



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

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

Inspection Type: Investigation	Inspection Information	Inspection No: 321370
Date Initiated: 05/19/2022 1:40 PM	Date Concluded: 05/19/2022 2:45 PM	
	No. of Children Present: 26	

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 observation, interview and review of documentation, three (3) staff members hired 01/14/22, 2/23/22, and 05/05/22 did not have completed background checks on file and were left alone and supervised children. A staff hired on 01/14/22, was left alone and supervised four (4) children for approximately ten (10) minutes in the infants' room. Staff hired on 5/5/22 and 2/23/22, were left alone and supervised eighteen (18) children from 1:40 pm until 2:45 pm in three and four-year-olds' classroom.</p>	
10 - Submit background check	Not In Compliance
<p>922 KAR 2:280 - Section 4. Procedures and Payments.</p> <p>(1) To initiate the process for obtaining background checks on a prospective child care staff member, the child care provider shall:</p> <p>(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;</p> <p>(b) Request that the prospective child care staff member complete and sign the:</p> <p>1. DCC-500, Applicant Child Care Staff Member Waiver Agreement and Statement; and</p> <p>2. DCC-501, Disclosures to Be Provided to and Signed by the Applicant Child Care Staff Member; and</p> <p>(c) Log on to the NBCP portal and enter the prospective child care staff member's demographic information for a check of the:</p> <p>1. Child abuse and neglect central registry pursuant to 922 KAR 1:470;</p> <p>2. National Crime Information Center's National Sex Offender Registry in accordance with 34 U.S.C. 20921; and</p> <p>3. Sex Offender Registry established in accordance with KRS 17.500 through 17.580.</p> <p>Findings:</p> <p>General: Based on interview and review of documentation, four (4) staff members hired 01/14/22, 05/05/22, 02/23/22, and 06/15/20, did not initiate the process for obtaining background checks through the National Background Check Program (NBCP). A staff member hired 06/15/20, had name-based background checks on file.</p>	

Inspection Report

Supervision

In Compliance

Staffing Requirements

In Compliance

General Administration

In Compliance

Director Requirements

Not In Compliance

370 - 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, interview and review of documentation, three (3) staff members hired 01/14/22, 2/23/22, and 05/05/22 did not have completed background checks on file and were left alone and supervised children. A staff hired on 01/14/22, was left alone and supervised four (4) children for approximately ten (10) minutes in the infants' room. Staff hired on 5/5/22 and 2/23/22, were left alone and supervised eighteen (18) children from 1:40 pm until 2:45 pm in three and four-year-olds' classroom.

Employee Records

Not In Compliance

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 interview and review of documentation, staff member hired 05/05/22, did not have education verification 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 interview and review of documentation, three (3) staff members hired 01/14/22, 05/05/22 and 02/23/22, did not have TB documentation on file.

Programming

Not In Compliance

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, interview and review of documentation, a two-year-old toddler was grouped together with seventeen (17), three and four-year-old children during naptime on 05/19/22 in the three and four-year-olds' classroom. Interview determined the child slept with a four-year-old sibling during naptime for approximately two (2) hours daily and was not in a transition program.

Equipment

Not In Compliance

840 - Individual Bed/Mat/Cot and Bedding

Not In Compliance

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

(3) Rest time shall occur in an adequate space according to the child's age as follows:

(b) For a toddler or preschool-age child:

- 1. An individual bed, a two (2) inch thick waterproof mat, or cot in good repair; and**
- 2. Bedding that is in good repair and is changed:**
 - a. Weekly; or**
 - b. Immediately if it is soiled or wet.**

Findings:

General: Based on interview and observation, two (2) sibling children slept on a cot together during naptime in the three and four-year-olds' classroom. A cot was not provided to one of the sibling children for naptime.

Inspection Report

Written Documentation

Not In Compliance

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 observation, interview and review of documentation, twenty-six (26) children were present on 05/19/22, but only sixteen (16) children had a documented arrival time.

Signature of Provider/Representative

Title

Date