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Inspection Report

Provider Name: Silverlake Academy	Provider Information	CLR No: L358504
Provider Address: 301 Kenton Lands Road, Erlanger, KY, 41018	Provider Type: LICENSED TYPE I	Capacity: 125
Owner(s): Kenton Lands, Llc		Director(s): Caudill, Lisa

Inspection Type: Renewal Application	Inspection Information	Inspection No: 307039
Date Initiated: 06/04/2021 11:25 AM	Date Concluded: 06/04/2021 2:20 PM	
	No. of Children Present: 42	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance

145 - Fire Marshal Not In Compliance

922 KAR 2:090. Section 6. License Issuance.
(8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:
(b) Be approved by the Office of the State Fire Marshal or designee;

Findings:

General: Based on review of documentation, this regulatory requirement was not met. The last Fire Marshal report indicating compliance was dated 11/19/18. The staff person in charge was unable to produce an updated Fire Marshal report or proof that the Fire Marshal's office has been contacted to request an inspection.

210 - 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 review of documentation, this regulatory requirement was not met. The following was found:

- One staff person (hire date: 2/4/20) had a completed child abuse/neglect check (CAN) on file; however, did not have evidence or results of a criminal records check (CRC).
- One staff person (hire date: 2/20/20) had a completed CRC on file; however, they did not have a completed CAN check. This staff person had a CAN check application form that had been filled out, along with email correspondence requesting that the application be processed; however, the results had not been obtained.
- One staff person had a completed CRC on file; however, did not have evidence or results of a CAN check.

255 - Notification of Changes

Not In Compliance

922 KAR 2:090. Section 13. 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; and**
- 2. Signed by each owner listed on the preliminary or regular license.**

Findings:

General: Based on observation and interview, this regulatory requirement was not met. A tour of the facility and interview with the staff person in charge revealed that school-age children enrolled in the summer camp program are cared for in locations not specified in the day care license. Written notification of the change was not submitted to the cabinet to allow for approval before implementation.

Director Requirements

Not In Compliance

320 - Operation instruction/Regulation copy

Not In Compliance

922 KAR 2:090. Section 8. General.

(2) Child-care center staff shall be:

- (a) Instructed by the child-care center's director regarding requirements for operation; and**
- (b) Provided with a copy of this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280.**

Findings:

General: Based on review of documentation, there was not a copy of the most recent regulations made available to staff. The regulations on site were dated 2016.

340 - Staff Meeting

Not In Compliance

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.

(1) A director shall:

- (i) Conduct, manage, and document in writing recurring staff meetings;**

Findings:

General: Based on review of documentation, this regulatory requirement was not met. At the time of the survey, the facility could not provide written evidence of conducted staff meetings.

345 - Staff Evaluation

Not In Compliance

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.

(1) A director shall:

- (j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;**

Findings:

General: Based on review of documentation, one staff person eligible for an annual performance review did not have current documentation of a review on file in the facility. The documentation on file was dated 2019.

Employee Records

Not In Compliance

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 and interview, five staff (hire dates: 2/4/20, 4/1/19, 8/23/16, 9/26/16, and 2/10/15) did not have educational documentation on file.

It is important to note that three of these staff (hire dates from 2015 and 2016) were identified as bus drivers only. They have been transporting children alone on the buses from approximately 8/17/20 - 5/28/21.

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

- 1. Four staff files (hire dates: 5/9/09, 11/11/16, 8/26/16, and 2/10/15) contained results of negative T.B. tests that are no longer current. The tests were dated 4/4/19, 11/9/15, 4/3/17, and 4/14/16, which exceeds the two year time frame.
- 2. Two staff (hire dates: 2/4/20 and 2/20/20) did not have T.B. documentation on file.

