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Inspection Report

Provider Name: YMCA Crayon Club	Provider Information	License No: L353613
Provider Address: 1080 U.S. Highway 68, Maysville, KY, 41056	Provider Type: LICENSED TYPE I	Capacity: 128
Owner(s): Limestone Family YMCA, Inc.		Director(s): Clark, Patti Dawn

Inspection Type: Investigation	Inspection Information	Inspection No: 216234
Visit Start Date: 07/14/2016 10:03 AM	Visit End Date: 07/19/2016 10:30 AM	
	No. of Children Present: 63	

Inspection Report	
Supervision	
5 - Children Supervised	In Compliance
<p>922 KAR 2:120. Section 2. Child Care Services.</p> <p>(3)(a) Each center shall maintain a child-care program that assures each child will be:</p> <ol style="list-style-type: none"> 1. Provided with adequate supervision at all times by a qualified staff person who: <ol style="list-style-type: none"> a. Ensures the child is within scope of vision and range of voice; or b. For a school-age child, within scope of vision or range of voice; 	



Inspection Report

Staffing Requirements

40 - Ratios and Group Size

Not In Compliance

922 KAR 2:120. Section 2. Child Care Services.

(2) Minimum staff-to-child ratios and group size for an operating child-care center shall be maintained as follows:

Age of Children Ratio Maximum Group Size*

Infant

1 staff for 5 children 10

Toddler

1 staff for 6 children 12

Preschool-age 2 to 3 years

1 staff for 10 children 20

Preschool-age 3 to 4 years

1 staff for 12 children 24

Preschool-age 4 to 5 years

1 staff for 14 children 28

School-age 5 to 7 years

1 staff for 15 children 30

School-age 7 and older

1 staff for 25 children

(for before and after school) 30

1 staff for 20 children

(full day of care) 30

*Maximum Group Size shall be applicable only to Type I child-care centers.

Findings:

General: Based on Observation, at the time of the visit a tour of the facility was taken. During the tour the three (3) to four (4) year old children were in the swimming pool. There was one (1) qualified staff person in the pool area with fifteen (15) children ages three (3) to four (4) years old. An interview with staff found that the other qualified staff person had taken another child into the locker room because the child was not feeling well.

General Administration

170 - Notification of Changes

Not In Compliance

922 KAR 2:110. Section 6. Reports.

(4) Written notification of the following shall be made to the cabinet to allow for approval before implementation:

(a) Change of ownership;

(b) Change of location;

(c) Increase in capacity;

(d) Change in hours of operation;

(e) Change of services in the following categories:

1. Infant;

2. Toddler;

3. Preschool-age;

4. School-age;

5. Nontraditional hours; or

6. Transportation; or

(f) Addition to the square footage a child-care center's premises.

Findings:

General: Based on Interview, it was found that the child care program used the aerobics room for children to play in on 7/5/16. Further interview with the staff person in charge found that the children have used it other times and it is not part of the licensed space.

Director Requirements

265 - Health, Safety, Comfort

In Compliance

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.

(1) Effective with the adoption of this administrative regulation, a director shall:

(l) Provide for the health, safety, and comfort of each child;

275 - Caregiver Alone

Not In Compliance

922 KAR 2:110. Section 4. Director Requirements and Responsibilities.

(1) Effective with the adoption of this administrative regulation, a director shall:

(n) 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 Section 3(1)(e)6 of this administrative regulation;

Findings:

General: Based on Interview, with the staff person in charge at the time of the investigation found that a staff person who had been hired for the facility's Day Camp which is not part of the licensed program has been supervising the school age boys alone in the locker while they change their clothes to go swimming. The staff person in charge indicated that this occurs for approximately ten (10) minutes each day for at least four (4) weeks. It was also found through interview that this same staff person has been used as a floater in the classrooms in the licensed space. The staff person in charge indicated that their is not a file for this staff person and that an application for the results of a criminal records check and child abuse and neglect check had not been submitted.



300 - Background checks/left alone

Not In Compliance

922 KAR 2:090. Section 6. License Issuance.**(5) An individual described in subsection (4) of this section shall:****(a) Submit to background checks described in paragraph (b) of this subsection;****(b) May be employed or work with a child on a probationary basis for up to ninety (90) calendar days, pending completion of a:**

1. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;
2. Criminal records check required by KRS 199.896(19);
3. Criminal records check for any previous state of residence if the person resided outside the state of Kentucky in the last five (5) years; and
4. An address check of the Sex Offender Registry; and

(c) Not be left alone in the presence of a child until copies of the background checks in accordance with paragraph (b) of this subsection have been received by the licensee.

