



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: The Salvation Army Boys and Girls Club	Provider Information Provider Type: LICENSED TYPE I	CLR No: L357066
Provider Address: 736 West Main Street, Lexington, KY, 40508		Capacity: 115
Owner(s): The Salvation Army (New York)		Director(s): VanFossen, Scott William

Inspection Type: Renewal Application	Inspection Information	Inspection No: 244587
Date Initiated: 05/04/2018 3:05 PM	Date Concluded: 05/04/2018 4:20 PM	
	No. of Children Present: 47	

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 January 1, 2018, shall:</p> <p>(a) Have completed the background checks required in accordance with this administrative regulation and 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:	
<p>General: Based on Review of Documentation, interview and observation, this regulatory requirement was not met. The file for a staff person hired on 7/10/17 did not contain child abuse/neglect (CAN) results. The file contained a copy of the CAN check that had been submitted for processing; however, the results had not been obtained. This staff person was observed working alone with children in the gym when the surveyor arrived at the facility (3:05PM). The staff person in charge explained the staff schedule by stating that this staff person works with children in the gym alone from approximately 2:50PM - 3:10PM each day and then a second staff person joins him at 3:10PM.</p>	

10 - Submit background check

Not In Compliance

922 KAR 2:280. Section 4. Procedures and Payments.

- (1) To initiate the process for obtaining background checks on a prospective child care staff member, the child care provider shall:**
- (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) Request that the prospective child care staff member complete and sign the:**
 - 1. DCC-500, Applicant Child Care Staff Member Waiver Agreement and Statement; and**
 - 2. DCC-501, Disclosures to Be Provided to and Signed by the Applicant Child Care Staff Member; and**
 - (c) Log on to the NBCP portal and enter the prospective child care staff member's demographic information for a check of the:**
 - 1. Child abuse and neglect central registry pursuant to 922 KAR 1:470;**
 - 2. National Crime Information Center's National Sex Offender Registry; and**
 - 3. Sex Offender Registry established in accordance with KRS 17.500 through 17.580.**

Findings:

General: Based on Review of Documentation, and interview, this regulatory requirement was not met. It was found that during the survey that an employee hired on 4/27/18 had a completed child abuse/neglect check (CAN) and a completed criminal records check (CRC) in her file dated 2/28/18 and 3/5/18; however, required forms for the NBCP had not yet been filled out. The staff person in charge stated that they had not yet initiated the process to obtain this employee's background check in the NBCP portal.

Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
Director Requirements	In Compliance
Employee Records	Not In Compliance

385 - 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. The file for a staff person hired on 7/10/17 did not contain child abuse/neglect (CAN) results. The file contained a copy of the CAN check that had been submitted for processing; however, the results had not been obtained. This staff person was observed working alone with children in the gym during the survey.

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

Findings:

General: Based on Review of Documentation and the Training Records Information System (TRIS), two (2) staff files (hire dates: 7/23/07 and 7/1/11) contained a pediatric abusive head trauma training class certificate that was dated 4/23/13; therefore, this training is no longer valid.

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

Inspection Report

Transportation

Not In Compliance

890 - Vehicle Inspection Documentation

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(6) A vehicle used to transport children shall meet the following requirements:

(a) For a twelve (12) or more passenger vehicle, the child-care center shall maintain a current certification of inspection from the Transportation Cabinet.

Findings:

General: Based on Review of Documentation and interview, this regulatory requirement was not met. At the time of the survey it was found that Transportation Cabinet vehicle documentation could not be provided for one (1) of the facility's vehicles used to transport children (2008 Chevrolet mini bus). The staff person in charge stated that this documentation must have been misplaced.

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 and interview, this regulatory requirement was not met. A review of the transportation documentation found that the times that children got on and off the Silver #4 van during the week of April 30 - May 4, 2018 had not been documented. The staff person in charge acknowledged the finding and stated that this vehicle is used to pick up approximately seven (7) children from a local elementary school daily.

Food Service/Food Program

In Compliance

Food Service

In Compliance

Children's Records

In Compliance

Written Documentation

In Compliance

Posted Documentation

In Compliance

Animals

In Compliance

Signature of Provider/Representative

Title

Date