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Inspection Report

Provider Name: Farmer Elementary Childcare Enrichment Program	Provider Information Provider Type: LICENSED TYPE I	CLR No: L358528
Provider Address: 6405 Gellhaus Lane, Louisville, KY, 40299		Capacity: 99
Owner(s): The Young Mens Christian Association Of Greater Louisville		Director(s): Graybeal, Mary D.

Inspection Type: Renewal Application	Inspection Information	Inspection No: 293271
Date Initiated: 07/13/2020 8:30 AM	Date Concluded: 07/13/2020 12:43 PM	
	No. of Children Present: 33	

Inspection Report	
Background Checks	Not In Compliance
5 - Background check/left alone/dismissed/relocated	Not In Compliance
<p>922 KAR 2:280. Section 3. Implementation and Enforcement.</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>Findings:</p> <p>General: Based on interview, review of documentation, and observation of the library, a staff member with the hire date 01/30/2020 was the sole care giver for nine (9) children. Review of a KARES report revealed, the background check had not been completed for the staff member with the hire date of 01/30/2020. Upon request, a completed background check was not presented for the staff member with the hire date of 01/30/2020. Observation of the music room revealed the staff member with the hire date 06/14/2014 was the sole care giver for eight (8) children. Review of a KARES report revealed the staff member with the hire date of 06/14/2014 was not listed on the KARES report as a staff member of that center.</p>	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
170 - Have Director	Not In Compliance
<p>922 KAR 2:090. Section 6. License Issuance.</p> <p>(8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:</p> <p>(g) Have a director who meets the requirements listed in Section 10 of this administrative regulation.</p> <p>Findings:</p> <p>Based on interviews and review of documentation, the licensed center does not have a director that has been approved by Division of Regulated Child Care. Interviews confirmed that the previously approved director is no longer employed by the child center.</p>	

260 - Change of Director

Not In Compliance

922 KAR 2:090. Section 12. Reports.

(3) A licensee shall report to the cabinet within one (1) week:

(a) Any resignation, termination, or change of director; and

(b) The name of the acting director who satisfies the requirements of Section 10 of this administrative regulation.

Findings:

General: Based on observation, interview and review of documentation, the center did not send a request of change of directorship to the office of Division of Regulated Child Care. Interview with staff members revealed the individual who is the approved director is no longer employed by the center and has not been employed for more than one week.

290 - Fire Marshal/Zoning Compliance

Not In Compliance

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

(2) A child-care center shall be in compliance with the State Fire Marshal and the local zoning laws.

Findings:

General: Review of documentation revealed there was not a current fire marshal report provided for review. The document presented for review was dated 11/27/2017.

Director Requirements

Not In Compliance

340 - Staff Meeting

Not In Compliance

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

(1) A director shall:

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

Findings:

General: Based on observation, interview and review of documentation, documentation of staff meetings were not presented for review. Interview with the staff member revealed, staff meetings had been conducted: however, the current staff meetings for 2020 had not been documented.

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 of the library, a staff member with the hire date 01/30/2020 was the sole care giver for nine (9) children. Review of a KARES report revealed, the background check had not been completed for the staff member with the hire date of 01/30/2020. Upon request a completed background check was not presented for that staff member with the hire date of 01/30/2020. Observation of the music room revealed, the staff member with the hire date 06/14/2014 was the sole care giver for eight (8) children. Review of a KARES report revealed, the staff member with the hire date of 06/14/2014 was not listed on the KARES report as a staff member

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 observation, interview and review of documentation, the staff member in charge failed to maintain a current personnel file for the staff member with the hire date of 06/14/2014.

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: Review of the presented employee files revealed a staff member with the hire date of 06/14/2014 whose file did not contain a high school diploma, GED, or qualifying documentation from a comparable educational entity. Upon request, the staff member in charge did not provide the educational document for review.

Inspection Report

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: Upon request, a current daily planned program was not presented for review for the following rooms: the library, STEM room, art room, and cafeteria.

Premises

In Compliance

Hygienic Practices

In Compliance

First Aid/Medication

Not In Compliance

730 - 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 unless the medication is:

- 1. A first aid supply and is maintained in accordance with subsection (1) of this section;
- 2. Diaper cream, sunscreen, or toothpaste. Diaper cream, sunscreen, or toothpaste shall be inaccessible to a child;
- 3. An epinephrine auto-injector. A licensed child-care center shall comply with KRS 199.8951 and 311.646, including:
 - a. An epinephrine auto-injector shall be inaccessible to a child;
 - b. A child-care center shall have at least one (1) person onsite who has received training on the administration of an epinephrine auto-injector if the child-care center maintains an epinephrine auto-injector;
 - c. A child-care center shall seek emergency medical care for a child if an auto-injector is administered to the child; and
 - d. A child-care center shall report to the child's parent and the cabinet in accordance with 922 KAR 2:090, Section 12(1)(b) if an epinephrine auto-injector is administered to a child; or
- 4. An emergency or rescue medication for a child in care, such as medication to respond to diabetic or asthmatic condition, as prescribed by the child's physician. Emergency or rescue medication shall be inaccessible to a child in care;

(b) Kept in the original bottle; and

(c) Properly labeled.

(7) Medication shall not be given to a child if the medication's expiration date has passed.

Findings:

General: Based on observation of a black and yellow toolbox located in the cafeteria, there was a bottle of prescription medication that was not stored in a locked container. The container was accessible to the children.

Outdoor Play Area

Not In Compliance

755 - 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: Observation of the school age playground revealed a large climbing apparatus with insufficient protective ground covering; the ground was visible through the protective surfacing. Further observation of ten (10) swings revealed the ground was visible through the protective surfacing.

Inspection Report

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: Observation of the gate, entering the preschool playground, revealed a latch that did not close properly.

Equipment

In Compliance

Transportation

In Compliance

Food Service/Food Program

In Compliance

Food Service

Not In Compliance

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, a current menu was not posted for review.

Children's Records

In Compliance

Written Documentation

Not In Compliance

1155 - Policies and Procedures

Not In Compliance

922 KAR 2:090. Section 8. General.

(4) Program policies and procedures shall:

- (a) Be in writing; and
- (b) Include:
 1. Staff policies;
 2. Job descriptions;
 3. An organization chart;
 4. Chain of command; and
 5. Other procedures necessary to ensure implementation of:
 - a. KRS 199.898, Rights for children in child-care programs and their parents, custodians, or guardians - posting and distribution requirements;
 - b. 922 KAR 2:120, Child-care center health and safety standards;
 - c. 922 KAR 2:280, Background checks for child care staff members, reporting requirements, and appeals; and
 - d. This administrative regulation.

Findings:

General: Based on interview and review of documentation, a chain of command was not presented for review.

Posted Documentation

In Compliance

Animals

In Compliance

Signature of Provider/Representative

Title

Date