



**CABINET FOR HEALTH AND FAMILY SERVICES  
OFFICE OF INSPECTOR GENERAL**

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**Inspection Report**

<b>Provider Name:</b> Prospect Preschool Academy	<b>Provider Information</b>	<b>CLR No:</b> L359345
<b>Provider Address:</b> 13001 West Us 42, Prospect, KY, 40059	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 101
<b>Owner(s):</b> Prospect Preschool Academy, LLC		<b>Director(s):</b> Gauri, Shishir

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 231746
<b>Date Initiated:</b> 10/05/2017 10:04 AM	<b>Date Concluded:</b> 10/05/2017 2:55 PM	
	<b>No. of Children Present:</b> 86	

Inspection Report	
<b>Supervision</b>	<b>In Compliance</b>
<b>Staffing Requirements</b>	<b>Not In Compliance</b>

**40 - Ratios and Group Size** **Not In Compliance**

**922 KAR 2:120. Section 2. Child Care Services.**  
**(2) Minimum staff-to-child ratios and group size for an operating child-care center shall be maintained as follows:**

Age of Children	Ratio	Maximum Group Size*
<b>Infant</b>		
1 staff for 5 children	10	
<b>Toddler</b>		
1 staff for 6 children	12	
<b>Preschool-age 2 to 3 years</b>		
1 staff for 10 children	20	
<b>Preschool-age 3 to 4 years</b>		
1 staff for 12 children	24	
<b>Preschool-age 4 to 5 years</b>		
1 staff for 14 children	28	
<b>School-age 5 to 7 years</b>		
1 staff for 15 children	30	
<b>School-age 7 and older</b>		
1 staff for 25 children		
<b>(for before and after school)</b>	30	
1 staff for 20 children		
<b>(full day of care)</b>	30	

\*Maximum Group Size shall be applicable only to Type I child-care centers.

**Findings:**

General: Based on observation, the child care center failed to comply with staffing requirements. Three (3) classes of children were playing together and intermingled on the playground for a minimum time period of 10:30am-10:40am. During this time, there were a total of twenty-three (23) children ages one-year-old to three-years-old on the playground, exceeding the maximum group size of twelve (12) children when the youngest child is one-year-old.

<b>General Administration</b>	<b>In Compliance</b>
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**Inspection Report**

**Director Requirements**

**Not In Compliance**

**255 - Staff Meeting**

**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:**

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

**Findings:**

General: Based on review of documentation and interview, the child care center director failed to assure compliance with regulatory requirements. Documentation of only one (1) staff meeting was presented for review at the time of survey. The owner/director revealed additional meetings were conducted; however, he did not document them.

**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 four (4) staff members hired 11/1/10 and ten (10) staff members with hire dates of: 11/2/10, 11/20/10, 11/1/11, 9/10/12, 3/5/13, 8/12/13, 8/15/13, 11/17/14, 3/11/15, and 8/18/15. The owner/director revealed the evaluations were completed for all staff members; however, the evaluations were not documented in writing.

**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, the child care center director failed to assure compliance with regulatory requirements. The kitchen is located near the entrance of the center, and the kitchen door remained open during the survey. A mop bucket with approximately an inch of water was placed in the doorway to the kitchen and later moved into the hallway outside of a classroom, accessible to children in care. In the kitchen, there were several cans of paint stored on a floor in the washer and dryer area located near the entrance to the kitchen, accessible to children in care. In the Dr. Seuss bathroom, there was a plunger next to one of the toilets.

**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 review of documentation and interview, the child care center director failed to assure compliance with regulatory requirements. Review of the staff schedule revealed the name of a staff member with an unknown hire date. Review of staff files revealed a personnel file was not presented for review at the time of survey for the aforementioned staff member. A Criminal Records Check (CRC) and a Child Abuse & Neglect Check (CAN) were also not presented for review at the time of survey for the aforementioned staff member. The owner/director revealed the aforementioned staff member has been employed at the center since 2015; however, review of DRCC records revealed employee records for this staff member were not presented for review during the previous renewal survey on 10/6/16. The owner/director acknowledged a personnel file, CRC, and CAN were not presented for review at the time of survey for this staff member. The owner/director revealed this staff member has worked alone with children in care.

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 review of documentation and interview, the child care center failed to maintain employee records in accordance with regulations. Review of staff files revealed a Child Abuse & Neglect Check (CAN) was not presented for review at the time of survey for a staff member hired 10/31/16. A Criminal Records Check (CRC) dated 8/22/17 was presented for review at the time of survey for the aforementioned staff member; however, the staff member's date of birth was listed on the CRC as 4/12/17. A representative from the Records Unit for the Administrative Office of the Courts (AOC) revealed the date of birth was entered incorrectly by the person submitting the record request. The representative revealed the CRC may be invalid due to the incorrect date of birth. The owner/director revealed he could not locate the CAN at the time of survey, and the CRC was the only documentation available for review at the time of survey. The owner/director revealed this staff member has not worked alone with children in care.

