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GOVERNOR

**CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL**

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Inspection Report

Provider Name: Grow & Learn Child Development Center of Berea, Inc. Provider Address: 183 & 185 Glades Road, Berea, KY, 40403 Owner(s): Grow and Learn Child Development Center of Berea, INC.	Provider Information Provider Type: LICENSED TYPE I	CLR No: L357698 Capacity: 84 Director(s): Lutes, Shawn Marie
Inspection Information Inspection Type: Investigation Date Initiated: 07/01/2020 12:37 PM Date Concluded: 07/22/2020 2:15 PM No. of Children Present: 35		
Inspection No: 294040		

Inspection Report	
Supervision	Not In Compliance
90 - Children Supervised 922 KAR 2:120. Section 2. Child Care Services. (3)(a) Each center shall maintain a child-care program that assures each child will 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;	Not In Compliance
Findings: General: Based on review of documentation, the surveyor found written text messages indicating the staff-in-charge made the decision to demote another staff person from her leadership role, complete a disciplinary report and to take the staff's privileges to drive the center's van resulting from yelling at and leaving a three-year-old child alone. The staff-in-charge documented that the staff's actions were unacceptable. The alleged length of time that the child was alone was reportedly five to ten (5-10) minutes. The staff-in-charge said that she wrote the messages prior to reviewing video footage. The messages reveal that the staff-in-charge had reviewed the video footage prior to issuing the disciplinary action.	
Staffing Requirements	In Compliance

Inspection Report**General Administration****Not In Compliance****205 - Reports to Cabinet****Not In Compliance****922 KAR 2:090. Section 12. Reports.**

- (1) The following shall be reported to the cabinet or designee and other agencies specified in this section within twenty-four (24) hours from the time of discovery:
- (a) Communicable disease, which shall also be reported to the local health department pursuant to KRS 214.010;
 - (b) An accident or injury to a child that requires medical care initiated by the child-care center or the child's parent;
 - (c) An incident that results in legal action by or against the child-care center that:
 - 1. Affects a child or staff person; or
 - 2. Includes the center's discontinuation or disqualification from a governmental assistance program due to fraud, abuse, or criminal conviction related to that program;
 - (d) An incident involving fire or other emergency, including a vehicular accident when the center is transporting a child receiving child care services;
 - (e) A report of child abuse or neglect that:
 - 1. Has been accepted by the cabinet in accordance with 922 KAR 1:330; and
 - 2. Names a director, employee, volunteer, or person with supervisory or disciplinary control over, or having unsupervised contact with a child in care as the alleged perpetrator; or
 - (f) An individual specified in Section 6(4) of this administrative regulation meeting a disqualifying criterion or background check result pursuant to 922 KAR 2:280.

Findings:

General: Based on interview, the surveyor found that the staff-in-charge had knowledge of an allegation that a staff person pulled a three-year-old child by the arm, yelled at the child and placed him in an closet/office area, adjacent to the classroom and left the child alone for time-out. Review of documentation found that the staff-in-charge confirmed, "It is too late to call state because I should have already called".

Programming**Not In Compliance****455 - Discipline****Not In Compliance****922 KAR 2:120. Section 2. Child Care Services.**

- (10) A child shall not be subjected to:
- (a) Corporal physical discipline pursuant to KRS 199.896(18);
 - (b) Loud, profane, threatening, frightening, humiliating, or abusive language; or
 - (c) Discipline that is associated with:
 - 1. Rest;
 - 2. Toileting; or
 - 3. Food.

Findings:

General: Based on interview with staff, the surveyor learned that a three-year-old child was placed in time-out for not resting on his cot at naptime. 922 KAR 2:120 states that a child shall not be subjected to discipline associated with rest.

Signature of Provider/Representative

Title

Date