



CABINET FOR HEALTH AND FAMILY SERVICES  
OFFICE OF INSPECTOR GENERAL

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**Inspection Report**

<b>Provider Name:</b> The Oak School	<b>Provider Information</b>	<b>CLR No:</b> L358574
<b>Provider Address:</b> 138 North Evergreen Road, Louisville, KY, 40243	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 87
<b>Owner(s):</b> Leap, Inc.		<b>Director(s):</b> Wheatley, Amanda Mae

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 219648
<b>Date Initiated:</b> 04/13/2017 10:03 AM	<b>Date Concluded:</b> 04/13/2017 2:25 PM	
	<b>No. of Children Present:</b> 74	

Inspection Report																															
Supervision	In Compliance																														
Staffing Requirements	Not In Compliance																														
<b>40 - Ratios and Group Size</b>	<b>Not In Compliance</b>																														
<p><b>922 KAR 2:120. Section 2. Child Care Services.</b></p> <p><b>(2) Minimum staff-to-child ratios and group size for an operating child-care center shall be maintained as follows:</b></p> <table border="1"> <thead> <tr> <th>Age of Children</th> <th>Ratio</th> <th>Maximum Group Size*</th> </tr> </thead> <tbody> <tr> <td>Infant</td> <td>1 staff for 5 children</td> <td>10</td> </tr> <tr> <td>Toddler</td> <td>1 staff for 6 children</td> <td>12</td> </tr> <tr> <td>Preschool-age 2 to 3 years</td> <td>1 staff for 10 children</td> <td>20</td> </tr> <tr> <td>Preschool-age 3 to 4 years</td> <td>1 staff for 12 children</td> <td>24</td> </tr> <tr> <td>Preschool-age 4 to 5 years</td> <td>1 staff for 14 children</td> <td>28</td> </tr> <tr> <td>School-age 5 to 7 years</td> <td>1 staff for 15 children</td> <td>30</td> </tr> <tr> <td>School-age 7 and older</td> <td>1 staff for 25 children</td> <td></td> </tr> <tr> <td>(for before and after school)</td> <td>1 staff for 20 children</td> <td>30</td> </tr> <tr> <td>(full day of care)</td> <td></td> <td>30</td> </tr> </tbody> </table> <p>*Maximum Group Size shall be applicable only to Type I child-care centers.</p>		Age of Children	Ratio	Maximum Group Size*	Infant	1 staff for 5 children	10	Toddler	1 staff for 6 children	12	Preschool-age 2 to 3 years	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)	1 staff for 20 children	30	(full day of care)		30
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<b>Findings:</b>																															
<p>General: Based on observation, the child care center failed to comply with staffing requirements. In the Pre-K Room, one (1) staff member was the sole caregiver of nineteen (19) children ages four-years-old to five-years-old for a few seconds until a second staff member entered the room.</p>																															

**Inspection Report**

**General Administration**

**Not In Compliance**

**60 - Zoning** **Not In Compliance**

**922 KAR 2:090. Section 6. License Issuance.**

**(11) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:**

- (a) Provide written documentation from the local authority showing compliance with local zoning requirements;**

**Findings:**

General: Based on review of documentation and interview, the child care center failed to comply with regulatory requirements. Written documentation from the local authority showing compliance with local zoning requirements was not presented for review at the time of survey. The owner/director and staff-in-charge revealed they could not locate this documentation at the time of survey.

**65 - Fire Marshal** **Not In Compliance**

**922 KAR 2:090. Section 6. License Issuance.**

**(11) 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 and interview, the child care center failed to comply with regulatory requirements. A report from the Office of the State Fire Marshal was not presented for review at the time of survey. The staff-in-charge revealed she could not locate this documentation at the time of survey.

**Director Requirements**

**Not In Compliance**

**260 - Staff Evaluation** **Not In Compliance**

**922 KAR 2:110. Section 4. Director Requirements and Responsibilities.**

**(1) Effective with the adoption of this administrative regulation, 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 and interview, the child care center director failed to assure compliance with regulatory requirements. An annual written performance evaluation was not presented for review at the time of survey for thirteen (13) staff members with hire dates of: 1/22/07, 9/3/07, 12/3/07, 10/5/09, 12/28/09, 3/1/10, 5/10/10, 9/12/12, 3/18/13, 8/11/14, 3/2/15, 4/13/15, and 8/5/15. The owner/director revealed a written evaluation was not completed for these staff members.

