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Inspection Report

Provider Name: Whitaker Family YMCA	Provider Information Provider Type: LICENSED TYPE I	CLR No: L383596
Provider Address: 2681 Old Rosebud Road, Lexington, KY, 40509		Capacity: 130(Bldg 1: 150)
Owner(s): Young Men's Christian Association of Central Kentucky, Inc.		Director(s): Thakur, Adrienne August - Godfrey

Inspection Type: Renewal Application	Inspection Information	Inspection No: 278222
Date Initiated: 02/28/2019 1:05 PM	Date Concluded: 02/28/2019 3:30 PM	
	No. of Children Present: 37	

Inspection Report		
Background Checks		In Compliance
Supervision		In Compliance

Inspection Report

Staffing Requirements

Not In Compliance

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 observation upon arrival at the facility, there were thirty-seven (37) children ages five to eleven (5-11) years old with three (3) staff in the Group Activity Room. The maximum group size with the age of the youngest child being five-years-old is thirty and the staff to child ratio is one (1) staff for fifteen (15) children. The group size was over by seven (7) children and the staff to child ratio was over by seven (7) children. An interview with the staff person in charge found that the children had been combined for approximately one (1) hour.

General Administration

In Compliance

Director Requirements

Not In Compliance

350 - Health, Safety, Comfort

Not In Compliance

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

(1) A director shall:

(l) Assure the health, safety, and comfort of each child;

Findings:

General: Based on observation, some of the children's coats and backpacks were observed piled on top of each other on the floor in front of a small set of cubbies. Additional coats and backpacks were observed piled on top of each other on hooks in the cubbies. There was not adequate space for each child to store their personal belongings. This method of storage allows for cross contamination of germs.

370 - Parental/Family Involvement Activity

Not In Compliance

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

(1) A director shall:

(p) Coordinate at least one (1) annual activity involving parental or family participation;

Findings:

General: Based on observation and review of documentation, there was no documentation to verify at least one (1) parental or family involvement activity had been coordinated for 2018.

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 and review of documentation, the surveyor found that the staff person in charge did not have a current personnel file at the facility. An interview with the staff person in charge found that she had transferred from another location in October 2018. This staff person acknowledged her personnel file was not at the facility. A review of documentation also found that the personnel file of one (1) of the bus drivers was not at the facility. The staff person in charge stated that on 2/25/19, the driver was moved to another location because that location needed another vehicle and driver. However, this driver had been transporting children from school to this location up until 2/25/19. A review of staff files also found there were three (3) staff who did not have a date of employment documented.

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, there was one (1) staff person with a hire date of 1/16/19 who did not have a copy of a high school diploma, GED or other qualifying documentation on file at the facility. There was an additional staff person who did not have a documented date of hire who did not have a copy of a high school diploma, GED or other qualifying documentation on file at the facility.

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 with the staff person in charge, it was found that on the day of the survey the facility was open all day due to school being closed. The staff person in charge stated that earlier that day, a staff person from another location had been used as a substitute from 8:30 a.m.-12:00 p.m. A review of documentation found there was not a file at the facility for this staff person. Another staff person listed as a substitute with no date of hire documented did not have a copy of a high school diploma, GED or other qualifying documentation on file at the facility. It was also found that this staff person is the Sports Director at the facility.

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 ECE-TRIS records, it was found that a staff person hired 1/29/18 only had evidence of having completed 1.5 hours of annual training. In addition this same staff person did not have evidence of having completed six (6) hours of cabinet approved orientation training. A staff person hired 4/26/16 only had evidence of having completed five (5) hours of annual training.

415 - Driver Requirements

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(18) A driver of a vehicle transporting a child for a center shall:

- (a) Be at least twenty-one (21) years old;**
- (b) Complete:**
 - 1. The background checks as described in 922 KAR 2:280; and**
 - 2. An annual check of the:**
 - a. Kentucky driver history records in accordance with KRS 186.018; or**
 - b. Driver history records through the state transportation agency that issued the driver's license;**
- (c) Hold a current driver's license which has not been suspended or revoked during the last five (5) years; and**
- (d) Not caused an accident which resulted in the death of a person.**

Findings:

General: Based on review of documentation, the surveyor found that a staff person who drives one (1) of the vehicles that transports children from school to the facility did not have a current copy of a driver history record through the state transportation agency that issued the driver's license. In addition another staff person identified as a driver did not have a personnel file at the facility. An interview with the staff person in charge found that this staff person was moved to another location on 2/25/19. However, this staff person had been transporting children from school to the facility prior to 2/25/19.

Programming

In Compliance

Premises

Not In Compliance

605 - Child Care Program Interference

Not In Compliance

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

(15) If a portion of the building is used for a purpose other than child care:

- (a) Necessary provisions shall be made to avoid interference with the child-care program; and**
- (b) A separate restroom shall be provided for use only by those using the building for its child care purpose.**

Findings:

General: Based on observation, the staff person in charge showed the surveyor two (2) bathrooms used by the children enrolled at the facility that are located in a self contained area labeled Family Corridor. The area is located across from the gym and is used by families for dressing and undressing for swimming and other activities. It should be noted that the bathrooms are located at the entry way of this area and anyone using this space to change their clothing enters and exits through the same doorway. At the time of the survey, people were observed in the areas that were not part of the licensed program. The staff person in charge indicated that the older children use these bathrooms. It was further stated that when the children use the bathrooms, one (1) staff person stands inside the area and allows two (2) children of the same sex in each bathroom and does not allow anyone else in the bathrooms until all of the children are finished. The staff person in charge showed the surveyor two (2) additional bathrooms that are used by the younger children.

