



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
Southern Branch
116 Commerce Ave
London, KY 40744

Adam Mather
INSPECTOR GENERAL

Phone: (606) 330-2030 Fax: (606) 330-2056
<https://chfs.ky.gov/agencies/os/oig>

Inspection Report

Provider Name: The Upper Room Learning Center	Provider Information	CLR No: L384060
Provider Address: 10519 Regina Belcher Hwy, Regina, KY, 41559	Provider Type: LICENSED TYPE I	Capacity: 35
Owner(s): The Upper Room Learning Center		Director(s): Jones, Trenia Jo

Inspection Type: Renewal Application	Inspection Information	Inspection No: 318056
Date Initiated: 10/18/2021 11:00 AM	Date Concluded: 10/18/2021 1:30 PM	
	No. of Children Present: 13	

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>	
Findings:	
General: Based on review of documentation, the surveyor found the following:	
<p>1. A staff's (Start Date: 06/15/20) file did not contain documentation of background checks submitted through the Kentucky National Background Check Service. During interview, staff-in-charge stated that the individual was a volunteer. Based on review of the Kentucky National Background Check Service, the volunteer did not have a completed background check prior to 10/01/21. The surveyor observed the volunteer working alone with children in the Two Year Old Classroom. The volunteers file contained a completed Child Abuse/Neglect Background Check (CAN) dated 07/14/20. The volunteers file did not contain a completed Criminal Records Background Check (CRC). Staff-in-charge stated that she was not aware she needed to complete a CRC for the volunteer.</p> <p>2. A staff's (Start Date: 06/15/20) file did not contain documentation of background checks submitted through the Kentucky National Background Check Service. During interview, staff-in-charge stated that the individual was a volunteer. Based on review of the Kentucky National Background Check Service, the volunteer did not have a completed background check prior to 10/01/21. The surveyor observed the volunteer working alone with children in the Infant Classroom. The volunteers file contained a completed Child Abuse/Neglect Background Check (CAN) dated 07/14/20. The volunteers file did not contain a completed Criminal Records Background Check (CRC). Staff-in-charge stated that she was not aware she needed to complete a CRC for the volunteer.</p> <p>3. A staff's (DOH: 06/15/20) file did not contain documentation of background checks submitted through the Kentucky National Background Check Service. Based on review of the Kentucky National Background Check Service, the staff member did not have a completed background check prior to 10/01/21. During interview, staff-in-charge identified the staff person as a substitute. The surveyor did not observe the staff person to be at the child-care center on the day of the visit, 10/18/21. Staff-in-charge stated that the staff person has not worked alone with children. The staff's file contained a completed Child Abuse/Neglect Background Check (CAN) dated 07/14/20. The staff's file did not contain a completed Criminal Records Background Check (CRC). Staff-in-charge stated that she was not aware she needed to complete a CRC for the staff person.</p>	
Supervision	In Compliance
Staffing Requirements	In Compliance

Inspection Report

General Administration

Not In Compliance

225 - 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, the surveyor found the following:

1. The following items were observed inside the Preschool Classroom: Three (3) tables propped longways on the wall, multiple garbage bags filled with what appeared to be clothes and other items, several boxes stacked in the middle of the classroom, seven (7) cubbies placed in the middle of the classroom, and a blue umbrella placed on top of a cubby. During interview, staff-in-charge stated that the Preschool Classroom was not currently being used by children. Staff-in-charge stated that she had to move the cubbies inside the Preschool Classroom because the church used the facility over the weekend.
2. An electrical outlet located beside a brown shelf in the Two Year Old Classroom was missing two (2) outlet covers.
3. A rug rolled up and standing upright against the wall behind the door in the Infant Classroom.
4. Exposed cords placed behind a stationary bouncer in the Infant Classroom.
5. A broken bulletin board with exposed staples placed beside a table in the Gross Motor Classroom.
6. Two (2) large cabinets placed beside the exit door to the Gross Motor Classroom that had several items and totes stacked on top of them.
7. A plunger and toilet brush placed beside the toilet in the restroom located by the office area.
8. Two (2) rows of white chairs were folded and stacked along the wall in front of a toilet that is located in the restroom by the office area. The chairs were a row of seven (7) chairs and a row of ten (10) chairs.
9. Four (4) white chairs were folded and stacked against each other along the wall in the restroom located by the office area.
10. A wooden board that contained four (4) light bulbs that had exposed nails and cords. The board had been placed on top of a washer/dryer in the restroom located by the office area.
11. Toilet Spray that contained a label that stated "Keep Out of the Reach of Children" was found in an unlocked cabinet underneath the sink in a restroom located near a back exit door.
12. An electrical outlet missing one (1) outlet cover beside the sink in the restroom located near a back exit door.
13. A gold wall shelf was located in the restroom near the back exit door. The shelf was slightly protruding out from the wall and appeared to be unsecure.
14. A round table was turned up and propped along the wall in the restroom located near a back exit door.

Director Requirements

Not In Compliance

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 review of documentation, the surveyor found that a staff's (DOH: 03/11/20) file did not contain an annual written performance evaluation; therefore, the surveyor was unable to determine if the evaluation was completed annually.

Employee Records

Not In Compliance

410 - 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, the surveyor found that none of the center staff had a current certification in CPR/First Aid. During interview, staff-in-charge stated that she did have a current certification in CPR/First Aid and it was on ECE-TRIS. Based on review of ECE-TRIS, the surveyor was unable to locate current certification in CPR/First Aid for any of the staff persons.