**265 - Health, Safety, Comfort** **Not In Compliance**

**922 KAR 2:110. Section 4. Director Requirements and Responsibilities.**

**(1) Effective with the adoption of this administrative regulation, a director shall:**

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

**Findings:**

General: Based on observation and interview, the child care center director failed to assure compliance with regulatory requirements as follows:

- 1) In the Older Twos bathroom, a plunger was next to one (1) of the toilets, accessible to children in care.
- 2) In the Pre-K Room, a large bottle of hand sanitizer was placed on a low shelf, accessible to children in care.
- 3) In the hallway near the director's office, a large bottle of hand sanitizer was placed on a table near the attendance sheets, accessible to children in care.

The owner/director acknowledged the bottle of hand sanitizer was on the table in the hallway.

**275 - Caregiver Alone** **Not In Compliance**

**922 KAR 2:110. Section 4. Director Requirements and Responsibilities.**

**(1) Effective with the adoption of this administrative regulation, a director shall:**

- (n) Assure that a person acting as a caregiver of a child in care shall not be left alone with a child, if the licensee has not received the results of the background checks as described in Section 3(1)(e)6 of this administrative regulation;**

**Findings:**

General: Based on observation, review of documentation, and interview, the child care center director failed to assure compliance with regulatory requirements. On the playground, a staff member hired 8/15/16 was the sole caregiver of nine (9) children ages two-years-old to three-years-old for a minimum time period of 10:27am-10:30am. Review of staff files revealed a Kentucky Criminal Records Check (CRC) was not presented for review at the time of survey for this staff member. The staff-in-charge revealed she could not locate the KY CRC at the time of survey. The staff member hired 8/15/16 also listed an Arizona address on her Child Abuse & Neglect Check (CAN) signed 8/19/16. The Arizona CRC presented for review at the time of survey was dated 10/10/14. A current Arizona CRC was not presented for review at the time of survey. The staff-in-charge revealed an Arizona CRC had been completed; however, she could not locate this documentation at the time of survey.

**Inspection Report**

**Employee Records**

**Not In Compliance**

**300 - Background checks/left alone**

**Not In Compliance**

**922 KAR 2:090. Section 6. License Issuance.**

**(5) An individual described in subsection (4) of this section shall:**

**(a) Submit to background checks described in paragraph (b) of this subsection;**

**(b) May be employed or work with a child on a probationary basis for up to ninety (90) calendar days, pending completion of a:**

- 1. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;**
- 2. Criminal records check required by KRS 199.896(19);**
- 3. Criminal records check for any previous state of residence if the person resided outside the state of Kentucky in the last five (5) years; and**
- 4. An address check of the Sex Offender Registry; and**

**(c) Not be left alone in the presence of a child until copies of the background checks in accordance with paragraph (b) of this subsection have been received by the licensee.**

**Findings:**

General: Based on observation, review of documentation, and interview, the child care center failed to maintain employee records in accordance with regulations. On the playground, a staff member hired 8/15/16 was the sole caregiver of nine (9) children ages two-years-old to three-years-old for a minimum time period of 10:27am-10:30am. Review of staff files revealed a Kentucky Criminal Records Check (CRC) was not presented for review at the time of survey for this staff member. The staff-in-charge revealed she could not locate the KY CRC at the time of survey. The staff member hired 8/15/16 also listed an Arizona address on her Child Abuse & Neglect Check (CAN) signed 8/19/16. The Arizona CRC presented for review at the time of survey was dated 10/10/14. A current Arizona CRC was not presented for review at the time of survey. The staff-in-charge revealed an Arizona CRC had been completed; however, she could not locate this documentation at the time of survey.

**315 - Educational Requirements**

**Not In Compliance**

**922 KAR 2:110. Section 5. 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, the child care center failed to maintain employee records in accordance with regulations. A high school diploma, GED, or Commonwealth Child Care Credential was not presented for review at the time of survey for one (1) staff member hired 3/2/15. The staff-in-charge revealed this documentation was not available for review at the time of survey.

