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**Inspection Report**

<b>Provider Name:</b> Genius Generation	<b>Provider Information</b>	<b>CLR No:</b> L383997
<b>Provider Address:</b> 337 Pike Street, Covington, KY, 41011	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 33
<b>Owner(s):</b> Genius Generation Limited Liability Company		<b>Director(s):</b> Dixon, Jamie

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 319197
<b>Date Initiated:</b> 12/14/2021 10:40 AM	<b>Date Concluded:</b> 12/14/2021 12:00 PM	
	<b>No. of Children Present:</b> 3	

Inspection Report	
Background Checks	Not In Compliance
<b>10 - Submit background check</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:280 - Section 4. Procedures and Payments.</b></p> <p><b>(1) To initiate the process for obtaining background checks on a prospective child care staff member, the child care provider shall:</b></p> <p><b>(a) Request that the prospective child care staff member provide a copy of his or her driver's license or other government-issued photo identification and verify that the photograph clearly matches the prospective child care staff member;</b></p> <p><b>(b) Request that the prospective child care staff member complete and sign the:</b></p> <ol style="list-style-type: none"> <li><b>DCC-500, Applicant Child Care Staff Member Waiver Agreement and Statement; and</b></li> <li><b>DCC-501, Disclosures to Be Provided to and Signed by the Applicant Child Care Staff Member; and</b></li> </ol> <p><b>(c) Log on to the NBCP portal and enter the prospective child care staff member's demographic information for a check of the:</b></p> <ol style="list-style-type: none"> <li><b>Child abuse and neglect central registry pursuant to 922 KAR 1:470;</b></li> <li><b>National Crime Information Center's National Sex Offender Registry in accordance with 34 U.S.C. 20921; and</b></li> <li><b>Sex Offender Registry established in accordance with KRS 17.500 through 17.580.</b></li> </ol>	
<b>Findings:</b>	
<p>General: Based on review of documentation, this regulatory requirement was not met. A review of staff files during the inspection found that one staff person (hire date: 4/12/21) had a completed criminal records check (CRC) and a completed child abuse/neglect check (CAN) on file; however, the facility has yet to initiate the process for obtaining a background check for this staff in the Kentucky National Background Check Service (KARES).</p>	

**20 - Out of state background checks**

**Not In Compliance**

**922 KAR 2:280. Section 5. Checks of Other States.**

**(1) In accordance with 45 C.F.R. 98.43(b)(3), a prospective child care staff member who resides in or has resided in another state within the last five (5) years shall:**

**(a) Request from each state of current or prior residency, in accordance with the state's laws, policies, and procedures, with a courtesy notice to the cabinet:**

**1. An in-state criminal records check by:**

- a. Means of fingerprints for the state of residence; or**
- b. Any means accepted by a state of prior residency;**
- 2. A check of the state's sex offender registry or repository; and**
- 3. A check of the state-based child abuse and neglect registry and database; and**

**(b) Direct results of the checks required in paragraph (a) of this subsection to the Department for Community Based Services, Division of Child Care, 275 East Main Street, 3C-F, Frankfort, Kentucky 40601.**

**Findings:**

General: Based on review of documentation, this regulatory requirement was not met. A staff person with a hire date of 4/12/21, did not have evidence or results of an out of state background check from Ohio. The staff person had a copy of an Ohio driver's license in her file; therefore, she would need a child abuse and neglect check and a sexual abuse registry check from this state as well.

**Supervision**

**Not In Compliance**

**90 - Children Supervised**

**Not In Compliance**

**922 KAR 2:120. Section 2. Child Care Services.**

**(3)(a) Each center shall maintain a child-care program that assures each child shall be:**

- 1. Provided with adequate supervision at all times by a qualified staff person who ensures the child is:**
  - a. Within scope of vision and range of voice; or**
  - b. For a school-age child, within scope of vision or range of voice;**

**Findings:**

General: Based on observation and interview, this regulatory requirement was not met. Upon arrival (10:40AM), the facility's entrance door was locked. The surveyor knocked on the door and the staff person in charge came to the front door to open it. The staff person in charge escorted the surveyor through the front lobby and into the toddler classroom. A tour of the classroom revealed that three children had been left without adult supervision while the staff person left the room to open the door for the surveyor. All three children were awake and watching television in the classroom. The staff person in charge stated that she was the only staff person present in the building at the time; therefore, there was not another staff person available to open the door.