400 - CPR/First Aid Coverage

Not In Compliance

922 KAR 2:090. Section 11. Staff Requirements.

- (3) For a child-care center licensed for infant, toddler, or preschool-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:**
 - (a) Infant and child cardiopulmonary resuscitation; and**
 - (b) Infant and child first aid.**
- (4) For a child-care center licensed for school-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:**
 - (a) Adult cardiopulmonary resuscitation; and**
 - (b) First aid.**
- (5) Cardiopulmonary resuscitation (CPR) and first aid training shall be in addition to the fifteen (15) clock hours requirement in subsection (16) of this section.**

Findings:

General: Based on review of documentation and interview, this regulatory requirement was not met. None of the staff who transport children (three staff total) are certified in CPR and first aid.

Staff stated during interview that in the past, each driver was paired with a monitor; however, current procedure is that drivers are alone with children during transportation. This was the procedure daily from approximately 8/17/20 - 5/28/21.

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 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 and the Training Records Information System (TRIS), the following was found:

- 1. Six staff (hire dates: 2/4/20, 8/23/16, 9/26/16, 2/20/20, 4/1/19, and 2/10/15), did not complete the required Orientation I and II courses. These staff have been employed for more than three months. It is important to note that three of these staff (hire dates from 2015 and 2016) were identified as bus drivers only. They have been transporting children alone on the buses from approximately 8/17/20 - 5/28/21.
- 2. Two staff (hire dates: 5/15/07 and 8/16/07), completed PAHT training on 9/9/15; however, did not renew the training due 9/9/20.
- 3. Four staff (hire dates: 8/23/16, 9/26/16, 4/1/19, and 2/10/15), did not complete the required PAHT training. These staff have been employed for more than one year. It is important to note that three of these staff (hire dates from 2015 and 2016) were identified as bus drivers only. They have been transporting children alone on the buses from approximately 8/17/20 - 5/28/21.

415 - Driver Requirements

Not In Compliance

922 KAR 2:120. Section 12. 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 and interview, this regulatory requirement was not met. The following was found:

1. Two staff (hire dates: 8/23/16 and 9/26/16) identified as a bus drivers had Kentucky driver history documentation on file dated 12/12/17; therefore, the documentation was not updated annually as required.
2. One staff person (hire date: 2/10/15) identified as a back-up bus driver had Kentucky driver history documentation on file dated 2/12/17; therefore, the documentation was not updated annually as required.

The staff person in charge stated that these three drivers were used to transport children to the facility from five locals elementary schools from 8/17/20 - 5/28/21.

Programming	In Compliance
Premises	In Compliance
Hygienic Practices	In Compliance
First Aid/Medication	In Compliance
Outdoor Play Area	In Compliance
Equipment	In Compliance
Transportation	Not In Compliance

840 - Transportation Compliance

Not In Compliance

922 KAR 2:120. Section 12. Transportation.
(1) A center shall document compliance with KRS Chapter 186 and 603 KAR 5:072 pertaining to:
(a) Vehicles;
(b) Drivers; and
(c) Insurance.

Findings:

General: Based on review of documentation and interview, this regulatory requirement was not met. At the time of the survey it was found that there was no vehicle registration on file for the surveyor to review for two of the vehicles used to transport children (2000 Blue Bus and 1993 Ford 15 passenger van).

The staff person in charge stated that these documents were probably in the executive director's office; however, she did not have access to this space.

845 - Requirements for Transportation Services

Not In Compliance

922 KAR 2:120. Section 12. Transportation.
(2) A center providing or arranging transportation service shall:
(a) Be licensed and approved by the cabinet or its designee prior to transporting a child;
(b) Have a written plan that details the type of transportation, staff schedule, transportation schedule, and transportation route; and
(c) Have written policies and procedures, including emergency procedures practiced monthly by staff who transports children.

Findings:

General: Based on review of documentation and interview, this regulatory requirement was not met. An administrative staff person stated that the facility did not have a written plan detailing the type of transportation, staff schedule, transportation schedule and transportation routes.