**320 - TB Verification**

**Not In Compliance**

**922 KAR 2:110. Section 5. 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, the child care center failed to maintain employee records in accordance with regulations. A statement from a health professional that the individual is free of active tuberculosis or a current copy of negative tuberculin results was not presented for review at the time of survey for thirteen (13) staff members with hire dates of: 1/22/07, 9/3/07, 12/3/07, 10/5/09, 12/28/09, 5/10/10, 9/12/12, 3/18/13, 8/11/14, 8/5/15, 8/15/16, 2/20/17, and 3/20/17 and the owner/director hired 9/2/07. The owner/director and staff-in-charge acknowledged the documentation presented for review at the time of survey for all of the aforementioned staff members, including themselves, was no longer current.

**340 - Training**

**Not In Compliance**

**922 KAR 2:110. Section 5. Staff Requirements.**

**(14) 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 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 pediatric abusive head trauma training completed once every five (5) years.**

**Findings:**

General: Based on review of documentation and interview, the child care center failed to maintain employee records in accordance with regulations as follows:

1) Review of staff files and the ECE-TRIS report revealed documentation of fifteen (15) hours of cabinet approved training was not presented for review at the time of survey for seven (7) staff members with hire dates of: 1/22/07, 3/1/10, 5/10/10, 3/18/13, 8/11/14, 4/13/15, and 8/5/15 and the owner/director hired 9/2/07. The staff-in-charge revealed the owner/director and some of the staff members did not complete all of their annual training hours, and for the staff members who did complete their training, documentation was not available for review at the time of survey.

2) Documentation of pediatric abusive head trauma training (PAHT) was not presented for review at the time of survey for five (5) staff members with hire dates of: 3/18/13, 8/11/14, 3/2/15, 4/13/15, and 8/5/15. The staff-in-charge revealed she did not know if the staff members had completed the PAHT.

**Inspection Report**

**Programming**

**Not In Compliance**

**410 - Infant/Toddler Combined with Older Children**

**Not In Compliance**

**922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.**

**(2) Except in accordance with subsection (3) of this section, an infant or toddler shall participate in an activity with an older child for no more than one (1) hour per day.**

**Findings:**

General: Based on observation and interview, the child care center failed to comply with regulatory programming requirements. In the Older Ones Room, one (1) two-year-old child participated in programming activities with five (5) one-year-olds during the survey. A staff member revealed the two-year-old had been combined all day with the one-year-olds for the past few days. The owner/director and staff-in-charge confirmed that the two-year-old child had been combined with the one-year-olds for a few days.

**435 - Bedding/Toys in Crib**

**Not In Compliance**

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

**(3) Rest time shall include adequate space specified by the child's age as follows:**

**(a) For an infant:**

**3. No loose bedding; and**

**4. No toys or other items except the infant's pacifier;**

**Findings:**

General: Based on observation, the child care center failed to comply with regulatory programming requirements. In the Young Infants Room, a seven-month-old infant was wearing a bib while sleeping in the crib.

**Premises**

**Not In Compliance**

**460 - Inaccessible Items**

**Not In Compliance**

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

**(7) Except in accordance with subsection (8) of this section, the following shall be inaccessible to a child in care:**

**(a) Toxic cleaning supplies, poisons, and insecticides;**

**(b) Knives and sharp objects;**

**(c) Matches, cigarettes, lighters, and flammable liquids;**

**(d) Plastic bags;**

**(e) Litter and rubbish;**

**(f) Bar soap; and**

**(g) Personal belongings and medications of staff.**

**Findings:**

General: Based on observation, the child care center failed to maintain the premises in accordance with regulations as follows:

- 1) In the Threes Room, disinfectant wipes and Lysol spray were stored in an unlocked cabinet underneath the sink, accessible to children in care.
- 2) In the Twos bathroom, plastic bags filled with clothing, diapers, and other items were hanging from a shelf, in reach of children in care.
- 3) In the Pre-K Room, four (4) plastic bags filled with items were hanging on the children's coat hooks, in reach of children in care.
- 4) In the Older Ones Room, a staff member's purse was stored in an unlocked cabinet, accessible to children in care.

