked with missing pieces in front of the door, which exited to the three-year-old playground.	

**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, the toilet did not flush in the hallway restroom located across from the three-year-old room.

**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 his or her developmental skills;**
- (b) Except as established in paragraph (c) of this subsection, 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, seven (7) children did not wash their hands with liquid soap and warm running water before they ate lunch in the two-year-old room. In addition, two (2), two-year-old children had dried green nasal mucus and brown dirt below their noses and smeared on each side of their cheeks. No attempt was made to clean the two (2) children's faces.

**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) Except as established in paragraph (d) of this subsection, 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, a caregiver wore gloves but did not wash her hands before she changed a child's diaper in the two-year-old room.

**Inspection Report****First Aid/Medication****Not In Compliance****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, a bottle of Children Ibuprofen; a bottle of Ibuprofen; a bottle of Children Pain Relief; a bottle of Imodium; a bottle of Infant's Tylenol; two (2) bottles of Hydrogen Peroxide and two (2) tubes of Soothing Sting were not labeled but stored in the first aid cabinet in the kitchen.

**Outdoor Play Area****Not In Compliance****750 - Playground Conditions****Not In Compliance****922 KAR 2:120. Section 4. Premises Requirements.****(20) An outdoor play area shall be:**

- (d) Safe from foreseeable hazard;**
- (e) Well drained;**
- (f) Well maintained;**
- (g) In good repair; and**
- (h) Visible to staff at all times.**

**Findings:**

General: Based on observation, an excessive amount of grass and weeds had grown through the play mats and mulch on the large playground. An excessive amount of grass and weeds had grown through the mulch on the smaller playground and the three-year-old playground.

**Equipment****Not In Compliance****770 - Play Equipment****Not In Compliance****922 KAR 2:120. Section 4. Premises Requirements.**

- (24) Supports for climbing apparatus and large equipment shall be securely fastened to the ground.**
- (25) Crawl spaces, such as tunnels, shall be short and wide enough to permit access by adults.**
- (26) A sandbox shall be:**
- (a) Constructed to allow for drainage;**
  - (b) Covered when not in use;**
  - (c) Kept clean; and**
  - (d) Checked for vermin prior to use.**

**Findings:**

General: Based on observation, a small sandbox and a large sandbox were not covered, while not in use. Children were not playing on the playgrounds, while the sandboxes were uncovered.

**815 - Toys/Furniture****Not In Compliance****922 KAR 2:120. Section 11. Toys and Furnishings.**

- (1) All toys and furniture contacted by a child shall be:**
- (a) Kept clean and in good repair; and**
  - (b) Free of peeling, flaking, or chalking paint.**

**Findings:**

General: Based on observation, an excessive amount of dust and what appeared to be dirt was on the top of the kitchen set in the two-year-old room. The seat of a wooden chair was cracked and broken in the three-year-old room. An excessive amount of dust and what appeared to be dirt was on the top a pink/white child's vanity and the child size kitchen in the preschool room.

# Inspection Report

## 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, a softball size brown stain was on the ceiling tile in the hallway restroom, across from the three-year-old room.

A softball size brown substance was on the ceiling tile in the three-year-old room.

There was rust on the legs of the blue metal chair and the seat of the blue metal car located on the smaller playground.

There were brown spots on the face rug and the tan rug in the one-year-old room.

There were brown spots on the letter rug in the two-year-old room.

The wood was splintered, chipped, nails and bolts were exposed to the large wooden play equipment of the large playground. The large wooden play equipment had attached a slide, and a standing platform.

A piece of metal floor stripping, which held the carpet in place was raised and not secure to the floor in the preschool room.

#### Transportation

Not Applicable

#### Food Service/Food Program

In Compliance

#### Food Service

Not In Compliance

## 1120 - Sufficient Room/Eating Utensils Supplied

Not In Compliance

### 922 KAR 2:120. Section 9. Food and Meal Requirements.

#### (13) Meals shall be:

#### (b) Served to a child:

- 1. Seated with sufficient room to manage food and tableware; and
- 2. Supplied with individual eating utensils designed for use by a child.

#### Findings:

General: Based on observation, a one-year-old child drank from a bottle as she walked around the one-year-old room instead or sitting at the table or in a high chair.

#### Children's Records

Not In Compliance

## 1135 - Immunization

Not In Compliance

### 922 KAR 2:090. Section 9. Records.

#### (1) A child-care center shall maintain:

- (a) A current immunization certificate for each child in care within thirty (30) days of the child's enrollment, unless an attending physician or the child's parent objects to the immunization of the child pursuant to KRS 214.036;

#### Findings:

General: Based on review of documentation, a child enrolled 08/14/18, had an immunization certificate valid until 03/28/19; a child enrolled 09/28/17, had an immunization certificate valid until 01/18/19; a child enrolled 05/24/17, had an immunization certificate valid until 06/08/19; a child enrolled 08/26/15, had an immunization certificate valid until 09/09/19; two (2) children each enrolled 07/09/17, each had an immunization certificate valid until 03/14/19, and a child enrolled 09/02/16, did not have an immunization certificate on file.

# Inspection Report

## 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, a child enrolled 03/14/18, received third party services from a therapist but did not have permission from the parent/guardian to receive third party services at the center.

### 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 observation and review of documentation, six (6) children did not have a documented departure time and one (1) child did not have a documented arrival time on 09/23/19. Surveyor observed thirty (30) children present but eighteen (18) children had a documented arrival time on 09/24/19.

## 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 interview and a review of the tornado and earthquakes drills for 2018 and 2019, it was revealed the quarterly tornado and earthquakes drills for the third and fourth quarter of 2018 and the first and second quarter of 2019, were practiced but the names of the children who participated were not documented.

## 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 interview and a review of the monthly fire drills of 2018 and 2019 the drills were conducted but the names of children were not documented.

### Posted Documentation

In Compliance

### Animals

Not Applicable

Signature of Provider/Representative

Title

Date