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Inspection Report

Provider Name: Little Stars Preschool and Development Center	Provider Information Provider Type: LICENSED TYPE I	CLR No: L359420
Provider Address: 100 Loop Road, Fishersville, KY, 40023		Capacity: 102
Owner(s): Little Stars Preschool And Development Center Llc		Director(s): Salandanan, Anne

Inspection Type: Investigation	Inspection Information	Inspection No: 307188
Date Initiated: 04/22/2021 10:00 AM	Date Concluded: 05/05/2021 5:05 PM	
	No. of Children Present: 36	

Inspection Report	
Staffing Requirements	Not In Compliance
120 - Adequate Adults/Qualified Staff	Not In Compliance
<p>922 KAR 2:090. Section 11. Staff Requirements.</p> <p>(10) The minimum number of adult workers in a child-care center shall be sufficient to ensure that:</p> <p>(a) Minimum staff-to-child ratios in accordance with 922 KAR 2:120 are followed;</p> <p>(b) Each staff person under eighteen (18) years of age and each student trainee are under the direct supervision of a qualified staff person who meets the requirements of this section; and</p> <p>(c) Unless providing care with a qualified staff person, a person under the age of eighteen (18) shall not be counted as staff for the staff-to-child ratio.</p>	
<p>Findings:</p> <p>General: Based on observation, interview and review of documentation, the child care center failed to comply with regulatory staffing requirements. Based on observation and review of documentation conducted on 4/22/2021, an underage staff member with a hire date of 4/8/2021 and an unqualified staff member with a hire date of 1/3/2021 were working together in the Infant room. Observation on 5/5/2021 revealed 2 staff members in the Infant room. A review of staff files revealed the individuals as an underage staff member with a hire date of 4/21/2021 and an individual with a hire date of 1/3/2021 without name-based background check information. Additionally, based on interviews, a staff member under the age of 18 with a hire date of 9/5/2020 was working alone and closing the center.</p>	

125 - Ratios and Group Size

Not In Compliance

922 KAR 2:120. Section 2. Child Care Services.

(2) For an operating child-care center, minimum staff-to-child ratios and group size shall be maintained as established in the table established in this subsection.

Age of Children Ratio Maximum Group Size*

- Infant**
- 1 staff for 5 children 10**
- Toddler 12 to 24 months**
- 1 staff for 6 children 12**
- Toddler 24 to 36 months**
- 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) 30**
- 1 staff for 20 children**
- (full day of care) 30**

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

- (b) The age of the youngest child in the group shall determine the:**
- 1. Staff-to-child ratio; and**
 - 2. Maximum group size.**

Findings:

General: Based on interview, the child care center failed to comply with regulatory staffing requirements. Based on interviews with staff members, a sole staff member has cared for seventeen (17) children from 8:00 A.M. to 3:00 P.M. The youngest child in the group was four (4) years old. Therefore, the minimum staff to child ratio was exceeded by three (3) children. Further interviews revealed a sole staff member cared for fourteen (14) children aged one (1) year for over one hour, exceeding the minimum staff to child ratio by eight (8) children.

General Administration

Not In Compliance

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 observation, the child care center failed to comply with regulations regarding the health, safety and comfort of a child. Based on observation on 4/22/2021, the kitchen door remained open throughout the length of the investigation revealing a sharp, red-handled knife lying on the counter, accessible to the children.

Director Requirements

Not In Compliance

360 - Caregiver Alone

Not In Compliance

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

(1) A director shall:

(m) 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 922 KAR 2:280;

Findings:

General: Based on interview and review of documentation, the child care center director failed to comply with regulatory requirements. Based on interview, a staff member with a hire date of 1/13/2021 has worked alone after turning 18 years of age, however, a review of staff files failed to reveal a completed Criminal Records Check (CRC). Additional interviews and a review of documentation revealed a staff member with a hire date of 9/5/20 was left alone on the playground supervising children, while the staff member was under the age of 18. Due to the age of the staff member, no background checks were obtained for the individual. On 5/5/2021, an underage staff member with a hire date of 4/21/2021 was observed working in the Infant room with an individual who was an unqualified staff member with a hire date of 1/3/21. There were no background checks obtained for the two referenced individuals. Observation on 5/5/2021 revealed a staff member with a hire date of 8/28/2020 working with an underage staff member with a hire date of 9/5/20 in the PreK/School Age room. A review of documentation revealed the staff member with a hire date of 8/28/2020 failed to have results of a CAN check leaving her as an unqualified staff member.