**Staffing Requirements**

**In Compliance**

**General Administration**

**In Compliance**

**Director Requirements**

**Not In Compliance**

**355 - 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 review of documentation, this regulatory requirement was not met. At the time of the survey, there was no written evidence of conducted staff meetings at the facility.

**360 - Staff Evaluation**

**Not In Compliance**

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

**(1) A director shall:**

**(j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;**

**Findings:**

General: Based on observation, five staff (hire dates: 3 on 9/9/19, 2/1/19, and 11/11/19) eligible for an annual performance review did not have documentation of a review on file at the facility.

**Employee Records**

**Not In Compliance**

**395 - 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 review of documentation and interview, this regulatory requirement was not met. A review of staff files during the inspection found two staff that did not have the date of employment listed in their file. The staff person in charge stated that she did not have their hire dates documented anywhere. She reviewed the dates filled out on their background check forms and then verbally identified the dates 2/1/19 and 4/12/21, as the hire dates. However, the dates of hire were not maintained in the personnel files.

**400 - 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, one staff person (hire date: 2/1/19) did not have educational documentation on file.

**405 - 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 review of documentation, this regulatory requirement was not met. The following was found:

1. One staff file (hire date: 11/11/19) contained results of a negative T.B. test that is no longer current. The test was dated 5/16/19, which exceeds the two year time frame.
2. Two staff (hire dates: 9/9/19 and 2/1/19) did not have T.B. documentation on file.

**435 - 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 completed within the first three (3) months of employment in a child-care program;**
- (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment in a child care program, 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 completed between July 1 and the following June 30 of each subsequent year of employment in a child care program, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.**

**(17) A staff person's compliance with training requirements of this section shall be verified through the cabinet-designated database maintained pursuant to 922 KAR 2:240.**

**Findings:**

General: Based on review of documentation and the Training Records Information System (TRIS), the following was found:

1. Two staff (hire dates: 2/1/19 and 4/12/21) did not complete the required Orientation training. These staff have been employed for more than three months.
2. One staff person (hire date: 11/11/19) completed PAHT training on 12/27/13; however, did not renew the training due 12/27/18.
3. One staff person (hire date: 2/1/19) did not complete the required PAHT training. This staff member has been employed for more than one year.
4. Four staff (hire dates: 2 on 9/9/19, 2/1/19, and 11/11/19) did not complete the required 15 hours of cabinet-approved training hours between 7/1/2020 and 6/30/21.

**Programming**

**Not In Compliance**

**500 - Electronic Viewing/Listening Planned Program**

**Not In Compliance**

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

**(1) Screen time, electronic viewing and listening devices shall only be used in the center as a part of the child's planned program of activity as established in Section 2(4) and (5) of this administrative regulation.**

**Findings:**

General: Based on review of documentation and observation, this regulatory requirement was not met. Upon arrival, the surveyor observed children in the toddler classroom watching television. A review of the posted daily schedule found that television viewing was not listed. Furthermore, the lesson plan did not have the program the children were watching listed as part of the planned programming.

**525 - Infant/Toddler Combined with Older Children**

**Not In Compliance**

**922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.**

- (3) Except in accordance with subsection (4) of this section or Section 2(2)(c) of this administrative regulation, an infant or toddler under twenty-four (24) months of age shall not participate in an activity with an older child for no more than one (1) hour per day.**
- (4) If a toddler is developmentally appropriate for a transition to a preschool age group, a toddler may participate in an activity with an older child for more than one (1) hour per day if:**
- (a) Space for the toddler is available in the preschool-age group;**
  - (b) The staff-to-child ratios and group sizes are maintained based on the age of the youngest child;**
  - (c) The center has a procedure for listing a transitioning toddler on attendance records, including a specific day and time the toddler is with either age group; and**
  - (d) The child care center has obtained the signature and approval of the toddler's parent on the toddler's transition plan.**