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 ECE-TRIS, the surveyor found the following:

1. There were three (3) staff (DOH: 03/11/20, 03/11/20, and 06/15/20) files did not contain documentation of six (6) hours of cabinet-approved orientation training; therefore, the training was not completed within the first three (3) months of employment.
2. There were three (3) staff (DOH: 03/11/20, 03/11/20 and 06/15/20) files did not contain documentation of one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training; therefore, the training was not completed within one (1) year of employment.
3. There were four (4) staff (DOH: 03/11/20, 03/11/20, 02/28/20, and 06/15/20) that obtained zero (0) hours of the required fifteen (15) hours of cabinet-approved early care and education training for the review period 07/01/20 – 06/30/21.

**Programming
Premises**

**In Compliance
Not In Compliance**

565 - 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, the surveyor found the following:

1. A purse placed beside a rocking chair in the Infant Classroom. Through interview with staff, the surveyor learned that the purse belonged to a staff person.
2. A hair straightener and hair dryer placed underneath the sink in an unlocked cabinet in a restroom located near a back exit door.

585 - Premises Requirements

Not In Compliance

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

(1) The premises shall be:
(a) Suitable for the purpose intended;
(b) Kept clean and in good repair;

Findings:

General: Based on observation, the surveyor found the following:

1. An ABC mat that contained debris in the Two Year Old Classroom; therefore, the mat was not kept clean.
2. The sink located in the Infant Classroom contained stains; therefore, the sink was not kept clean.
3. The sink located in the restroom by the office area contained brown stains; therefore, the sink was not kept clean.
4. Part of the faucet handle on the sink was broken in the restroom located by the office area; therefore, the faucet was not kept in good repair.

690 - Sink

Not In Compliance

922 KAR 2:120. Section 12. Toilet, Diapering, and Toiletry Requirements.
(3) A sink shall be:
(a) Located in or immediately adjacent to toilet rooms;
(b) Equipped with hot and cold running water that allows for hand washing;
(c) Equipped with hot water at a minimum temperature of ninety (90) degrees Fahrenheit and a maximum of 120 degrees Fahrenheit;
(d) Equipped with liquid soap;
(e) Equipped with hand-drying blower or single use disposable hand drying material;
(f) Equipped with an easily cleanable waste receptacle; and
(g) Immediately adjacent to a changing area used for infants and toddlers.

Findings:

General: Based on observation, the surveyor found the following:

1. The hot water temperature at the sink, located in the restroom by the office area, measured approximately 135 degrees Fahrenheit; therefore, the hot water was not a minimum temperature of ninety (90) degrees Fahrenheit and a maximum of 120 degrees Fahrenheit.
2. The hot water temperature at the sink, located in the restroom near an exit door, measured approximately 135 degrees Fahrenheit; therefore, the hot water was not a minimum temperature of ninety (90) degrees Fahrenheit and a maximum of 120 degrees Fahrenheit.

695 - Toilet

Not In Compliance

922 KAR 2:120. Section 12. 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, the surveyor found the following:

1. The toilet seat moved easily and was not tightly secured to the toilet in the restroom located by the office area; therefore, the toilet was not kept in good repair.
2. The toilet bowl located in the restroom by the office area contained stains; therefore, the toilet was not kept in clean condition.

Hygienic Practices	In Compliance
First Aid/Medication	In Compliance
Outdoor Play Area	In Compliance
Equipment	Not In Compliance

850 - Cots/Mats Disinfected

Not In Compliance

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.
(8)(a) Cots or mats not labeled for individual use by a child shall be cleaned after each use.
(b) Cots or mats labeled for individual use by a child shall be:
1. Cleaned at least weekly; and
2. Disinfected immediately if it is soiled or wet.

Findings:

General: Based on observation, the surveyor found the following:

1. Several cots that contained brown stains placed inside a restroom that was located near an exit door.
2. A cot that had a brown substance on it and several gnats/flies around the brown substance located in the restroom near the exit door.

Transportation	In Compliance
Kitchen Requirements	In Compliance
Food Service	In Compliance
Meal Planning/Center Provides Meals	In Compliance
Meal Planning/Center Does Not Provide Meals	In Compliance

Inspection Report

Children's Records

Not In Compliance

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, the surveyor found the following:

1. There were three (3) children's (DOE: 02/03/20, 09/08/20, 06/12/20) files did not contain the name or contact telephone numbers for the child's preferred family physician or hospital.
2. There were two (2) children's (DOE: 11/12/20 and 09/07/21) files did not contain the name or contact telephone numbers for the child's preferred hospital and family physician or authorization by the parent for the child-care center to seek emergency medical care for the child in the parent's absence.
3. There were four (4) children's (DOE: 02/03/20, 08/06/20, 08/06/19 and 08/03/20) files did not contain the name or contact telephone number for the child's preferred hospital or authorization by the parent for the child-care center to seek emergency medical care for the child in the parent's absence.

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, the surveyor found that thirteen (13) children were present at the child-care center on 10/18/21; however, based on review of documentation, only twelve (12) of the children were signed in on the daily attendance record. During interview, staff-in-charge confirmed that one (1) child was not signed in on the daily attendance record.

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, the surveyor found that the following staff's (DOH: 03/11/20 and 03/11/20) files did not contain a professional development plan; therefore, the surveyor was unable to determine if the plan was completed annually.

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, the surveyor found the following:

1. The tornado drill conducted in March 2021 did not contain the date and time of the drill.
 2. The tornado drills conducted in April and May of 2021 did not contain the time of each drill.
- No further documentation was presented for tornado drills conducted in the first and second quarterly of 2021.

Posted Documentation

In Compliance

Signature of Provider/Representative

Title

Date