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Inspection Report

Provider Name: Kidzway Learning Center	Provider Information	License No: L378913
Provider Address: 5700 Us 127 South, Frankfort, KY, 40601	Provider Type: LICENSED TYPE I	Capacity: 99
Owner(s): Hope Community Church, Inc.		Director(s): Walker, Beci

Inspection Type: Investigation	Inspection Information	Inspection No: 214280
Visit Start Date: 02/23/2016 9:35 AM	Visit End Date: 02/23/2016 12:55 PM	
No. of Children Present: 36		

Inspection Report

Supervision

5 - Children Supervised	In Compliance
<p>922 KAR 2:120. Section 2. Child Care Services. (3)(a) Each center shall maintain a child-care program that assures each child will be: 1. Provided with adequate supervision at all times by a qualified staff person who: a. Ensures the child is within scope of vision and range of voice; or b. For a school-age child, within scope of vision or range of voice;</p>	

Staffing Requirements

40 - Ratios and Group Size	In Compliance																														
<p>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:</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>1 staff for 20 children</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)	1 staff for 20 children	30
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Inspection Report

General Administration

220 - Person Under Investigation by DCBS

Not In Compliance

922 KAR 2:110. Section 2. General.

(8) If a director, employee, volunteer, or any person with supervisory or disciplinary control over, or having unsupervised contact with a child in care is named as the alleged perpetrator in a child abuse or neglect report accepted by the cabinet in accordance with 922 KAR 1:330, the individual shall be removed from direct contact with a child in care:

(a) For the duration of the family-in-need-of-services assessment or investigation; and

(b) Pending completion of the administrative appeal process for a cabinet substantiation of child abuse or neglect in accordance with 922 KAR 1:320 or 922 KAR 1:480.

Findings:

General: Based on Interview, on 2/17/16 a representative from the Department for Community Based Services (SCBS) went to the facility to see a child named in an investigation and the facility was informed by this representative there was a staff person at the facility who had been named as an alleged perpetrator of child abuse and was under investigation by their office. However, at the time of the visit conducted by the surveyor and DCBS on 2/23/16 the alleged perpetrator was observed working with another staff person in the one (1) year old room. An interview with the staff person in charge and the assistant staff person in charge found that they were unaware the staff person who was under investigation could not be around the children while under investigation. However, this same staff person had previously been named the alleged perpetrator and had been under investigation by DCBS and the Division of Regulated Child Care on 10/7/15. At that time the staff person in charge and the assistant staff person in charge had been informed this staff person could not be in contact with the children because the staff person was under investigation.

Director Requirements

250 - Staff Management/Policy Development/Supervision

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:

(e) Manage the staff in their individual job descriptions;

(f) Develop child-care center plans, policies, and procedures;

(g) Supervise staff conduct to ensure implementation of program policies and procedures;

Findings:

General: Based on Review of Documentation, it was found that the facility has a policy the requires staff to be placed on a ninety (90) probationary period when hired. After those ninety (90) days the staff person is then evaluated. A review of a file for a staff person with a hire date of 4/29/15 found that there was no evidence of this staff person having had an evaluation conducted after the staff person had been employed for ninety (90) days. An interview with the staff person in charge and the staff person in question found that a ninety (90) day evaluation had not been completed.

265 - Health, Safety, Comfort

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;

Employee Records

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, it was found that a person who is a volunteer and was present at the facility and with children and another staff person in the two (2) year old room at the time of the visit on 2/23/16 did not have the results of a criminal records check and child abuse and neglect check on file nor was there evidence that the application for the results of a criminal records check and child abuse or neglect check had been submitted. An interview with the staff person in charge found that this person has been a volunteer at the facility since 8/25/15. The staff person in charge also stated in interview she had been told the volunteer did not need the results of a criminal records check and child abuse and neglect check to volunteer at the facility. Interviews with staff found that this volunteer does not supervise children alone but has daily contact with the children.

Signature of
Provider/Representative

Title

Date

