



**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  
Western Branch  
901 B South Main Street  
Hopkinsville, KY 42240  
Phone: (270) 889-6052 Fax: (270) 889-6089  
<https://chfs.ky.gov/agencies/os/oig>

**Adam Mather**  
INSPECTOR GENERAL

**Inspection Report**

<b>Provider Name:</b> The Learning Experience	<b>Provider Information</b>	<b>CLR No:</b> L384046
<b>Provider Address:</b> 855 N. L. Roger Wells Blvd, Glasgow, KY, 42141	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 49
<b>Owner(s):</b> The Learning Experience		<b>Director(s):</b> Clarkson, Brenda Crumpton

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 307904
<b>Date Initiated:</b> 07/07/2021 9:40 AM	<b>Date Concluded:</b> 07/07/2021 2:30 PM	
	<b>No. of Children Present:</b> 33	

Inspection Report	
Background Checks	Not In Compliance
<b>5 - Background check/left alone/dismissed/relocated</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:280. Section 3. Implementation and Enforcement.</b></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><b>Findings:</b></p> <p>General: Based on observation and interview, staff member hired 06/28/21, did not have final determination from the National Background Check Program (NBCP) on file. This staff member was left alone and supervised eighteen (18) children in the Pre-K. A staff member hired 12/14/20, did not have final determination from the National Background Check Program (NBCP) on file. This staff member was left alone and cared for ten (10) children in the Preschool room.</p>	
Supervision	Not In Compliance
<b>90 - Children Supervised</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:120. Section 2. Child Care Services.</b></p> <p>(3)(a) Each center shall maintain a child-care program that assures each child will be:</p> <p>1. Provided with adequate supervision at all times by a qualified staff person who ensures the child is:</p> <p>a. Within scope of vision and range of voice; or</p> <p>b. For a school-age child, within scope of vision or range of voice;</p> <p><b>Findings:</b></p> <p>General: Based on observation and interview, a two-year-old child was left unsupervised for approximately fifteen (15) minutes in the front office when the staff in charge of the child left the child in the office prior to leaving the center's premises.</p>	

**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 and interview, a caregiver supervised eighteen (18) children alone in the Pre-K classroom. The age of the youngest child was two-years-old.

**General Administration**

**Not In Compliance**

**155 - Liability Insurance**

**Not In Compliance**

**922 KAR 2:090. Section 6. License Issuance.**

**(8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:**

**(d) Provide written proof of liability insurance coverage of at least \$100,000 per occurrence;**

**Findings:**

General: Based on review of documentation, the center's general liability insurance on file at the center was current until 08/10/20.

**210 - Licensee Responsibility**

**Not In Compliance**

**922 KAR 2:090. Section 8. General.**

**(1) A licensee shall:**

- (a) Be responsible for the operation of the child-care center pursuant to this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280; and**
- (b) Protect and assure the health, safety, and comfort of each child.**

**Findings:**

General: Based on observation and interview, a two-year-old child was left unsupervised in the front office, which was unlicensed space, for approximately fifteen minutes. In addition, a staff member, who was determined ineligible for employment based a name-based criminal records check, was left alone and supervised children in the Preschool room, daily.

**Director Requirements**

**Not In Compliance**

**320 - Operation instruction/Regulation copy**

**Not In Compliance**

**922 KAR 2:090. Section 8. General.**

**(2) Child-care center staff shall be:**

- (a) Instructed by the child-care center's director regarding requirements for operation; and**
- (b) Provided with a copy of this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280.**

**Findings:**

General: Based on observation and interview, a copy of the administrative regulations were not available for staff's review.

**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 observation and interview, a child was left unsupervised for approximately fifteen (15) minutes in the front office. In the center's employee and parent handbook it was stated an employee should never, for any reason, leave your class unattended. It was determined the staff person responsible for the child did not follow the policy.

**360 - Caregiver Alone**

**Not In Compliance**

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

**(1) A director shall:**

**(m) 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 and interview, staff member hired 06/28/21, did not have final determination from the National Background Check Program (NBCP) on file. This staff member was left alone and supervised eighteen (18) children in the Pre-K. A staff member hired 12/14/20, did not have final determination from the National Background Check Program (NBCP) on file. This staff member was left alone and cared for ten (10) children in the Preschool room.

**Employee Records**

**Not In Compliance**

**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, and interview, staff hired 06/28/21, did not have education verification on file.

**400 - CPR/First Aid Coverage**

**Not In Compliance**

**922 KAR 2:090. Section 11. Staff Requirements.**

**(3) For a child-care center licensed for infant, toddler, or preschool-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:**

- (a) Infant and child cardiopulmonary resuscitation; and**
- (b) Infant and child first aid.**

**(4) For a child-care center licensed for school-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:**

- (a) Adult cardiopulmonary resuscitation; and**
- (b) First aid.**

**(5) Cardiopulmonary resuscitation (CPR) and first aid training shall be in addition to the fifteen (15) clock hours requirement in subsection (16) of this section.**

**Findings:**

General: Based on review of documentation and interview, there was no staff person, who was certified to administer CPR and first aid, present at the center from 9:45 am to 10:15 am and from 11:45 am to 12:30 pm on 07/07/2021.

**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 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, a caregiver hired 06/29/20, lacked three (3) hours of cabinet approved training hours within the first year of employment, including one and one-half (1 ½) hours of cabinet-approved Pediatric Abusive Head Trauma Training.

**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: Based on review of documentation, interview and observation, the posted program of activities was not followed in the Pre-K classroom.

