Printed Date: 12/02/2022 KID013A v2.0



Andy Beshear GOVERNOR

Provider Name: Academy of Learning Owensboro

CABINET FOR HEALTH AND FAMILY SERVICES OFFICE OF INSPECTOR GENERAL

Melissa A. Moore, Director **Division of Regulated Child Care**

Western Branch 901 B South Main Street Hopkinsville, KY 42240

Phone: (270) 889-6052 Fax: (270) 889-6089 https://chfs.ky.gov/agencies/os/oig

Eric Friedlander SECRETARY

Adam Mather INSPECTOR GENERAL

CLR No: 1358403

Inspection Report

Provider Information

Provider Type: LICENSED TYPE I

Capacity: 80

Provider Address: 4801 Towne Square Ct, Owensboro, KY, 42301

Owner(s): Academy Of Learning-Harvard, LLC Director(s): Morales, Tammy Renee

Inspection Information

Inspection Type: Renewal Application Inspection No: 318352 Date Initiated: 09/21/2021 8:50 AM Date Concluded: 09/21/2021 3:35 PM

No. of Children Present: 23

Inspection Report

Background Checks

Not In Compliance

10 - Submit background check Not In Compliance

922 KAR 2:280 - Section 4. Procedures and Payments.

- (1) To initiate the process for obtaining background checks on a prospective child care staff member, the child care provider shall:
- (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;
- (b) Request that the prospective child care staff member complete and sign the:
- 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
- (c) Log on to the NBCP portal and enter the prospective child care staff member's demographic information for a check of the:
- 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 review of documentation, a caregiver hired on 9/17/21, did not have a processed background check and was present at the center.

Supervision

In Compliance

Staffing Requirements

In Compliance

General Administration

Not In Compliance

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 review of documentation, two (2) electrical outlets were uncovered in the preschool room. Three (3) electrical outlets were uncovered in the school age room and in the kindergarteners' room. One (1) electrical outlet was uncovered in the infants' room. Five (5) electrical outlets were uncovered in the one-year-olds' room and school age room. A sink was used for handwashing and washing bottles in the infants' room. Long chunks of pulled pork was served to three (3), one-year-old children in the infants' room. Three (3), one-year-old children each sat in a highchair that was missing safety straps during lunch in the infants' room. A caregiver hired on 5/12/21, did not have a name-based child abuse/neglect check on file. A caregiver hired on 5/17/21, did not have a child abuse/neglect check and a sex offender registry check on file from Indiana, which was a previous sate of residence

Director Requirements

In Compliance



Employee Records

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, a caregiver hired on 3/6/18, had TB documentation on file dated 9/2/19. A caregiver hired on 6/2/18, had TB documentation on file dated 7/17/19. A caregiver hired on 3/15/18, had TB documentation on file dated 7/17/19. Two (2) caregivers hired on 5/17/21 and 5/18/21, did not have TB documentation on file.

435 - 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 completed within the first three (3) months of employment in a child-care program;
- (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment in a child care program, 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 completed between July 1 and the following June 30 of each subsequent year of employment in a child care program, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.
- (17) A staff person's compliance with training requirements of this section shall be verified through the cabinet-designated database maintained pursuant to 922 KAR 2:240.

Findings:

General: Based on review of documentation, a caregiver hired on 3/6/18, completed fourteen and a half (14 ½) hours of training during a subsequent year of employment. Three (3) caregivers hired on 5/12/21, 5/18/21, and 5/17/21, each did not complete six (6) hours of orientation training within the first three (3) months of employment. Two (2) caregivers hired on 3/15/18 and 4/23/19, each did not complete training hours during a subsequent year of employment.

450 - Driver Requirements Not In Compliance

922 KAR 2:120. Section 14. Transportation.

- (18) A driver of a vehicle transporting a child for a center shall:
- (a) Be at least twenty-one (21) years old;
- (b) Complete:
- 1. The background checks as described in 922 KAR 2:280; and
- 2. An annual check of the:
- a. Kentucky driver history records in accordance with KRS 186.018; or
- b. Driver history records through the state transportation agency that issued the driver's license;
- (c) Hold a current driver's license which has not been suspended or revoked during the last five (5) years; and
- (d) Not caused an accident that resulted in the death of a person.

Findings:

General: Based on review of documentation, four (4) caregivers hired on 3/12/18, 9/2/19, 6/2/18, 4/18/18, did not have a driver's history record on file.

Programming

Not In Compliance

Not In Compliance

455 - 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:
- 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 and 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, there was no daily planned program of activities posted in the two-year-olds' room, one-year-olds' room, after school age room, and kindergarteners' room.