Findings:

General: Based on Interview, with the staff person in charge at the time of the investigation found that a staff person who had been hired for the facility's Day Camp which is not part of the licensed program has been supervising the school age boys alone in the locker while they change their clothes to go swimming. The staff person in charge indicated that this occurs for approximately ten (10) minutes each day for at least four (4) weeks. It was also found through interview that this same staff person has been used as a floater in the classrooms in the licensed space. The staff person in charge indicated that their is not a file for this staff person and that an application for the results of a criminal records check and child abuse and neglect check had not been submitted.

310 - Personnel File

Not In Compliance

922 KAR 2:110. Section 3. 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. Written record of training participation to include:

- a. The training source;
- b. Location;
- c. Date; and
- d. Number of clock hours completed;

5. Every two (2) years, a:

- a. Statement from a health professional that the individual is free of active tuberculosis; or
- b. Copy of negative tuberculin results; and

6. For a director, employee, volunteer, or any person with supervisory or disciplinary control over, or having unsupervised contact with, a child in care, the results of a:

- a. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;
- b. Criminal records check required by KRS 199.896(19);
- c. Criminal records check from any previous state of residence completed once if:
 - (i) The individual resided outside the state of Kentucky in the last five (5) years; and
 - (ii) No criminal records check has been completed for the individual's previous state of residence; and
- d. An address check of the Sex Offender Registry;

Findings:

General: Based on Interview, with the staff person in charge at the time of the investigation found that a staff person who had been hired for the facility's Day Camp which is not part of the licensed program has been supervising the school age boys alone in the locker while they change their clothes to go swimming. The staff person in charge indicated that this occurs for approximately ten (10) minutes each day for at least four (4) weeks. It was also found through interview that this same staff person has been used as a floater in the classrooms in the licensed space. The staff person in charge indicated that their is not a file for this staff person that includes the staff person's name, address, date of birth, and date of employment, education verification and a current T.B. test or a statement from a health professional indicating the individual is free from the symptoms of T.B.

315 - Educational Requirements

Not In Compliance

922 KAR 2:110. Section 5. 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, it was found that a staff person who had been hired for the summer to work in the facility's unlicensed Day Camp program did not have a file. However, further interview found that this staff person had been used in the licensed program as a floater and to supervise the school age boys alone in the locker room while they get dressed to swim. This staff person did not have a high school diploma, GED or other qualifying documentation.

320 - TB Verification

Not In Compliance

922 KAR 2:110. Section 5. 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, it was found that a staff person who had been hired for the summer to work in the facility's unlicensed Day Camp program did not have a file. However, further interview found that this staff person had been used in the licensed program as a floater and to supervise the school age boys alone in the locker room while they get dressed to swim. This staff person did not have a current T.B. test or a statement from a health professional indicating the individual is free from the symptoms of T.B.

Programming

350 - Program of Activities Followed

Not In Compliance

922 KAR 2:120. Section 2. Child Care Services.

- (4) The child-care center shall provide a daily planned program:**
 - (a) Posted in writing in a conspicuous location with each age group and followed;**
 - (b) Of activities that are individualized and developmentally appropriate for each child served;**
 - (c) That provides experience to promote the individual child's physical, emotional, social, and intellectual growth and well-being; and**
 - (d) That offers a variety of creative activities including the following:**
 - 1. Art;**
 - 2. Music;**
 - 3. Dramatic play;**
 - 4. Stories and books;**
 - 5. Science;**
 - 6. Block building;**
 - 7. Tactile activity;**
 - 8. Culture;**
 - 9. Indoor or outdoor play in which a child makes use of both small and large muscles;**
 - 10. A balance of active and quiet play, including group and individual activity;**
 - 11. An opportunity for a child to:**
 - a. Have some free choice of activities;**
 - b. If desired, play apart from the group at times;**

Findings:

General: Based on Interview, it was found that on 7/5/16 a twelve (12) year old child who is autistic, has sensory issues and has OCD (Obsessive Compulsive Disorder) was physically removed from a room by a staff person because the child had put another child in a headlock and started to punch the child in the face. This was done because another child threw a ball and hit the child in the head. It was also found that the child started to hit the staff person. Although the child did not suffer any physical injury due to the staff person physically taking the child out of the room it was found that because the child has sensory issues touching the child as well as loud noises and music makes the child become more aggressive. It was also found that while the children were playing in the room there was loud music playing and some of the children were screaming. These activities were not meeting the needs of this particular child.

Signature of
Provider/Representative

Title

Date

