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**Inspection Report**

<b>Provider Name:</b> Heartland Montessori School	<b>Provider Information</b>	<b>CLR No:</b> L359492
<b>Provider Address:</b> 583 Pine Valley Drive, Elizabethtown, KY, 42701	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 99
<b>Owner(s):</b> Heartland Montessori School Inc.		<b>Director(s):</b> Ramirez, Charlotte L.

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 304552
<b>Date Initiated:</b> 09/29/2020 9:15 AM	<b>Date Concluded:</b> 09/29/2020 12:45 PM	
	<b>No. of Children Present:</b> 48	

Inspection Report	
Background Checks	Not In Compliance
<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><b>(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.</b></p> <p><b>(2) A child care staff member hired on or after April 1, 2018, shall:</b></p> <p><b>(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</b></p> <p><b>(b) 1. Have submitted to the background checks required in accordance with this administrative regulation;</b></p> <p><b>2. Not be left unsupervised with a child in care pending the completion of the background checks in accordance with this administrative regulation; and</b></p> <p><b>3. Be dismissed or relocated from the residence if the person is found to have a disqualifying background check result.</b></p> <p><b>Findings:</b></p> <p>General: Based on observation, interview and review of documentation, two staff members with hire dates of 7/20/2020 and 9/17/2020 worked at the center prior to initiating a Criminal Records Check. Both staff members were observed to work alone with children. The staff member in charge acknowledged that the background checks had not been initiated, nor had the results been returned, prior to the aforementioned staff members working at the center.</p>	
<b>Supervision</b>	<b>In Compliance</b>
<b>Staffing Requirements</b>	<b>In Compliance</b>

**Inspection Report**

**General Administration**

**Not In Compliance**

**255 - Notification of Changes**

**Not In Compliance**

**922 KAR 2:090. Section 12. 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;**

**Findings:**

General: Based on observation, interview and review of documentation, eight (8) two-year-old children and one (1) three-year old child were cared for in the Toddler Room at the time of the inspection. Review of documentation revealed that the center is not licensed to care for Toddlers. Interview with the staff member in charge revealed that she was not aware that the center was not licensed to care for Toddlers.

**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:**

**(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 922 KAR 2:280;**

**Findings:**

General: Based on observation, interview and review of documentation, two staff members with hire dates of 7/20/2020 and 9/17/2020 worked at the center prior to initiating a Criminal Records Check. Both staff members were observed to work alone with children. The staff member in charge acknowledged that the background checks had not been initiated, nor had the results been returned, prior to the aforementioned staff members working at the center.

**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 interview and review of documentation, the file for a staff member with a hire date of 9/17/2020 did not contain a high school diploma, GED or qualifying documentation from a comparable educational entity; or Commonwealth Child Care Credential. Interview with the staff member in charge revealed that the documentation was not available at the time of the survey.

**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 interview and review of documentation, the file for a staff member with a hire date of 11/7/11 did not contain a current statement from a health professional that the individual is free of active tuberculosis; or a copy of negative tuberculin results. The TB test on file for the aforementioned staff member expired in September 2019. The staff member in charge acknowledged that the documentation was not available at the time of the survey.

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405 - Adequate Substitute(s)

Not In Compliance

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

- (6) Child-care centers shall have available in case of need:
  - (a) One (1) qualified substitute staff person for a Type II child-care center; or
  - (b) Two (2) qualified substitute staff persons for a Type I child-care center.
- (7) Each qualified substitute staff person shall:
  - (a) Meet the staff requirements of this administrative regulation; and
  - (b) Provide the required documentation to verify compliance with this administrative regulation.

Findings:

General: Based on interview and review of documentation, the center did not have any substitute staff members at the time of the inspection. The staff member in charge acknowledged that the center did not have two substitutes, as required by child care regulation.

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 1/2) 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 1/2) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.

Findings:

General: Based on interview and review of documentation, the file for a staff member with a hire date of 1/18/19 did not contain verification that the staff member had completed one and one-half (1 1/2) hours of cabinet-approved pediatric abusive head trauma training within the past five (5) years. Review of ECE-TRIS failed to verify completion of the aforementioned training. The staff member in charge acknowledged that verification of the training was not available at the time of the inspection.

Programming

In Compliance

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, a bottle of Oxy Pro Deep Clean, Clorox Foamer Spray, hydrogen peroxide, glass cleaner, and nine (9) tubes of wall adhesive were located in an unlocked cabinet below a sink in the Women's Restroom. All items were marked "Keep Out of Reach of Children." Children were observed to use the restroom where the items were located several times during the survey.

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 center was very cluttered in many areas. There were boxes and items in the hallway and lobby, and near the entrances to classroom doors. The door to a room used for storage was open, allowing all items inside the room to be accessible to children. The floor of the room completely covered and stacked full of items, at least three feet high at some points.

580 - 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, there was a hole in the wall by the cots in the Three Year Old Classroom.

640 - Toilet Room

Not In Compliance

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

- (2) A toilet room shall:
  - (a) 1. Be provided for each gender; or
  - 2. A plan shall be implemented to use the same toilet room at separate times;
  - (b) Have a supply of toilet paper; and
  - (c) Be cleaned and disinfected daily.

Findings:

General: Based on observation, a group of fourteen (14) boys and girls ages four through seven-years-old were observed to use the Women's Restroom at the same time; therefore, genders were not separated in the restroom.

Inspection Report

650 - Toilet

Not In Compliance

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

- (4) Each toilet shall:
  - (a) Be kept in clean condition;
  - (b) Be kept in good repair;
  - (c) Be in a lighted room; and
  - (d) Have ventilation to outside air.