Premises

Not In Compliance

Not In Compliance

585 - 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, a paper cup, a plastic water bottle, and food wrappers were scattered in the front yard of the center.

605 - Building Requirements

922 KAR 2:120. Section 4. Premises Requirements.

- (5) The building shall be constructed to ensure the:
- (a) Building is:
- 1. Dry;
- 2. Ventilated; and
- 3. Well lit, including clean light fixtures that are:
- a. In good repair in all areas; and
- b. Shielded or have shatter-proof bulbs installed; and
- (b) Following are protected:
- 1. Windows;
- 2. Doors;
- 3. Stoves;
- 4. Heaters;
- 5. Furnaces;
- 6. Pipes; and
- 7. Stairs.

Findings:

General: Based on observation, four (4) florescent light bulbs were not shatter proof or shielded on a light fixture in the one-year-olds' room. Also, dead bugs were in a light fixture in the kindergarteners' room.

625 - 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, brown spots and grime were on the tile floor and baseboards in the preschool restroom near the kitchen.

690 - Sink Not In Compliance

922 KAR 2:120. Section 12. Toilet, Diapering, and Toiletry Requirements.

- (3) A sink shall be:
- (a) Located in or immediately adjacent to toilet rooms;
- (b) Equipped with hot and cold running water that allows for hand washing;
- (c) Equipped with hot water at a minimum temperature of ninety (90) degrees Fahrenheit and a maximum of 120 degrees Fahrenheit;
- (d) Equipped with liquid soap;
- (e) Equipped with hand-drying blower or single use disposable hand drying material;
- (f) Equipped with an easily cleanable waste receptacle; and
- (g) Immediately adjacent to a changing area used for infants and toddlers.

Findings:

General: Based on observation, the hot water registered one hundred and forty-seven (147) degrees Fahrenheit at a sink in the preschool restroom near the kitchen. The hot water registered eighty-four (84) degrees Fahrenheit at a sink in the second preschool restroom. The hot water registered one hundred and fifty (150) degrees Fahrenheit at a sink in a restroom, near the two-year-olds' room. The hot water registered one hundred and forty (140) degrees Fahrenheit at a sink in the men's restroom near the school age room, at a sink in the ladies' restroom near the school age room, at a sink in the school age room. The hot water registered seventy-four (74) degrees Fahrenheit at a sink in the one-year-olds' room.

695 - Toilet Not In Compliance

922 KAR 2:120. Section 12. 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, a brown spot was on the front of the toilet bowel in the preschool restroom near the kitchen.

Hygienic Practices

In Compliance



First Aid/Medication

Not In Compliance

760 - 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, first aid supplies on the center's van did not include scissors, a CPR mouth shield, and hand soap. Also, the flashlight was inoperable.

Outdoor Play Area

Not In Compliance

790 - Playground Clean Not In Compliance

922 KAR 2:120. Section 4. Premises Requirements.

- (20) An outdoor play area shall be:
- (c) Free from:
- 1. Litter:
- 2. Glass:
- 3. Rubbish; and
- 4. Flammable materials;

Findings

General: Based on observation, food wrappers, plastic water bottles, an empty box of Kleenex, and a child's pink sock were scattered on the younger children's outdoor play area. Also, candy wrappers, plastic cups, a paper plate, orange peelings, a pink and black child's sock, and a paper towel roll were scattered across the older children's outdoor play area.

795 - 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;
- (d) Safe from forese(e) Well drained;
- (f) Well maintained;
- (g) In good repair; and
- (h) Visible to staff at all times.

Findings:

General: Based on observation, tall weeds were on the younger children's outdoor play area. The tallest weed was approximately four and a half (4 1/2) feet tall. Also, tall weeds were on the older children's outdoor play area. There were gaps between several black, square rubber tiles on the older children's outdoor play area. The largest gap between the rubber tiles was approximately four (4) inches wide and created a tripping hazard.

805 - Fence Construction Not In Compliance

922 KAR 2:120. Section 4. Premises Requirements.

- (24) Fences shall be:
- (a) Constructed of safe material;
- (b) Stable; and
- (c) In good condition.

Findings:

General: Based on observation, a five (5) inch long break was in a white vinyl fence in the older children's outdoor play area. The break in the fence left sharp points.



Equipment

815 - Play Equipment Not In Compliance

922 KAR 2:120. Section 4. Premises Requirements.

- (25) Supports for climbing apparatus and large equipment shall be securely fastened to the ground.
- (26) Crawl spaces, such as tunnels, shall be short and wide enough to permit access by adults.
- (27) 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 sand pit (not in use) was partially uncovered on the younger children's outdoor play area.