Hygienic Practices

In Compliance

First Aid/Medication

Not In Compliance

715 - First Aid Supplies

Not In Compliance

922 KAR 2:120. Section 7. First Aid and Medicine.

(1) First aid supplies shall:

- (a) Be available to provide prompt and proper first aid treatment;**
- (b) Be stored out of reach of a child;**
- (c) Be periodically inventoried to ensure the supplies have not expired;**
- (d) If reusable, be:**
 - 1. Sanitized; and**
 - 2. Maintained in a sanitary manner; and**
- (e) Include:**
 - 1. Liquid soap;**
 - 2. Adhesive bandages;**
 - 3. Sterile gauze;**
 - 4. Medical tape;**
 - 5. Scissors;**
 - 6. A thermometer;**
 - 7. Flashlight;**
 - 8. Cold pack;**
 - 9. First aid book;**
 - 10. Disposable gloves; and**
 - 11. A cardiopulmonary resuscitation mouthpiece protector.**

Findings:

General: Based on observation at the time of the survey, an unlocked box that contained first aid supplies was located on a low window sill in the Group Activity Room. The children were in this room at that time. The first aid supplies were accessible to the children.

Outdoor Play Area

Not Applicable

Inspection Report

Equipment

Not In Compliance

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, some of the children's coats and backpacks were observed piled on top of each other on the floor in front of a small set of cubbies. Additional coats and backpacks were observed piled on top of each other on hooks in the cubbies. There was not adequate space for each child to store their personal belongings.

Transportation

Not In Compliance

840 - Transportation Compliance

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(1) A center shall document compliance with KRS Chapter 186 and 603 KAR 5:072 pertaining to:

- (a) Vehicles;**
- (b) Drivers; and**
- (c) Insurance.**

Findings:

General: Based on observation and interview, it was found that a 2016 Ford mini bus that had been used daily to transport children from school to the facility was moved to another location on 2/25/19. The file for the identified driver of this vehicle was not at the facility at the time of the survey. Current documentation for this vehicle was also not available.

845 - Requirements for Transportation Services

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(2) A center providing or arranging transportation service shall:

- (a) Be licensed and approved by the cabinet or its designee prior to transporting a child;**
- (b) Have a written plan that details the type of transportation, staff schedule, transportation schedule, and transportation route; and**
- (c) Have written policies and procedures, including emergency procedures practiced monthly by staff who transports children.**

Findings:

General: Based on observation, interview and review of documentation, the surveyor found that the transportation routes for 2014 Ford mini bus that was at the facility were not documented.

850 - Transportation Notification/Type and Vehicle

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:

- (a) Type of transportation offered;**
- (b) Type of vehicle used for transportation;**

Findings:

General: Based on observation, it was found that a 2016 Ford mini bus that had been used daily to transport children from school to the facility was moved to another location on 2/25/19. A review of documentation found that this vehicle was not listed as an approved vehicle to transport children for this location. A review of DRCC files show approval for a 2014 Ford E-350 as the only approved vehicle for this location.

870 - Transportation Notification/Third Party Contracts

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:

- (f) Contracts, agreements, or documents detailing arrangements with any third party for services;**

Findings:

General: Based on review of documentation, the surveyor found that on 1/18/18 the facility requested that a third party agreement be added to its transportation documentation. At the time of the survey a copy of the third party agreement was not on file at the facility. An interview with the staff person in charge found that Community Action Council provides transportation from some of the local schools to the facility.

880 - Vehicle Equipment

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(4) A vehicle used to transport children shall be equipped with:

- (a) A fire extinguisher;**
- (b) First aid supplies as established in Section 7 of this administrative regulation;**
- (c) Emergency reflective triangles; and**
- (d) A device to cut the restraint system, if necessary.**

Findings:

General: Based on observation, it was found that the flashlight on the 2014 Ford E-350 was not working properly. It was also found that there was not a thermometer or liquid soap as part of the first aid supplies.

Inspection Report

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 interview with the staff person in charge, it was found that the program was open all day due to school being closed for the day. The staff person in charge stated they provided breakfast for the children and will provide an afternoon snack. Children's lunch boxes were observed hanging on hooks in the Group Activity Room. An interview with the staff person in charge found that children are required to bring their lunch on days they are open all day. The staff person in charge stated that most children bring water, juice boxes or lemonade to drink. The staff person stated further that they do not provide milk or other meal components to assure that the child's lunch meets the meal requirements for lunch.

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 observation and interview with the staff person in charge, it was found that the program was open all day due to school being closed for the day. The staff person in charge stated they provided breakfast for the children and will provide an afternoon snack. An observation of posted items found that the breakfast menu was not posted. However, the staff person in charge showed the surveyor a document that was in a file folder that contained the breakfast menu for the day.

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, the surveyor found that out of ten (10) children's enrollment information reviewed there were three (3) children's information that did not include permission for emergency medical treatment. There was an additional child's enrollment information that did not have a preferred hospital listed. The words "closest for needed care" were put in the space provided.

Written Documentation

Not In Compliance

1150 - Evacuation Plan

Not In Compliance

922 KAR 2:090. Section 5. Evacuation Plan.

(1) A licensed child-care center shall have a written evacuation plan in the event of a fire, natural disaster, or other threatening situation that may pose a health or safety hazard for a child in care in accordance with KRS 199.895 and 42 U.S.C. 9858c(c)(2)(U).

Findings:

General: Based on review of documentation, the surveyor found that 11/3/17 was the last documented date that a written evacuation plan had been submitted for approval in accordance with KRS 199.895 and 42 U.S.C. 9858c(c)(2)(U).

Posted Documentation

In Compliance

Animals

Not Applicable

Signature of Provider/Representative

Title

Date