**480 - 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 and interview, the child care center failed to maintain the premises in accordance with regulations as follows:

- 1) The vent in the Pre-K bathroom was covered with dust.
- 2) In the Ones Room, one (1) of the upper cabinet doors was lopsided and it appeared that the top hinge was bent. The owner/director acknowledged the cabinet door was not in good repair.

**Inspection Report**

**500 - Building Requirements**

**Not In Compliance**

**922 KAR 2:120. Section 4. Premises Requirements.**  
**(5) The building shall be constructed to ensure the:**  
**(a) Building is:**  
1. Dry;  
2. Adequately heated;  
3. Ventilated; and  
4. Well lit, including clean light fixtures that are:  
a. In good repair in all areas; and  
b. Shielded or have shattered 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, the child care center failed to maintain the premises in accordance with regulations. In the Pre-K bathroom, the light was dim and flickering.

**520 - 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, the child care center failed to maintain the premises in accordance with regulations. In the kitchen, one (1) ceiling tile was slightly displaced out of the frame.

**Hygienic Practices**

**In Compliance**

**First Aid/Medication**

**Not In Compliance**

**670 - 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;**  
**(b) Kept in the original bottle; and**  
**(c) Properly labeled.**  
**(7) Medication shall not be given to a child if the expiration date on the bottle has passed.**

**Findings:**

General: Based on observation, the child care center failed to comply with regulations regarding first aid and/or medication as follows:

1) In the Older Twos Room, sunscreen was stored on a shelf and not in a locked place, while petroleum jelly and insect repellent were stored on the top shelf of an unlocked cabinet. All of these items were not properly labeled.

2) In the Older Twos bathroom, a container filled with diaper rash creams was stored on a shelf, not in a locked place.

3) In the Twos bathroom and the Infants 2 Room, diaper rash cream was stored on a shelf, not in a locked place.

**Outdoor Play Area**

**In Compliance**

**Equipment**

**Not In Compliance**

**735 - Individual Bed/Mat/Cot and Bedding**

**Not In Compliance**

**922 KAR 2:120. Section 6. Sleeping and Napping Requirements.**  
**(3) Rest time shall include adequate space specified by the child's age as follows:**  
**(b) For a toddler or preschool-age child:**  
1. An individual bed, a two (2) inch thick waterproof mat, or cot in good repair; and  
2. Bedding that is in good repair and is changed:  
a. Weekly; or  
b. Immediately if it is soiled or wet.

**Findings:**

General: Based on observation and interview, the child care center failed to maintain equipment in accordance with regulations. In the Threes Room, eight (8) blue and red mats were torn at the seams, exposing the inner cushion. A staff member revealed the mats were used for rest time.

**Inspection Report**

**755 - Toys/Equipment/Furniture**

**Not In Compliance**

**922 KAR 2:120. Section 11. Toys and Furnishings.**

**(1) All toys, equipment, 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, the child care center failed to maintain equipment in accordance with regulations. In the Older Twos Room, two (2) large, blue rugs were soiled. In the Pre-K Room, there was a dust build-up on the computer used by children in care.

**Transportation**

**In Compliance**

**Food Service**

**Not In Compliance**

**950 - Kitchen Equipment Clean and Sanitary**

**Not In Compliance**

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

**(7) The following shall be clean and sanitary:**

- (a) Eating and drinking utensils;**
- (b) Kitchenware;**
- (c) Food contact surfaces of equipment;**
- (d) Food storage utensils;**
- (e) Food storage containers;**
- (f) Cooking surfaces of equipment; and**
- (g) Nonfood contact surfaces of equipment.**

**Findings:**

General: Based on observation, the child care center failed to maintain kitchen equipment in accordance with regulations. The refrigerator in the kitchen was lightly soiled.

**Children's Records**

**Not In Compliance**

**1075 - Enrollment Information**

**Not In Compliance**

**922 KAR 2:110. Section 3. 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 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 situation 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, the child care center failed to maintain children's records in accordance with regulations. Review of ten (10) children's files revealed the written record for four (4) children failed to contain contact information to enable a person in charge to contact the child's preferred hospital. The staff-in-charge revealed this documentation was not on file at the time of survey.

**Written Documentation**

**In Compliance**

**Posted Documentation**

**In Compliance**

**Animals**

**In Compliance**

Signature of  
Provider/Representative

Title

Date