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 interview and review of documentation, the child care center failed to maintain employee records. Upon request a personnel file for a staff member with a hire date of 1/3/2021 failed to be submitted on 4/22/2021 and 5/5/2021. The staff member's address, date of birth, date of employment, educational qualifications, and the results of background checks failed to be contained in a file. Observation revealed the staff member was present on both dates and working in the Infant room with unqualified staff members. Additionally, a staff member with a hire date of 5/2/2018 failed to have a file revealing the individual's address, date of hire, date of birth and educational qualifications. The aforementioned staff member was reported to be working in the center, preparing breakfast, taking children's temperatures and escorting the children to their designated classrooms but was not observed during the visit on 4/22/2021 or on 5/5/2021.

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 interview and review of documentation, the child care center failed to comply with regulatory requirements regarding employee files. A review of staff files failed to reveal a high school diploma, GED or other qualifying documentation from a comparable educational entity for staff members with hire dates of 5/2/2018 and 1/3/2021. Interviews revealed the staff member with a hire date of 5/2/18 had been observed escorting children to their classrooms in the mornings, preparing breakfast and taking children's temperatures. The staff member with a hire date of 1/3/2021 was observed working in the Infant room on 4/22/2021 and on 5/5/2021.

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, the child care center failed to maintain employee records. A review of staff files and an ECE-TRIS report failed to reveal completion of Orientation training for staff members with hire dates of: 10/15/2020, 8/28/2020, 5/2/18, 1/3/2021 and 1/23/21. A review of staff files and ECE-TRIS failed to reveal verification of Pediatric Head Trauma (PAHT) training completed for a staff member with a hire date of 5/2/18. Interview with staff in charge revealed the documentation was not available at the time of the inspection.

Programming

Not In Compliance

480 - 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 or Section 2(2)(c) of this administrative regulation, an infant or toddler under twenty-four (24) months of age shall not participate in an activity with an older child for no more than one (1) hour per day.**
- (3) If a toddler is developmentally appropriate for a transition to a preschool age group, a toddler may participate in an activity with an older child for more than one (1) hour per day if:**
 - (a) Space for the toddler is available in the preschool-age group;**
 - (b) The staff-to-child ratios and group sizes are maintained based on the age of the youngest child;**
 - (c) The center has a procedure for listing a transitioning toddler on attendance records, including a specific day and time the toddler is with either age group; and**
 - (d) The child care center has obtained the signature and approval of the toddler's parent on the toddler's transition plan.**

Findings:

General: Based on interview and review of documentation, the child care center failed to comply with regulatory programming requirements. Based on interviews and written documentation, two (2) year old children are combined with older children for the entire day. The center failed to have approval, signed by the parent, and attendance records showing the date and time the child is attending as a transitioning child in a classroom with older children. Additionally, child to staff ratios were not met.

Inspection Report

495 - 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, such as a bumper or a blanket; and**
- 4. No toys or other items except the infant's pacifier;**

Findings:

General: Based on observation, the child care center failed to maintain regulatory programming requirements. Observation in the Infant room revealed five (5) infants sleeping with loose fitting blankets covering each in their individual cribs. An infant was also observed sleeping in a swing with a large, loose fitting blanket covering him/her.

Premises

Not In Compliance

520 - Inaccessible Items

Not In Compliance

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

(7) The following shall be inaccessible to a child in care:

- (a) Toxic cleaning supplies, poisons, and insecticides;**
- (b) Matches, cigarettes, lighters, and flammable liquids; and**
- (c) Personal belongings and medications of staff.**

Findings:

General: Based on observation, the child care center failed to maintain the premises in accordance with regulatory requirements. Observation revealed a gallon jug of bleach propping a hallway door open. Another gallon of bleach was also sitting on the floor next to the bottle propping the door. Multiple bottles of cleaning supplies including, Fabuloso, Hand Sanitizer Solution, and toilet bowl cleaner, all containing a warning to 'Keep Out of the Reach of Children' were accessible to children while the door was propped open.

