



**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> 246157
<b>Date Initiated:</b> 08/15/2018 8:55 AM	<b>Date Concluded:</b> 08/15/2018 1:00 PM	
	<b>No. of Children Present:</b> 86	

Inspection Report	
<b>Background Checks</b>	<b>Not In Compliance</b>
<b>5 - Background check/left alone/dismissed/relocated</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:280. Section 3. Implementation and Enforcement.</b></p> <p>(1) A person who is a child care staff member prior to January 1, 2018, shall submit to and complete background checks in accordance with this administrative regulation no later than September 30, 2018.</p> <p>(2) A child care staff member hired on or after April 1, 2018, shall:</p> <p>(a) Have completed the background checks required in accordance with this administrative regulation and been found to have no disqualifying offense prior to becoming a child care staff member; or</p> <p>(b) 1. Have submitted to the background checks required in accordance with this administrative regulation;</p> <p>2. Not be left unsupervised with a child in care pending the completion of the background checks in accordance with this administrative regulation; and</p> <p>3. Be dismissed or relocated from the residence if the person is found to have a disqualifying background check result.</p> <p><b>Findings:</b></p> <p>General: Based on review of documentation, interview, and observation, the child care center failed to assure compliance with background checks. Upon request, the child care director did not provide verification that staff members with the hire dates of 08/12/2017 and 07/17/2018 had completed the background checks required in accordance with this administrative regulation and found to have no disqualifying offense prior to becoming a child care staff member. The above-mentioned staff member with the hire date of 07/17/2018 was observed working alone with four (4) infants from 09:00 a.m. to 10:10 a.m.</p>	
<b>Supervision</b>	<b>In Compliance</b>
<b>Staffing Requirements</b>	<b>In Compliance</b>
<b>General Administration</b>	<b>Not In Compliance</b>
<b>180 - Plan of Correction/15 days</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:090. Section 14. Statement of Deficiency and Corrective Action Plans.</b></p> <p>(2) Except for a violation posing an immediate threat as handled in accordance with KRS 199.896(5)(c), a child-care center shall submit a written corrective action plan to the cabinet or its designee within fifteen (15) calendar days of the date of the statement of deficiency to eliminate or correct the regulatory violation.</p> <p><b>Findings:</b></p> <p>A PLAN OF CORRECTION WAS DUE ON 09/04/2018 AND AS OF 10/04/2018, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.</p> <p><b>Findings:</b></p> <p>A PLAN OF CORRECTION WAS DUE ON 10/19/2018 AND AS OF 10/26/2018, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.</p>	

**Inspection Report**

**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 and interview, the child care center director failed to assure compliance with regulatory requirements. Upon request, the child care center director did not present verification of a current copy of the administrative regulations.

**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 and interview, the child care center director failed to assure compliance with regulatory requirements. Upon request, the child care center director did not present verification of the evaluations assessing the staff person's interaction with children in care and classroom performance for fourteen (14) of the seventeen (17) employees eligible.

**Employee Records**

**Not In Compliance**

**385 - Personnel File**

**Not In Compliance**

**922 KAR 2:090. Section 9. 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. Documentation of compliance with tuberculosis screening in accordance with Section 11(1)(b) of this administrative regulation; and**
- 5. The results of background checks conducted in accordance with 922 KAR 2:280;**

**Findings:**

General: Based on review of documentation and interview, the child care center failed to maintain employee records in accordance with regulatory requirements. Upon request, the child care director did not provide verification that the employee with the hire date of 08/12/2017 had a personnel file to include: Name, address, date of birth, and date of employment, proof of educational qualifications, Tb test results, child abuse and neglect check, and criminal records check.

**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, the child care center failed to maintain employee records in accordance with regulatory requirements. Upon request, the child care director did not present verification that the record for the employee with the hire date of 08/12/2017 contained a copy of a High school diploma: or a GED or qualifying documentation from a comparable educational entity or Commonwealth Child Care Credential.

**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 and interview, the child care center failed to maintain employee records in accordance with regulatory requirements. Upon request, the child care director did not present verification that the record for the employee with the hire date of 08/12/2017 contained a current copy of a statement from a health professional that the individual is free of active tuberculosis; or a copy of negative tuberculin results.

**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.**

**Findings:**

General: Based on review of documentation and interview, the child care center failed to maintain employee records in accordance with regulatory requirements. Upon request, the child care director did not present verification that at least one (1) staff member was certified in CPR and First Aid.