Proof that a Criminal Records Check (CRC) had been submitted on or before the first day of employment and proof that a Child Abuse & Neglect Check (CAN) had been submitted to the cabinet no later than five (5) working days after the date of employment was not presented for review at the time of survey for a staff member hired 8/14/17. The owner/director acknowledged that this documentation was not presented for review at the time of survey. The owner/director revealed this staff member has not worked alone with children in care.

Proof that a Child Abuse & Neglect Check (CAN) had been submitted to the cabinet no later than five (5) working days after the date of employment was not presented for review at the time of survey for a staff member hired 7/25/17. The owner/director acknowledged that this documentation was not presented for review at the time of survey. The owner/director revealed this staff member has not worked alone with children in care.

Review of the staff schedule revealed the name of a staff member with an unknown hire date. A personnel file was not presented for review at the time of survey for the aforementioned staff member. A Criminal Records Check (CRC) and a Child Abuse & Neglect Check (CAN) were also not presented for review at the time of survey for the aforementioned staff member. The owner/director revealed the aforementioned staff member had been employed at the center since 2015; however, review of DRCC records revealed documentation for this staff member was not presented for review during the previous renewal survey on 10/6/16. The owner/director acknowledged a personnel file, CRC, and CAN were not presented for review at the time of survey for this staff member. The owner/director revealed this staff member has worked alone with children in care.

310 - Personnel File

Not In Compliance

922 KAR 2:110. Section 3. 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. Written record of training participation to include:
  - a. The training source;
  - b. Location;
  - c. Date; and
  - d. Number of clock hours completed;
5. Every two (2) years, a:
  - a. Statement from a health professional that the individual is free of active tuberculosis; or
  - b. Copy of negative tuberculin results; and
6. For a director, employee, volunteer, or any person with supervisory or disciplinary control over, or having unsupervised contact with, a child in care, the results of a:
  - a. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;
  - b. Criminal records check required by KRS 199.896(19);
  - c. Criminal records check from any previous state of residence completed once if:
    - (i) The individual resided outside the state of Kentucky in the last five (5) years; and
    - (ii) No criminal records check has been completed for the individual's previous state of residence; and
  - d. An address check of the Sex Offender Registry;

Findings:

General: Based on review of documentation and interview, the child care center failed to maintain employee records in accordance with regulations. Review of staff files revealed a personnel file was not presented for review at the time of survey for three (3) staff members with hire dates of: 10/31/16, 7/25/17, and 8/14/17 and one (1) staff member with an unknown hire date. The owner/director revealed a personnel file was not maintained at the center for these staff members.

**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. Verification of a high school diploma, GED, or Commonwealth Child Care Credential was not presented for review at the time of survey for five (5) staff members with hire dates of: 8/15/13, 8/18/15, 10/31/16, 7/25/17, and 8/14/17, and one (1) staff member with an unknown hire date. The owner/director revealed this documentation was not on file 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 current 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 two (2) staff members hired 8/12/13 and 3/11/15. The director revealed this documentation was not on file at the time of survey.

**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. Documentation of six (6) hours of cabinet-approved orientation was not presented for review at the time of survey for one (1) staff member hired 10/31/16 and one (1) staff member with an unknown hire date. The owner/director revealed this documentation was not on file at the time of survey. Review of staff files and ECE-TRIS report revealed documentation of fifteen (15) hours of cabinet approved training was not presented for review at the time of survey for two (2) staff members hired 11/1/10 and three (3) staff members with hire dates of: 11/2/10, 11/17/14, and 3/11/15. The owner/director revealed this documentation was not on file at the time of survey. Documentation of pediatric abusive head trauma training (PAHT) was not presented for review at the time of survey for three (3) staff members with hire dates of: 8/12/13, 11/17/14, and 3/11/15 and the co-owner hired 11/1/10 who functions as a staff member. The owner/director revealed this documentation was not on file at the time of survey. PAHT documentation presented for review at the time of survey for two (2) staff members hired 3/5/13 and 8/18/15 revealed the training was completed on 1/4/12, which is over five (5) years old. The owner/director acknowledged the PAHT was over five (5) years old.

**Programming**

**In Compliance**

**Premises**

**Not In Compliance**

**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 one of the Pre-K bathrooms, one (1) of the light bulbs was not operational, causing the bathroom to be dimly lit.

**Inspection Report**

**585 - Sink**

**Not In Compliance**

**922 KAR 2:120. Section 10. 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 and interview, the child care center failed to maintain the premises in accordance with regulations. In the Younger Infants Room, the sink hot water temperature measured seventy-seven (77) degrees Fahrenheit. A staff member acknowledged the water was not hot. In the Dr. Seuss bathroom, the sink hot water temperature measured seventy-four (74) degrees Fahrenheit. A staff member acknowledged the water was not hot.