Findings:

General: Based on observation, a staff member told fourteen boys and girls ages four through seven years old that they could only "pee" in the Women's Restroom because "sometimes the toilets don't flush all the way." Additionally, a light was not functioning in a bathroom located in the Primary Room.

<b>Hygienic Practices</b>	<b>In Compliance</b>
<b>First Aid/Medication</b>	<b>In Compliance</b>
<b>Outdoor Play Area</b>	<b>In Compliance</b>
<b>Equipment</b>	<b>Not In Compliance</b>

780 - Storage Space/Storage Device

Not In Compliance

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

- (29) Storage space shall be provided:
  - (a) In the form of:
    - 1. Shelves; or
    - 2. Other storage device accessible to the children; and
  - (b) In sufficient quantity for each child's personal belongings.

Findings:

General: Based on observation and interview, three children's belongings lay on the floor outside of the Four Year Old Room. Interview with a staff member revealed that there was not enough space in the classroom to store all of the children's belongings.

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, a smoke detector chirped continuously throughout the inspection, indicating that it was not functioning properly.

<b>Transportation</b>	<b>Not Applicable</b>
<b>Food Service/Food Program</b>	<b>In Compliance</b>
<b>Food Service</b>	<b>Not In Compliance</b>

1010 - Kitchen Requirements

Not In Compliance

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

- (1) The kitchen shall:
  - (a) Be clean;
  - (b) Be equipped for proper food:
    - 1. Preservation;
    - 2. Storage;
    - 3. Preparation; and
    - 4. Service;
  - (c) Be adequately ventilated to the outside air; and
  - (d) Except in a Type II child-care center when a meal is not being prepared, not be used for the activity of a child.

Findings:

General: Based on observation, the kitchen was very cluttered. Toys and supplies covered the counters, boxes sat on the floor, and bags and dolls lay on the stove. Interview with a staff member revealed that, although the center does not serve lunch, children's snacks are stored and prepared in the kitchen.

1025 - Refrigerator

Not In Compliance

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

- (4) A cold-storage facility used for storage of perishable food in a nonfrozen state shall:
  - (a) Have an indicating thermometer or other appropriate temperature measuring device;
  - (b) Be in a safe environment for preservation; and
  - (c) Be forty (40) degrees Fahrenheit or below.

Findings:

General: Based on observation of the refrigerator in the Four Year Old Room, there was no thermometer or other appropriate temperature measuring device present; therefore, the temperature of the refrigerator could not be determined.

**1030 - Frozen Food**

**Not In Compliance**

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

**(5) Frozen food shall be:**

- (a) Kept at a temperature of zero degrees Fahrenheit or below; and**
- (b) Thawed:**
  - 1. At refrigerator temperatures;**
  - 2. Under cool, potable running water;**
  - 3. As part of the cooking process; or**
  - 4. By another method in accordance with the Department of Public Health's food safety standards and permits, established in KRS Chapter 217.**

**Findings:**

General: Based on observation of the freezer in the Four Year Old Room, there was no thermometer or other appropriate temperature measuring device present; therefore, the temperature of the freezer could not be determined.

**Children's Records**

**Not In Compliance**

**1135 - Immunization**

**Not In Compliance**

**922 KAR 2:090. Section 9. Records.**

**(1) A child-care center shall maintain:**

- (a) A current immunization certificate for each child in care within thirty (30) days of the child's enrollment, unless an attending physician or the child's parent objects to the immunization of the child pursuant to KRS 214.036;**

**Findings:**

General: Based on interview and review of documentation, the immunization certificate for a child enrolled on 8/7/19 was expired. Interview with the staff member in charge revealed that a current immunization certificate was not available at the time of the survey.

**Written Documentation**

**Not In Compliance**

**1175 - Earthquake/Tornado/Fire Drills**

**Not In Compliance**

**922 KAR 2:090. Section 9. Records.**

**(1) A child-care center shall maintain:**

- (h) A written record of quarterly practiced earthquake drills and tornado drills detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;**
- (i) A written record of practiced fire drills conducted monthly detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;**

**Findings:**

General: Based on review of documentation, verification that earthquake and tornado drills were conducted quarterly in 2019 was not made available at the time of the inspection. The staff member in charge acknowledged that the aforementioned documentation was not available.

**1195 - Fire Drills**

**Not In Compliance**

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

**(12) A fire drill shall be:**

- (a) Conducted during hours of operation at least monthly; and**
- (b) Documented.**

**(13) An earthquake drill and a tornado drill shall be:**

- (a) Conducted during hours of operation at least quarterly; and**
- (b) Documented.**

**Findings:**

General: Based on interview and review of documentation, verification that fire drills had been conducted monthly in 2020 was not made available at the time of the inspection. The director acknowledged that the aforementioned documentation was not available.

**Inspection Report**

**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, the following was not posted in a conspicuous place and made available for public inspection:

- (a) The provider's 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; and
- (f) Minimum staff-to-child ratios and group size established in 922 KAR 2:120.

**1215 - Daily Activities**

**Not In Compliance**

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

**(1) A director shall:**

- (h) Post a schedule of daily activities, to include dates and times of activities to be conducted with the children in each classroom;**

**Findings:**

General: Based on review of documentation in the Toddler Room, a daily schedule of activities, to include the dates and times of activities to be conducted, was not posted.

**Animals**

**In Compliance**

**Emergency Regulation**

**Not In Compliance**

**1255 - Emergency Regulation**

**Not In Compliance**

**922 KAR 2:405E. 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 2:405E, to prevent the spread of COVID-19.**

**Findings:**

General: Based on observation and interview, nine (9) six-year-old children and one (1) seven-year-old child in the Kindergarten & First Grade Room were not wearing a face mask.

Signature of Provider/Representative

Title

Date