Hygienic Practices

Not In Compliance

695 - Diapering Practice

Not In Compliance

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

(12) Staff shall disinfect the diapering surface after each child is diapered.

(13) If staff wears disposable gloves, the gloves shall be changed and disposed after each child is diapered.

Findings:

General: Based on interview and review of documentation, the child care center failed to comply with hygienic practices. Based on interview and review of documentation, a staff member revealed that the changing table was disinfected after all children had been changed, but not after each child was changed.

Food Service/Food Program

Not In Compliance

995 - Lunch/Dinner Requirements

Not In Compliance

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

(19) Lunch and dinner shall include:

- (a) Milk;**
- (b) Protein;**
- (c) Bread; and**
- (d) 1. Two (2) vegetables;**
- 2. Two (2) fruits; or**
- 3. One (1) fruit and one (1) vegetable.**

Findings:

General: Based on observation and interview, the child care center failed to maintain food service in accordance with regulatory requirements. Interview with staff members revealed a lunch meal served containing only chicken nuggets, milk and tater tots had been served for lunch on 4/21/2021. A fruit or vegetable was missing from the meal. Continued interviews with staff revealed only meats and cheese was served for lunch with no fruits or vegetables, failing to meet the requirements for lunch on another day recently.

Food Service

Not In Compliance

1065 - Developmentally Appropriate Quantity/Additional Portions

Not In Compliance

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

(1) Food shall be:

(g) Served in a quantity that is developmentally appropriate for the child with additional portions provided upon request of the child;

Findings:

General: Based on observation, the child care center failed to maintain food service in accordance with regulatory requirements. Based on observation conducted on 4/22/2021, individual bowls containing portions for each classroom failed to have an adequate amount of servings for the number of children in the room. Servings of green beans had been divided failing to reveal sufficient amounts for each classroom.

1130 - Menu

Not In Compliance

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

(16) A weekly menu shall be:

- (a) Prepared;**
- (b) Dated;**
- (c) Posted in advance in a conspicuous place;**
- (d) Kept on file for thirty (30) days; and**
- (e) Amended in writing with any substitutions on the day the meal is served.**

Findings:

General: Based on interview and review of documentation, the child care center failed to maintain food service in accordance with regulatory requirements. A review of documentation failed to reveal a dated menu. The posted, un-dated menu failed to contain all required components for each meal service. Interviews revealed not all required components are served for the lunch meal.

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 Web site as specified in KRS 199.897;**
- (e) A description of services provided by the child-care center, including:**
 - 1. Current rates for child care; and**
 - 2. Each service charged separately and in addition to the basic rate for child care;**
- (f) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and**
- (g) Daily planned program.**

Findings:

General: Based on review of documentation, the child care center failed to comply with regulatory posting requirements. A review of posted documentation failed to reveal the current year's statement of deficiency and plan of corrections. Additionally, a cover letter from an investigation during the current year was posted but failed to reveal the statement of deficiency and plan of corrections resulting from the investigation in 2020.

Emergency Regulation

Not In Compliance

1265 - Emergency Regulation

Not In Compliance

922 KAR 2:415E. Emergency Regulation.

Due to the current declared public health emergency caused by the Novel Coronavirus Disease (COVID-19), licensed child care centers must operate under Centers for Disease Control and Prevention and public health guidelines, as mandated by 922 KAR 2:415E, to prevent the spread of COVID-19.

Findings:

General: Based on observation, interview and review of documentation, the child care center failed to comply with emergency regulations: A review of documentation revealed the emergency regulation 922 KAR 2:415e states: all new staff must submit to a name-based background check. Staff members with hire dates of: 4/14/2021, 4/12/2021, 4/8/2021, 9/5/2020, 03/01/2021, 8/28/2020 and 1/3/2021 failed to have documentation of having submitted a Child Abuse/Neglect (CAN) check. Staff members with hire dates of: 1/13/2021, 1/8/2021, 3/01/2021, 1/3/2021, 1/23/2021 and 3/23/20 failed to have documentation of a completed Criminal Record Check (CRC) in the file. Interview with staff in charge revealed the documentation was not available at the time of the inspection.

Signature of Provider/Representative

Title

Date