**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. In the Twos Room, there was a container full of sunscreens and insect repellants stored on top of a cabinet, not all labeled, and not in a locked place. In the Dr. Seuss Room, there were containers of sunscreens and insect repellants stored on top of a cabinet, not in a locked place. In the Dr. Seuss bathroom, there were several diaper rash creams stored in a container and placed on the top shelf of an unlocked cabinet. The door to a storage closet on the lower level remained open during survey, and there was a container full of sunscreens and insect repellants stored on top of a mini-refrigerator located near the door, accessible to children in care.

**Outdoor Play Area**

**Not In Compliance**

**695 - Protective Surface**

**Not In Compliance**

**922 KAR 2:120. Section 4. Premises Requirements.**  
**(21) A protective surface shall:**  
**(a) Be provided for outdoor play equipment used to:**  
**1. Climb;**  
**2. Swing; and**  
**3. Slide; and**  
**(b) Have a fall zone equal to the height of the equipment.**

**Findings:**

General: Based on observation, the child care center failed to maintain an outdoor play area in accordance with regulations. On one of the playgrounds, there was a small rocket slide, a small slide, and a small climbing cube positioned on grassy ground, and there was no protective surface surrounding this equipment.

**Equipment**

**Not In Compliance**

**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 one of the Pre-K Rooms, two (2) crib mattresses were placed on a play bed in the children's dramatic play area. The outer covering on both mattresses was torn and tattered.

**Transportation**

**In Compliance**

**Inspection Report**

**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 food service in accordance with regulations. In the Ones Room, the bottom shelf of the mini-refrigerator was lightly soiled with a white powdery substance. In the storage closet on the lower level, the mini-refrigerator was soiled with a brown substance which appeared to have splattered and dried inside the refrigerator.

**990 - Bottle Preparation by Parent**

**Not In Compliance**

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

- (4) Formula or breast milk provided by the parent shall be prepared and labeled.**

**Findings:**

General: Based on observation and interview, the child care center failed to maintain food service in accordance with regulations. In the Younger Infants Room, at least two (2) cans of baby formula were stored in containers in the children's cubbies. A staff member revealed the parents provide the cans of formula so that staff can prepare bottles in an emergency situation if the bottles that the parents have prepared are all used up.

**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 two (2) children failed to contain contact information to enable a person in charge to contact the child's preferred hospital. The owner/director revealed this documentation was not on file at the time of survey. Continued review revealed the center utilizes a certain form that must be signed by the parent authorizing the center to seek emergency medical care for the child in the parent's absence; however, the form for one (1) child was not signed by the parent. The owner/director acknowledged the form was not signed.

**Written Documentation**

**Not In Compliance**

**1130 - Confidentiality/Maintenance/Access**

**Not In Compliance**

**922 KAR 2:110. Section 3. Records.**

- (2) A child-care center shall:**
  - (a) Maintain the confidentiality of a child's record;**
  - (b) Maintain all records for five (5) years; and**
  - (c) Provide the cabinet access and information in the completion of the investigation pursuant to KRS 620.030(4).**

**Findings:**

General: Based on review of documentation and interview, the child care center failed to maintain written documentation in accordance with regulations. Review of staff files revealed a Child Abuse & Neglect Check (CAN) was not presented for review at the time of survey for two (2) staff members hired 11/17/14 and 8/18/15. A Criminal Records Check (CRC) was not presented for review at the time of survey for a staff member hired 3/5/13. The owner/director revealed he could not locate this documentation at the time of survey. Review of DRCC records revealed this documentation was presented for review during a previous survey; therefore, the center failed to maintain this documentation on file at the center.

**Inspection Report**

**1145 - Earthquake/Tornado Drills**

**Not In Compliance**

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

- (13) An earthquake drill and a tornado drill shall be conducted during hours of operation:**
- (a) At least quarterly; and**
  - (b) Documented.**

**Findings:**

General: Based on review of documentation and interview, the child care center failed to maintain written documentation in accordance with regulations. Documentation of earthquake drills conducted from the 4th quarter 2106 – 3rd quarter 2017 was not presented for review at the time of survey. The owner/director revealed the drills were not conducted.

**Posted Documentation**

**Not In Compliance**

**1155 - Posting Requirements**

**Not In Compliance**

**922 KAR 2:110. Section 2. General.**

- (7) 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) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;**
  - (b) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;**
  - (c) Information on the Kentucky Consumer Product Safety Program and the program's website as specified in KRS 199.897;**
  - (d) 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;**
  - (e) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and**
  - (f) Daily schedule.**

**Findings:**

General: Based on review of documentation and interview, the child care center failed to post documentation in accordance with regulations. A description of services provided by the child care center including current rates for child care and each service charged separately and in addition to the basic rate for child care was not posted in a conspicuous place and made available for public inspection at the time of survey. The owner/director acknowledged this documentation was not posted at the time of survey.

**Animals**

**In Compliance**

Signature of  
Provider/Representative

Title

Date