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Inspection Report

Provider Information		CLR No: L353274
Provider Name: Crestwood Christian Church Childcare Center	Provider Type: LICENSED TYPE I	
Provider Address: 1882 Bellefonte Drive, Lexington, KY, 40503		Capacity: 138
Owner(s): Crestwood Christian Church Of Lexington, Kentucky, Inc.		Director(s): Fowler, Elizabeth

Inspection Information		Inspection No: 318999
Inspection Type: Investigation	Date Concluded: 10/04/2021 1:30 PM	
Date Initiated: 09/23/2021 12:48 PM	No. of Children Present: 53	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
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 interviews and review of documentation, this regulatory requirement was not met.

The surveyor reviewed video footage recorded on 9/14/2021, 9/15/2021, and 9/16/2021, and found the following inappropriate actions conducted by staff:

- On 9/14/2021, a staff person grabbed a two-year-old child by his arm and dragged him to the diaper changing table. A few minutes later, the staff person grabbed a second two-year-old child by his left arm in a quick motion, lifted him off the floor by one arm, and threw him onto the diaper changing table. The child's head hit the edge of the diaper changing table.
- On 9/15/2021, the same staff person grabbed the same two-year-old child by his right arm near his shoulder and dragged him away from a milk crate. She picked up the milk crate and threw it across the classroom and kicked a tambourine across the floor.
- On 9/16/2021, during outdoor play time, a staff person ran from an adjacent playground, entered a tunnel attached to a climbing structure, and spanked a two-year-old child two times on his bottom. It should be noted, this is the same two-year-old child involved in incidents recorded on 9/14/2021 and 9/15/2021.

On 9/23/2021, the staff person in charge stated that she became aware of the spanking incident after a staff person told her about it on 9/16/2021. The staff person in charge reviewed video footage that evening and confirmed that it had occurred. A second staff person reported that she witnessed another staff person pull a child by his arm in an aggressive manner to remove him from underneath a table. The staff person in charge reviewed video footage on 9/17/2021 and confirmed that it had occurred. She also discovered the staff person throwing the milk crate and kicking the tambourine. Both staff involved in these incidents were terminated on 9/17/2021.

On 9/23/2021, an interview with the child's mother found that another incident had occurred after naptime on 9/14/2021. The surveyor and the staff person in charge watched the video footage and discovered that the staff person involved in the incident on 9/15/2021, had again mishandled the same two-year-old child and a second two-year-old child.

On 10/4/2021, the Crimes Against Children Detective, DCBS representative, and the surveyor interviewed the staff person involved in the incidents on 9/14/2021 and 9/15/2021.

The staff person watched the video footage and stated, "I "man-handled" him, I was a little rough. Sometimes, I would "one arm him", I am not saying that its right." The staff person received a ticket for Harassment Physical Contact.

Inspection Report

Director Requirements

Not In Compliance

350 - 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 interviews and review of documentation, this regulatory requirement was not met.

The staff person in charge failed to manage staff and assure the implementation of staff policies. The cell phone policy reads: "Staff are reminded that the teachers' focus should always be on the children. Receiving and making calls during non-break time is distracting and may put the children in the center's care at risk. "

The surveyor reviewed video footage recorded on 9/14/2021 and 9/15/2021 and found the following:

On 9/14/2021, a staff person sat on a bookshelf and looked at her cell phone while the children sat on the carpet and looked at books.

On 9/15/2021, the same staff person sat on a child-sized table and looked at her cell phone while three children played with a milk crate. She momentarily looked up from her phone, to address the children. She grabbed a child by his right arm near his shoulder and dragged him away from the milk crate. She picked up the milk crate and threw it across the classroom. She walked back to the table and began looking at her cell phone. She got up from the table a second time, kicked a tambourine across the floor, went back to the table and continued to look at her cell phone.

Instead of focusing on the children, the staff person was on her cell phone.

Employee Records

In Compliance

Hygienic Practices

Not In Compliance

700 - Child Personal Care/Handwashing

Not In Compliance

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

(4) A child shall:

- (a) Be helped with personal care and cleanliness based upon his or her developmental skills;**
- (b) Except as established in paragraph (c) of this subsection, wash his or her hands with liquid soap and warm running water:**
 - 1. a. Upon arrival at the center; or**
 - b. Within thirty (30) minutes of arrival for school-age children;**
 - 2. Before and after eating or handling food;**
 - 3. After toileting or diaper change;**
 - 4. After handling animals;**
 - 5. After touching an item or an area of the body soiled with body fluids or wastes; and**
 - 6. After outdoor or indoor play time; and**
- (c) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (b) of this subsection. The child shall wash the child's hands as soon as practicable once liquid soap and warm running water are available.**

Findings:

General: Based on review of documentation, this regulatory requirement was not met.

The surveyor reviewed video footage recorded on 9/14/2021, and found the following:

After naptime, the two-year-old children went to the table for snack. The staff made no attempts to assist the children with handwashing before or after snack. Furthermore, the staff did not assist the children with handwashing after diaper changes. After having their diaper changed, the children went back to the circle time area.

705 - Staff Hygiene/Handwashing

Not In Compliance

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

(5) Staff shall:

- (a) Maintain personal cleanliness;**
- (b) Conform to hygienic practices while on duty;**
- (c) Except as established in paragraph (d) of this subsection, wash their hands with liquid soap and running water:**
 - 1. Upon arrival at the center;**
 - 2. After toileting or assisting a child in toileting;**
 - 3. Before and after diapering each child;**
 - 4. After wiping or blowing a child's or own nose;**
 - 5. After handling animals;**
 - 6. After caring for a sick child;**
 - 7. Before and after feeding a child or eating;**
 - 8. Before dispensing medication;**
 - 9. After smoking or vaping; and**
 - 10. If possible, before administering first aid; and**
- (d) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (c) of this subsection. The staff shall wash the staff's hands as soon as practicable once liquid soap and warm running water are available.**

Findings:

General: Based on review of documentation, this regulatory requirement was not met. The surveyor reviewed video footage recorded on 9/14/2021, and found the following: The staff person changed the children's diapers and did not wash her hands after each diaper change.

Inspection Report

740 - Diapering Practice

Not In Compliance

922 KAR 2:120. Section 12. Toilet, Diapering, and Toiletry Requirements.

(12) Staff shall disinfect the diapering surface after each child is diapered.

(13) If staff wears disposable gloves, the gloves shall be changed and disposed after each child is diapered.

Findings:

General: Based on review of documentation, the following regulatory requirement was not met. The surveyor reviewed video footage recorded on 9/14/2021, and found the following: The staff person did not disinfect the diaper changing pad after changing each child's diaper.

Food Service

Not In Compliance

1150 - Sufficient Room/Eating Utensils Supplied

Not In Compliance

922 KAR 2:120. Section 9. Food and Drink Requirements for All Child-Care Centers.

(14) Meals shall be:

(b) Served to a child:

- 1. Seated with sufficient room to manage food and tableware; and
- 2. Supplied with individual eating utensils designed for use by a child.

Findings:

General: Based on review of documentation, this regulatory requirement was not met.

The surveyor reviewed video footage recorded on 9/14/2021, and observed the following:

After naptime, the two-year-old children went to the table for snack. The children stood at the table and ate snack. The chairs were stacked behind the children against the wall. The staff never provided the chairs for the children so that they could sit at the table and eat their snack in a suitable manner.

Signature of Provider/Representative

Title

Date