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Inspection Report

Provider Name: Elks' Learning Center	Provider Information	CLR No: L359033
Provider Address: 928 East Main St, Frankfort, KY, 40601	Provider Type: LICENSED TYPE I	Capacity: 155
Owner(s): Franklin Co. Board Of Education		Director(s): Raglin, Amy Michelle

Inspection Type: Renewal Application	Inspection Information	Inspection No: 219230
Date Initiated: 04/20/2017 9:20 AM	Date Concluded: 04/20/2017 11:30 AM	
	No. of Children Present: 25	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
Director Requirements	Not In Compliance

260 - Staff Evaluation **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:
(j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;

Findings:

General: Based on Review of Documentation, there were four (4) employees that did not have evaluations in their personnel files. The staff person in charge stated that the principal of the school keeps them and gives the employees copies to keep, but no copies were found during this survey.

Employee Records **Not In Compliance**

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 Review of Documentation, a staff person with a hire date of 3/28/17 did not have the results of a criminal records check in their file. The staff person in charge stated that they thought it had been completed but there was no evidence on file that the application for the check had been submitted. This staff person was working in a classroom but was with another qualified staff.

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 Review of Documentation, there were three (3) staff persons with hire dates of 3/28/17, 9/1/16, and 11/10/16 that did not have proof of education in their personnel files.

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 Review of Documentation, there was one staff with a hire date of 11/10/16 that did not have a copy of a negative TB test in their file.

340 - Training

Not In Compliance

922 KAR 2:110. Section 5. Staff Requirements.

(14) 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 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 pediatric abusive head trauma training completed once every five (5) years.**

Findings:

General: Based on Review of Documentation, there was a staff person with a hire date of 4/20/16 that had not completed their required annual training in their first year. Additionally, they were also missing their orientation and PAHT training. Per the facilities last POC from an investigation conducted on 3/1/17 this staff person was signed up to take an orientation training on 4/1/17. There was no certificate in their file and according to ECE TRIS system these trainings have not been completed.

Programming

In Compliance

Premises

Not In Compliance

460 - Inaccessible Items

Not In Compliance

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

(7) Except in accordance with subsection (8) of this section, the following shall be inaccessible to a child in care:

- (a) Toxic cleaning supplies, poisons, and insecticides;**
- (b) Knives and sharp objects;**
- (c) Matches, cigarettes, lighters, and flammable liquids;**
- (d) Plastic bags;**
- (e) Litter and rubbish;**
- (f) Bar soap; and**
- (g) Personal belongings and medications of staff.**

Findings:

General: Based on Observation, there was an adult pair of scissors on the desk in the Toddler Room. The desk was accessible to the children. Also, there was a staff purse sitting on the floor in the Preschool Room that was accessible to the children.

515 - Protected Openings

Not In Compliance

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

(8) An opening to the outside shall be effectively protected against the entrance of vermin by:

- (a) Self-closing doors;**
- (b) Closed windows;**
- (c) Screening;**
- (d) Controlled air current; or**
- (e) Other effective means.**

Findings:

General: Based on Observation, during the initial walk through in the Infant Room, a window was open in the room. The window did not contain a screen.

Inspection Report

Hygienic Practices

Not In Compliance

625 - Diaper Changing Area/Surface

Not In Compliance

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.

(10) When a child is diapered, the child shall:

(b) Be placed on a surface that is:

- 1. Clean;**
- 2. Padded;**
- 3. Free of holes, rips, tears, or other damage;**
- 4. Nonabsorbent;**
- 5. Easily cleaned; and**
- 6. Free of any items not used for diaper changing.**

Findings:

General: Based on Observation, the diaper changing mat in the boys' bathroom had a tear in the material which exposed the foam from inside.

First Aid/Medication

In Compliance

Outdoor Play Area

In Compliance

Equipment

In Compliance

Transportation

In Compliance

Food Service

In Compliance

Children's Records

Not In Compliance

1070 - Immunization

Not In Compliance

922 KAR 2:110. Section 3. 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, five (5) out of the ten (10) children's files that were reviewed did not contain copies of current immunization certificates. The staff person in charge stated that those certificates may have been in the central office at the school where they are located, but no documentation was produced during this survey.

1075 - Enrollment Information

Not In Compliance

922 KAR 2:110. Section 3. 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 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 situation 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, there were two (2) children's files that did not have physician information listed anywhere in there documentation.

Written Documentation

Not In Compliance

1085 - 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.

Findings:

General: Based on Review of Documentation, the emergency preparedness plan was last submitted to local emergency personnel on 8/13/15. This should be submitted for review yearly.

Inspection Report

1105 - Professional Development

Not In Compliance

922 KAR 2:110. Section 3. Records.

- (1) A child-care center shall maintain:
 - (f) A written annual plan for child-care staff professional development;

Findings:

General: Based on Review of Documentation, there were four (4) employees that did not have professional development plans in their personnel files.

1115 - Earthquake/Tornado Drills

Not In Compliance

922 KAR 2:110. Section 3. Records.

- (1) A child-care center shall maintain:
 - (h) A written record of quarterly practiced earthquake drills and tornado drills detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;

Findings:

General: Based on Review of Documentation, the earthquake and tornado drill were listed as one drill and not separately as required.

1120 - Fire Drills

Not In Compliance

922 KAR 2:110. Section 3. Records.

- (1) A child-care center shall maintain:
 - (i) A written record of practiced fire drills conducted monthly detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;

Findings:

General: Based on Review of Documentation, the facility did not have any record of fire drill having been conducted for this year. The staff person in charge stated that they have been doing them, they just have not been writing them down.

Posted Documentation

Not In Compliance

1155 - Posting Requirements

Not In Compliance

922 KAR 2:110. Section 2. General.

- (7) In addition to the posting requirement of KRS 199.898(3), a child-care center shall post the following in a conspicuous place and make available for public inspection:
 - (a) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;
 - (b) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;
 - (c) Information on the Kentucky Consumer Product Safety Program and the program's website as specified in KRS 199.897;
 - (d) A description of services provided by the child-care center, including:
 - 1. Current rates for child care; and
 - 2. Each service charged separately and in addition to the basic rate for child care;
 - (e) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and
 - (f) Daily schedule.

Findings:

General: Based on Observation, there was no daily schedule posted in the Two Year Old Room.

1165 - Daily Activities

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:
 - (h) Post a schedule of daily activities, to include dates and times of activities to be conducted with the children in each classroom;

Findings:

General: Based on Observation, the daily activities sheet in the Infant/Toddler Room was not dated. There was no daily activities sheet posted in the Two Year Old Room. The daily activities sheet in the Preschool Room was dated for the previous week.

Animals

In Compliance

Signature of Provider/Representative

Title

Date