**Findings:**

General: Based on observation and interview, this regulatory requirement was not met. The surveyor observed one staff person caring for a group of three children in the toddler classroom during the inspection. There were no other children or staff present. The staff person in charge identified the ages of the children present as being one-year, two-years, and three-years-old. Two of the children were identified as being siblings. The staff person in charge stated that she was the only staff working at the facility on the day of the inspection and indicated that the children had been cared for as one group all day.

<b>Premises</b>	<b>In Compliance</b>
<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>

**865 - Indoor/Outdoor Equipment**

**Not In Compliance**

**922 KAR 2:120. Section 13. 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, this regulatory requirement was not met. The following was found:

- During a tour of the preschool/school age classroom, the surveyor observed a large gymnastic mat (approximately six feet by eight feet) doubled over and leaning against the wall. The vinyl surface on the mat had worn off in several areas.
- A red wagon on the playground was found in disrepair; one of the wheels was broken.

<b>Transportation</b>	<b>Not Applicable</b>
<b>Kitchen Requirements</b>	<b>In Compliance</b>
<b>Food Service</b>	<b>In Compliance</b>
<b>Meal Planning/Center Provides Meals</b>	<b>In Compliance</b>
<b>Meal Planning/Center Does Not Provide Meals</b>	<b>In Compliance</b>
<b>Children's Records</b>	<b>Not In Compliance</b>

**1245 - 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 review of documentation, this regulatory requirement was not met. The following was found:

- Five children (enrollment dates: 2 on 11/9/21, 11/3/21, and 2 on 9/30/21) did not have an immunization certificate on file.
- Two children's files had an immunization certificate that did not have the required information (expiration date); therefore, it could not be determined whether or not the immunization certificates were current.

**1250 - 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 and interview, this regulatory requirement was not met. One child that was enrolled at the facility during the inspection did not have enrollment paperwork on file; therefore, none of the required information had been obtained. The only documentation that the child had on file at the facility was an immunization certificate. The staff person in charge identified the child as an older sibling of another child enrolled at the facility.

**Written Documentation**

**Not In Compliance**

**1260 - 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, this regulatory requirement was not met. The emergency preparedness plan on file had not been updated since 2019.

**1270 - Daily Attendance Records**

**Not In Compliance**

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

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

**(c) Daily attendance records documenting the arrival and departure time of each child, including records that are required in accordance with 922 KAR 2:160, Section 13, if a child receives services from the child-care center through the Child Care Assistance Program;**

**Findings:**

General: Based on review of documentation and observation, this regulatory requirement was not met. The surveyor entered the facility at 10:40AM and observed three children present; however, only two children had an arrival time documented.

**1280 - Professional Development**

**Not In Compliance**

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

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

**(f) A written annual plan for child-care staff professional development;**

**Findings:**

General: Based on review of documentation, this regulatory requirement was not met. Six staff eligible for a staff professional development plan did not have documentation of a plan on file (hire dates: 4 on 9/9/19, 2/1/19 and 11/11/19).

**1285 - 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, this regulatory requirement was not met. A review of the 2021 emergency drill documentation sheet found the following:

1. The facility's last documented tornado and earthquake drills were 4/6/21; therefore, these drills are not conducted quarterly.
2. The only documented fire drill was 4/6/21; therefore, drills are not conducted monthly.

Furthermore, the names of the children who participated in the drills were not documented.

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1305 - 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, shelter-in-place or lockdown drill, and tornado drill shall be:

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

Findings:

General: Based on review of documentation, this regulatory requirement was not met. At the time of the survey it was found that there was no record of lockdown drills conducted at the facility.

Posted Documentation

Not In Compliance

1325 - 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, this regulatory requirement was not met. The toddler classroom did not have a schedule of daily activities posted.

Animals

Not Applicable

Signature of Provider/Representative

Title

Date