



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: Johnson Elementary After School Program	Provider Information Provider Type: LICENSED TYPE I	CLR No: L353893
Provider Address: 2400 Memorial Pkwy, Ft. Thomas, KY, 41075		Capacity: 115
Owner(s): Young Men's Christian Association Of Greater Cincinnati, Inc.		Director(s): Mosby, Samantha

Inspection Type: Renewal Application	Inspection Information	Inspection No: 306249
Date Initiated: 03/30/2021 2:29 PM	Date Concluded: 03/30/2021 4:10 PM	
	No. of Children Present: 23	

Inspection Report

Background Checks

Not In Compliance

5 - Background check/left alone/dismissed/relocated

Not In Compliance

922 KAR 2:280. Section 3. Implementation and Enforcement.

- (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.**
- (2) A child care staff member hired on or after April 1, 2018, shall:**
 - (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**
 - (b) 1. Have submitted to the background checks required in accordance with this administrative regulation;**
 - 2. Not be left unsupervised with a child in care pending the completion of the background checks in accordance with this administrative regulation; and**
 - 3. Be dismissed or relocated from the residence if the person is found to have a disqualifying background check result.**

Findings:

General: Based on observation, interview and review of documentation, it was found that one staff member did not have any kind of background check from the state of Kentucky. The staff member did have background checks from the state of Ohio. However, it was reported by the staff in charge that this staff member lives in Fort Thomas, Kentucky. This staff person was left alone with the children in her classroom for approximately one hour.

Inspection Report

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 in accordance with 34 U.S.C. 20921; and
 - 3. Sex Offender Registry established in accordance with KRS 17.500 through 17.580.

Findings:

General: Based on observation, interview and review of documentation, it was found that one staff member did not have any kind of background check from the state of Kentucky. The staff member did have background checks from the state of Ohio. However, it was reported by the staff in charge that this staff member lives in Fort Thomas, Kentucky. There was no evidence that any background check from the state of Kentucky had been initiated. This staff person was left alone with the children in her classroom for approximately one hour. There was no date of hire on file for this staff person.

Supervision

In Compliance

Staffing Requirements

In Compliance

General Administration

Not In Compliance

155 - Liability Insurance

Not In Compliance

922 KAR 2:090. Section 6. License Issuance.

- (8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:
 - (d) Provide written proof of liability insurance coverage of at least \$100,000 per occurrence;

Findings:

General: Based on observation, it was found that the liability insurance on file at the facility was expired. The copy on file was dated from 01/01/2019 to 01/01/2020.

180 - Plan of Correction/15 days

Not In Compliance

922 KAR 2:090. Section 15. Statement of Deficiency and Corrective Action Plans.

- (2) Except for a violation posing an immediate threat as handled in accordance with KRS 199.896(5)(c), a child-care center shall submit a written corrective action plan to the cabinet or its designee within fifteen (15) calendar days of the date of the statement of deficiency to eliminate or correct the regulatory violation.

Findings:

A PLAN OF CORRECTION WAS DUE ON 09/24/2021 AND AS OF 10/14/2021, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.

Director Requirements

Not In Compliance

320 - Operation instruction/Regulation copy

Not In Compliance

922 KAR 2:090. Section 8. General.

- (2) Child-care center staff shall be:
 - (a) Instructed by the child-care center's director regarding requirements for operation; and
 - (b) Provided with a copy of this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280.

Findings:

General: Based on observation, it was found that there was not a copy of the current regulations on file at the facility,

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, it was found that one staff person's file did not contain a date of hire. Additionally, due to not containing a date of hire, it could not be determined when orientation I and II, as well as Pediatric Abusive Head Trauma needed to be completed.

Inspection Report

Programming

Not In Compliance

420 - 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) Unless the child-care center is a before- or after-school program that operates part day or less, that offers a variety of creative activities including:

- 1. Art or music;
- 2. Math or numbers;
- 3. Dramatic play;
- 4. Stories and books;
- 5. Science or nature;
- 6. Block building or stacking;
- 7. Tactile or sensory activity;
- 8. Multi-cultural exposure;
- 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 observation, it was found that the lesson plan that was observed during the inspection was dated for January; therefore, it was outdated.

Premises

Not In Compliance

520 - 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, it was found that there were cleaners and hand sanitizer accessible to the children. These items were located in the first classroom of the trailer when you first entered the classroom.

540 - 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, it was found that both classrooms used in the trailer were dirty with items on the floor and cluttered. It should be noted that the surveyor walked into the trailer at the same time the members of the program did and the trailer was already in this condition. The staff in charge reported that it was usually this way when they entered in the afternoons.

580 - Floors, Walls, Ceilings

Not In Compliance

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

(9) Floors, walls, and ceilings shall be smooth, in good repair, and constructed to be easily cleaned.

Findings:

General: Based on observation, it was found that there was a piece of baseboard missing near the trash can in the classroom.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Outdoor Play Area

In Compliance

Equipment

In Compliance

Transportation

In Compliance

Food Service/Food Program

In Compliance

Food Service

In Compliance

Inspection Report

Children's Records

Not In Compliance

1135 - Immunization

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

(a) A current immunization certificate for each child in care within thirty (30) days of the child's enrollment, unless an attending physician or the child's parent objects to the immunization of the child pursuant to KRS 214.036;

Findings:

General: Based on review of documentation, the following was found:

- 1.) Two children's files did not contain an immunization certificate.
- 2.) One child's file contained evidence of a shot record; however, there was not an expiration date listed. Therefore, it could not be determined if the record was current.

1140 - 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, it was found that three (3) children's files did not contain emergency medical authorization, physician contact information, preferred hospital, or medical information. After reviewing files, it appeared that these three (3) files were missing an additional paper that contained these items.

Written Documentation

Not In Compliance

1150 - Evacuation Plan

Not In Compliance

922 KAR 2:090. Section 5. Evacuation Plan.

(1) A licensed child-care center shall have a written evacuation plan in the event of a fire, natural disaster, or other threatening situation that may pose a health or safety hazard for a child in care in accordance with KRS 199.895 and 42 U.S.C. 9858c(c)(2)(U).

Findings:

General: Based on review of documentation, there was no evidence that the facility's Emergency Preparedness Plan had been updated or submitted to the proper authority for review since 2019.

1155 - Policies and Procedures

Not In Compliance

922 KAR 2:090. Section 8. General.

(4) Program policies and procedures shall:

(a) Be in writing; and

(b) Include:

- 1. Staff policies;
- 2. Job descriptions;
- 3. An organization chart;
- 4. Chain of command; and
- 5. Other procedures necessary to ensure implementation of:
 - a. KRS 199.898, Rights for children in child-care programs and their parents, custodians, or guardians - posting and distribution requirements;
 - b. 922 KAR 2:120, Child-care center health and safety standards;
 - c. 922 KAR 2:280, Background checks for child care staff members, reporting requirements, and appeals; and
 - d. This administrative regulation.

Findings:

General: Based on observation, it was found that there was not a chain of command on file at the facility.

Posted Documentation

In Compliance

Animals

In Compliance

Emergency Regulation

In Compliance

Signature of Provider/Representative

Title

Date