**430 - Electronic Viewing/Listening Devices**

**Not In Compliance**

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

- (4) The child-care center shall provide a daily planned program:**
- (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 the following:**
    - 12. Use of electronic viewing and listening devices if the:**
      - a. Material is appropriate to the child using the equipment;**
      - b. Material does not include any violence, adult content viewing, or inappropriate language;**
      - c. Viewing or individual listening is limited to two (2) hours per day;**
      - d. Viewing or listening is discussed with parents prior to viewing or listening; and**
      - e. Viewing or listening is designed as an educational tool.**
  - (5) A child who does not wish to use the electronic devices during the planned program shall be offered other appropriate activities.**

**Findings:**

General: Based on observation, children viewed cartoons on the television from 9:50 am until 12:40 pm in the Pre-K classroom. In addition, a two-year-old child viewed an I-pad tablet from 9:50 am until 12:40 pm in the Pre-K room. An interview revealed the two-year-old child was allowed an unlimited amount of screen time on the I-Pad daily.

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

**Not In Compliance**

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

- (2) Except in accordance with subsection (3) 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.**
- (3) 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 review of documentation, four (4), two-year-old children were combined with the fourteen (14) older children for more than an hour in the Pre-K classroom. The center did not have a transition program.

**495 - Bedding/Toys in Crib**

**Not In Compliance**

**922 KAR 2:120. Section 6. Sleeping and Napping Requirements.**

- (3) Rest time shall include adequate space specified by the child's age as follows:**
  - (a) For an infant:**
    - 3. No loose bedding, such as a bumper or a blanket; and**
    - 4. No toys or other items except the infant's pacifier;**

**Findings:**

General: Based on observation, two (2) infants each slept in a crib with loose bedding in the infants' room.

Inspection Report

510 - Appropriate Use of Food

Not In Compliance

922 KAR 2:120. Section 9. Food and Meal Requirements.

(2) Food shall not be:

- (a) Used for reward;
- (b) Used for discipline;
- (c) Withheld until all other foods are consumed; or
- (d) Served while viewing electronic devices.

Findings:

General: Based on observation and interview, eighteen (18) children ate lunch while viewing cartoons on TV in the Pre-K classroom.

Premises

Not In Compliance

520 - Inaccessible Items

Not In Compliance

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

(7) The following shall be inaccessible to a child in care:

- (a) Toxic cleaning supplies, poisons, and insecticides;
- (b) Matches, cigarettes, lighters, and flammable liquids; and
- (c) Personal belongings and medications of staff.

Findings:

General: Based on observation, an electric oil warmer (in use) was on top of a two feet high folding tray/TV table and was accessible to children in the preschool classroom.

580 - Floors, Walls, Ceilings

Not In Compliance

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

(9) Floors, walls, and ceilings shall be smooth, in good repair, and constructed to be easily cleaned.

Findings:

General: Based on observation, a buildup of dust and grime was on the grill of the return air vent in the infants' room.

650 - Toilet

Not In Compliance

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.

(4) Each toilet shall:

- (a) Be kept in clean condition;
- (b) Be kept in good repair;
- (c) Be in a lighted room; and
- (d) Have ventilation to outside air.

Findings:

General: Based on observation, an unflushed toilet had urine and feces visible in the preschool restroom.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Outdoor Play Area

In Compliance

Equipment

Not In Compliance

790 - Crib/Mattress/Sheet

Not In Compliance

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.

(3) Rest time shall include adequate space specified by the child's age as follows:

(a) For an infant:

- 1. An individual non-tiered crib that meets Consumer Product Safety Commission standards established in 16 C.F.R. 1219-1220;
- 2. A firm crib mattress in good repair with a clean tight-fitted sheet that shall be changed:
  - a. Weekly; or
  - b. Immediately if it is soiled or wet;

Findings:

General: Based on observation and interview, nine (9) crib sheets loosely fit on crib mattresses in the infants' room. In addition, a three (3) inch tear was in a blue and white sheet that was used by a child in the Pre-K classroom.

Transportation

Not Applicable

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 observation and interview, a pepperoni pizza pocket, cheddar Chex-mix, sliced pears, cheese and milk were served to ten (10) children for lunch in the preschool classroom and eighteen (18) children in the Pre-K room. The lunch meal did not meet meal requirements. A child was not offered a serving of milk during lunch in the Pre-K classroom.

Food Service

Not In Compliance

1025 - Refrigerator

Not In Compliance

922 KAR 2:120. Section 8. Kitchen Requirements.

(4) A cold-storage facility used for storage of perishable food in a nonfrozen state shall:

- (a) Have an indicating thermometer or other appropriate temperature measuring device;
- (b) Be in a safe environment for preservation; and
- (c) Be forty (40) degrees Fahrenheit or below.

Findings:

General: Based on observation and interview, there was no temperature measuring device to verify the temperature was maintained at forty (40) degrees Fahrenheit or below in the Frigidaire refrigerator/freezer and in the Samsung refrigerator/freezer located in the kitchen.

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 review of documentation and interview, a current menu was not developed and posted in the center.

Children's Records

Not In Compliance

1135 - 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 and interview, a child enrolled on 08/10/20, had an immunization certificate on file that was valid until 03/31/21.

Written Documentation

Not In Compliance

1160 - 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 interview, arrival and departure times were not documented for twenty-five (25) children on 07/06/21 and thirty-three (33) children on 07/07/21. In addition, nine (9) children did not have a documented departure time on 07/02/2021.

Posted Documentation

In Compliance

Animals

Not Applicable

Signature of Provider/Representative

Title

Date