



Andy Beshear
GOVERNOR

CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL

Eric Friedlander
SECRETARY

Melissa A. Moore, Director
Division of Regulated Child Care
Eastern Branch
455 Park Place, Suite 120A
Lexington, KY 40511

Adam Mather
INSPECTOR GENERAL

Phone: (859) 246-2301 Fax: (859) 246-2307
<https://chfs.ky.gov/agencies/os/oig>

Inspection Report

Provider Name: Whitaker Family YMCA	Provider Information	CLR No: L383596
Provider Address: 2681 Old Rosebud Road, Lexington, KY, 40509	Provider Type: LICENSED TYPE I	Capacity: 130
Owner(s): YOUNG MEN'S CHRISTIAN ASSOCIATION OF CENTRAL KENTUCKY, INC.		Director(s): Thakur, Adrienne August - Godfrey

Inspection Type: Investigation	Inspection Information	Inspection No: 292827
Date Initiated: 01/16/2020 10:00 AM	Date Concluded: 01/27/2020 10:25 AM	
	No. of Children Present: 37	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	In Compliance
Director Requirements	Not In Compliance
335 - Staff Management/Policy Development/Supervision	Not In Compliance
922 KAR 2:090. Section 10. Director Requirements and Responsibilities.	
(1) A director shall:	
(e) Manage the staff in their individual job descriptions;	
(f) Assure the development, implementation, and monitoring of child-care center plans, policies, and procedures;	
(g) Supervise staff conduct to ensure implementation of program policies and procedures;	
Findings:	
General: Based on interviews and review of documentation, the surveyor found that child-care staff members were not managed to ensure implementation of program policies and procedures.	
A review of documentation found the facility has a transportation contract with a third party entity. The third party entity provides the school bus and driver and the facility provides two staff who serves as bus monitors. Staff duties outlined in the facility's transportation policies found that staff are to conduct a safety inspection of the vehicle prior to participants boarding or ensure that the contracted service provider has completed the safety inspection. During staff interviews, the surveyor found that staff only conducts a safety inspection of the bus after the children have vacated the bus to ensure no belongings or children are left.	
On 1/15/2020, at approximately 3:10 p.m., a staff member observed a firearm on the front seat of a school bus beneath a seatbelt harness and between two seven-year-old children. The staff member stated that at first glance she thought the firearm was a toy, but soon realized after retrieving the firearm from the seat that it was real. The staff member stated that one of the children was actually leaned back in the seat and sitting on the firearm. Therefore, a safety inspection of the bus was not completed prior to school-age children boarding.	

Inspection Report

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 interviews and review of documentation, the surveyor found the facility failed to ensure the health, safety, and comfort of school-age children.

On 1/15/2020, at approximately 3:10 p.m., a staff member observed a firearm on the front seat of a school bus beneath a seatbelt harness and between two seven-year-old children. The staff member stated that at first glance she thought the firearm was a toy, but soon realized after retrieving the firearm from the seat that it was real. The staff member stated that one of the children was actually leaned back in the seat and sitting on the firearm. The staff member stated that she handed the firearm to the bus driver, gathered the children and vacated the bus. She stated that she reported the incident immediately once inside the facility.

A review of documentation found the facility does not own the school bus and does not employ the driver. The facility has a transportation contract with a third party entity. The third party entity provides the school bus and driver and the facility provides two staff who serves as bus monitors. Staff duties outlined in the facility's transportation policies found that staff are to conduct a safety inspection of the vehicle prior to participants boarding or ensure that the contracted service provider has completed the safety inspection. During staff interviews, the surveyor found that staff only conducts a safety inspection of the bus after the children have vacated the bus to ensure no belongings or children are left.

Employee Records

In Compliance

Transportation

Not In Compliance

960 - Children's Transportation Records

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(17) Transportation services provided shall:

(a) Be recorded in writing and include:

- 1. The first and last name of the child transported; and**
- 2. The time each child gets on and the time each child gets off;**

(b) Be completed by a staff member other than the driver; and

(c) Be kept for five (5) years.

Findings:

General: Based on review of documentation, the surveyor found the time that school-age children exited the bus on 1/13/2020, 1/14/2020, and 1/15/2020 was not recorded. The staff person in charge stated that she was aware of this regulatory violation.

965 - Hazardous Items

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(19) Firearms, ammunition, alcohol, or illegal substances shall not be transported in a vehicle transporting children.

Findings:

General: Based on interviews and review of documentation, the surveyor found that on 1/15/2020, at approximately 3:10 p.m., a staff member observed a firearm on the front seat of a school bus beneath a seatbelt harness and between two seven-year-old children. The staff member stated that at first glance she thought the firearm was a toy, but soon realized after retrieving the firearm from the seat that it was real. The staff member stated that one of the children was actually leaned back in the seat and sitting on the firearm. The staff member stated that she handed the firearm to the bus driver, gathered the children and vacated the bus. She stated that she reported the incident immediately to her direct supervisor once inside the facility. It is important to note that it is unknown at this time who the firearm belongs to and whether or not it contained bullets.

Signature of Provider/Representative

Title

Date