835 - Crib/Mattress/Sheet Not In Compliance

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

- (3) Rest time shall occur in an adequate space according to the child's age as follows:
- (a) For an infant:
- 1. An individual non-tiered crib that meets Consumer Product Safety Commission standards established in 16 C.F.R. 1219-1220;
- 2. A firm crib mattress in good repair with a clean tight-fitted sheet that shall be changed:
- a. Weekly: or
- b. Immediately if it is soiled or wet;

Findings:

General: Based on observation, five (5) sheets loosely fit on crib mattresses in the infants' room.

865 - Indoor/Outdoor Equipment

Not In Compliance

Not In Compliance

922 KAR 2:120. Section 13. 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, seats were missing from two (2) silver tricycles, two (2) foot pedals were missing from a silver tricycle, a foot pedal was missing from a silver tricycle, a seat was missing and a four (4) inch long crack was in the front wheel of a black and silver tricycle and the back portion of a blue, adult size chair was broken on the older children's outdoor play area. Dark soiled stains/spots were on a fish printed area rug in the preschool room; on an ABC printed area rug in the two-year-olds' room, and on an animal/faces printed area rug in the infants' room. Dark soiled stains/spots were on a rubber ABC puzzle mat in the two-year-olds' room. Several broken blades were on a window blind at a window near the fire alarm in the preschool room. A four (4) inch long hole was in the back of a wooden Kaplan shelf which stored toys in the two-year-olds' room. A white curtain hung from a bent curtain rod at a window in the after school age room.

Transportation

In Compliance

Kitchen Requirements

Not In Compliance

1040 - Refrigerator Not In Compliance

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

- (4) A cold-storage facility used for storage of perishable food in a nonfrozen state shall:
- (a) Have an indicating thermometer or other appropriate temperature measuring device;
- (b) Be in a safe environment for preservation; and
- (c) Be forty (40) degrees Fahrenheit or below.

Findings:

General: Based on observation, a thermometer was not in a refrigerator in the infants' room.

1045 - Frozen Food Not In Compliance

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

- (5) Frozen food shall be:
- (a) Kept at a temperature of zero degrees Fahrenheit or below; and
- (b) Thawed:
- 1. At refrigerator temperatures;
- 2. Under cool, potable running water;
- 3. As part of the cooking process; or
- 4. By another method in accordance with the Department for Public Health's food safety standards and permits, established in KRS Chapter 217.

Findings:

General: Based on observation, the temperature was ten (10) degrees Fahrenheit in a freezer in the kitchen.



Food Service

1175 - Same Food Not In Compliance

922 KAR 2:120. Section 9. Food and Drink Requirements for All Child-Care Centers.

- (19) For food provided by the center, all children in the center shall be offered the same food items unless:
- (a) A parent provides written authorization to substitute the food with an alternative that meets the same component requirement; or
- (b) A physician provides written authorization to substitute the food or the food component and includes the food that the child shall not have and the food substitution that the child shall have.

Findings:

General: Based on observation and interview, seven (7) children were served a plant based lunch due to medical issues. An interview with the center's cook and a staff member determined each child did not have a dietary restriction documented.

Meal Planning/Center Provides Meals

In Compliance

Not In Compliance

Meal Planning/Center Does Not Provide Meals

Not Applicable

Children's Records

Not In Compliance

1245 - 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 on 3/2/20, had an immunization certificate on file valid until 11/25/20. A child enrolled on 6/7/21, did not have an immunization certificate on file.

1250 - 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 on 10/19/20, did not have information on file for staff to contact the child's physician and five (5) individuals listed as emergency contacts.

Written Documentation

Not In Compliance

1270 - 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, four (4) children were present in the infants' room and school age room, but only three (3) children had a documented arrival time in each room. Seven (7) children were present in the two-year-olds' room, but only five (5) children had a documented arrival time.

1280 - 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, a caregiver hired on 3/15/18, had a professional development plan on file that was dated 4/9/19.



Posted Documentation

Not In Compliance

1310 - 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 Web site 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, the center's Statement of Deficiencies and Plan of Correction for the current licensure year and information on the Kentucky Consumer Product Safety Program and the program's website were not posted.

l325 - 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, there was no date on the schedule of daily activities posted in the preschool room and two-year-olds' room. There was no date and times on the schedule of daily activities posted in the infants' room. Also, there was no posted schedule of daily activities in the school age room, one-year-olds' room, after school age room, and kindergarten's room.

Animals Not In Compliance

1335 - Animals in the Presence of Children

Not In Compliance

922 KAR 2:120, Section 15, 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 and interview, a pet geico lizard was in a glass tank in the school age room. Interview determined the lizard was recently purchased and staff had not obtained written parental consent for the lizard to be in the presence of the four (4) children in the school age room.



Title