**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 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 cabinet-approved 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 cabinet-approved 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 regulatory requirements. Upon request, the child care director did not present verification that the record of the employees with the hire dates of 11/01/2010, 03/05/2013, 11/17/2014, 03/11/2015 and 10/07/2016 had met the requirement of Fifteen (15) hours of cabinet-approved early care and education training during each subsequent year of employment. Continued review revealed that the two (2) employees with the hire date of 11/01/2010 had not met the requirement of updating their pediatric abusive head trauma training. Review of the TRIS training system indicated the above-mentioned employees had not met the requirement.

**Programming**

**Not In Compliance**

**420 - 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 or 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 review of documentation and interview, the child care center failed to comply with regulatory programming requirements. Upon request, the center director did not present for review verification that the daily activity of programming that was posted in writing that had been updated to reflect the current week in the "Monkey" infant classroom.

**Premises**

**Not In Compliance**

**540 - 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, the child care center failed to maintain premises in accordance with regulatory requirements. Observation in the Pre-K and One's classroom revealed several of the walls contained areas of chipped paint.

**Inspection Report**

**Hygienic Practices**

**Not In Compliance**

**685 - Diaper Changing Area/Surface**

**Not In Compliance**

**922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.**

**(10) When a child is diapered, the child shall:**

**(b) Be placed on a surface that is:**

- 1. Clean;**
- 2. Padded;**
- 3. Free of holes, rips, tears, or other damage;**
- 4. Nonabsorbent;**
- 5. Easily cleaned; and**
- 6. Free of any items not used for diaper changing.**

**Findings:**

General: Based on observation, the child care center failed to comply with hygienic practices in accordance with regulatory requirements. The changing pad located in the one-year-old classroom revealed a small rip on the corner of the pad, with the inside foam exposed.

**First Aid/Medication**

**In Compliance**

**Outdoor Play Area**

**Not In Compliance**

**760 - Fences**

**Not In Compliance**

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

**(23) Fences shall be:**

- (a) Constructed of safe material;**
- (b) Stable; and**
- (c) In good condition.**

**Findings:**

General: Based on observation, the child care center failed to maintain an outdoor play area in accordance with regulatory requirements. The enclosed wooden fence surrounding the air conditioning unit had a slat that was broken on the bottom edge, with access to nails that were protruding.

**Equipment**

**Not In Compliance**

**820 - Indoor/Outdoor Equipment**

**Not In Compliance**

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

**(2) Indoor and outdoor equipment shall:**

- (a) Be clean, safe, and in good repair;**
- (b) Meet the physical, developmental needs, and interests of children of different age groups;**
- (c) Be free from sharp points or corners, splinters, protruding nails or bolts, loose or rusty parts, hazardous small parts, lead-based paint, poisonous material, and flaking or chalking paint; and**
- (d) Be designed to guard against entrapment or situations that may cause strangulation.**

**Findings:**

General: Based on observation and interview with the director, the child care center failed to maintain equipment in accordance with regulatory requirements. The sand table located on the playground was covered with a lid. The edges of the lid was not smooth and contained splintered wood.

**Transportation**

**Not In Compliance**

**855 - Transportation Notification/Plan for Ensuring Staff Duties**

**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:**
- (c) Plan for ensuring staff perform duties relating to transportation properly;**

**Findings:**

General: Based on review of documentation and interview, the child care center failed to comply with regulatory requirements regarding transportation. Upon request, the child care director did not present verification that the child care center maintained policies and procedures to ensure staff duties.

**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 and interview, the child care center failed to comply with regulatory requirements regarding transportation. Upon request, the child care director did not present verification that the child care center maintained policies and procedures relating to an emergency plan for evacuating the vehicle.

**Inspection Report**

**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 and interview, the child care center failed to comply with regulatory requirements regarding transportation. Upon request, the child care director did not present verification that the child care center maintained safety procedures for transporting a child, loading and unloading a child; and providing adequate supervision of a child.

**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, the child care center failed to maintain children's records in accordance with regulatory requirements. Upon request, the child care director did not present verification that the records for the children with the enrollment dates of 09/03/2014 and 10/19/2015 contained information listing a name of a preferred hospital.

**Written Documentation**

**In Compliance**

**Posted Documentation**

**Not In Compliance**

**1200 - 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 Website 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 review of documentation and interview, the child care center failed to post documentation in accordance with regulatory requirements. Upon request, the child care director did not provide verification that a posting of the information on the Kentucky Consumer Product Safety Program was in a conspicuous place and was made available for public inspection.

**Animals**

**In Compliance**

Signature of  
Provider/Representative

Title

Date