865 - Transportation Notification/Policy & Procedures Regarding Emergency Plan for Evacuation

Not In Compliance

922 KAR 2:120. Section 12. Transportation.
(3) Prior to transporting a child, a center providing transportation services of a child shall notify the cabinet or its designee in writing of the:
(e) Agency policy and procedures relating to an emergency plan for evacuating the vehicle;

Findings:

General: Based on review of documentation, the facility did not have written emergency policies/procedures regarding transportation.

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875 - Transportation Notification/Safety Procedures - Transporting, Loading/Unloading and Supervision

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(3) Prior to transporting a child, a center providing transportation services of a child shall notify the cabinet or its designee in writing of the:

(g) Safety procedures for:

- 1. Transporting a child;
2. Loading and unloading a child; and
3. Providing adequate supervision of a child.

Findings:

General: Based on review of documentation, the facility did not have written safety procedures for transporting a child, loading/unloading a child and providing adequate supervision of a child during transportation.

890 - Vehicle Inspection Documentation

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(6) A vehicle used to transport children shall comply with the requirements established in paragraphs (a) through (d) of this subsection.

(a) For a twelve (12) or more passenger vehicle, the child-care center shall maintain a current certification of inspection from the Transportation Cabinet.

Findings:

General: Based on review of documentation, this regulatory requirement was not met. At the time of the survey a review of the facility vehicle inspection documentation found that two large buses and one 15 passenger van used by the facility to transport children did not have current inspection documentation on file from the Transportation Cabinet.

The inspection documentation on file for the blue bus was dated 2/17/19.

The inspection documentation on file for the yellow bus was dated 2/22/18.

The 15 passenger van did not have any inspection documentation on file.

960 - Children's Transportation Records

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(17) Transportation services provided shall:

(a) Be recorded in writing and include:

- 1. The first and last name of the child transported; and
2. The time each child gets on and the time each child gets off;

(b) Be completed by a staff member other than the driver; and

(c) Be kept for five (5) years.

Findings:

General: Based on review of documentation, this regulatory requirement was not met. A review of the "After School Sign In & Out" sheet dated 5/24/21 - 5/28/21 found that staff initials were documented beside each child's name in the "In" and "Out" columns; however, the times that children got on and off the vehicles had not been documented.

Food Service/Food Program

In Compliance

Food Service

In Compliance

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 and interview, six of the children's files/enrollment documentation did not contain information for the family's preferred hospital.

The staff person in charge stated that parents of children enrolled in the summer program filled out all paperwork online via the facility's website. A review of this documentation during the visit found that there was no area provided for the parents to list their preferred hospital.

Inspection Report

Written Documentation

Not In Compliance

1155 - Policies and Procedures

Not In Compliance

922 KAR 2:090. Section 8. General.

(4) Program policies and procedures shall:

(a) Be in writing; and

(b) Include:

- 1. Staff policies;**
- 2. Job descriptions;**
- 3. An organization chart;**
- 4. Chain of command; and**
- 5. Other procedures necessary to ensure implementation of:**
 - a. KRS 199.898, Rights for children in child-care programs and their parents, custodians, or guardians - posting and distribution requirements;**
 - b. 922 KAR 2:120, Child-care center health and safety standards;**
 - c. 922 KAR 2:280, Background checks for child care staff members, reporting requirements, and appeals; and**
 - d. This administrative regulation.**

Findings:

General: Based on review of documentation, the facility did not have a current chain of command/organizational chart. The chart had a staff person's name listed that is no longer employed at the facility.

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 and interview, this regulatory requirement was not met. At the time of the inspection a review of the attendance sheets found that parents initials are being used to document the children's attendance. A few arrival and departure times had been documented, but not many.

The staff person in charge stated during interview that she thought this information did not have to be documented during the summer months.

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, one staff person did not have current annual professional development plan on file in the facility. The documentation on file was dated 2019.

Posted Documentation

In Compliance

Animals

Not Applicable

Signature of Provider/Representative

Title

Date