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**Inspection Report**

<b>Provider Name:</b> Ashland's Creative Activities Program (A-CAP)	<b>Provider Information</b> <b>Provider Type:</b> LICENSED TYPE I	<b>CLR No:</b> L358993
<b>Provider Address:</b> 195 North Ashland Ave, Lexington, KY, 40502		<b>Capacity:</b> 99
<b>Owner(s):</b> Fayette County Public Schools		<b>Director(s):</b> Mundy, Monica

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 307364
<b>Date Initiated:</b> 08/13/2021 2:20 PM	<b>Date Concluded:</b> 08/13/2021 3:54 PM	
	<b>No. of Children Present:</b> 17	

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<b>Background Checks</b>	<b>Not In Compliance</b>
<b>10 - Submit background check</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:280 - Section 4. Procedures and Payments.</b></p> <p>(1) To initiate the process for obtaining background checks on a prospective child care staff member, the child care provider shall:</p> <p>(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;</p> <p>(b) Request that the prospective child care staff member complete and sign the:</p> <ol style="list-style-type: none"> <li>1. DCC-500, Applicant Child Care Staff Member Waiver Agreement and Statement; and</li> <li>2. DCC-501, Disclosures to Be Provided to and Signed by the Applicant Child Care Staff Member; and</li> </ol> <p>(c) Log on to the NBCP portal and enter the prospective child care staff member's demographic information for a check of the:</p> <ol style="list-style-type: none"> <li>1. Child abuse and neglect central registry pursuant to 922 KAR 1:470;</li> <li>2. National Crime Information Center's National Sex Offender Registry in accordance with 34 U.S.C. 20921; and</li> <li>3. Sex Offender Registry established in accordance with KRS 17.500 through 17.580.</li> </ol> <p><b>Findings:</b></p> <p>General: Based on review of documentation, it was found that two staff hired on 8/10/20 and 8/26/20 did not have proof of a background check in their file. It is important to note, one staff person was not present and one was left unsupervised. Both staff did have proof of a recent CAN Check. Three other staff that were present during the survey did not have proof of a background or CA/N check on file at the facility.</p>	
<b>Supervision</b>	<b>In Compliance</b>
<b>Staffing Requirements</b>	<b>In Compliance</b>
<b>General Administration</b>	<b>Not In Compliance</b>
<b>160 - Liability Insurance</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:090. Section 6. License Issuance.</b></p> <p>(8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:</p> <p>(d) Provide written proof of liability insurance coverage of at least \$100,000 per occurrence;</p> <p><b>Findings:</b></p> <p>General: Based on review of documentation, there was not proof of updated liability insurance coverage on file at the center.</p>	

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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 observation, it was found that two electrical outlets were uncovered in the cafeteria and accessible to children.

Director Requirements

Not In Compliance

335 - 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 review of documentation, it was found that the center did not have an updated copy of the regulations.

360 - Staff Evaluation

Not In Compliance

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.

(1) 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, it was found that four staff did not have an updated evaluation in their files.

370 - Caregiver Alone

Not In Compliance

922 KAR 2:090. Section 10. Director Requirements and Responsibilities.

(1) A director shall:

- (m) 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 922 KAR 2:280;

Findings:

it was found that four staff were left alone with children without having proof of a completed background on check on file at the facility.

Employee Records

Not In Compliance

395 - 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 observation and review of documentation, three staff were found to not have files on site. It is important to note, these staff were present and left alone with children. Due to not having a file on site, identifying information could not be determined.

400 - Educational Requirements

Not In Compliance

922 KAR 2:090. Section 11. 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, it was found that four staff were missing proof of education in their file.

405 - TB Verification

Not In Compliance

922 KAR 2:090. Section 11. 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, it was found that six staff either did not have negative TB documentation or the documentation was no longer current.

**Inspection Report**

**435 - Training**

**Not In Compliance**

**922 KAR 2:090. Section 11. Staff Requirements.**

(16) 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 completed within the first three (3) months of employment in a child-care program;
- (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment in a child care program, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training; and
- (c) Fifteen (15) hours of cabinet-approved early care and education training completed between July 1 and the following June 30 of each subsequent year of employment in a child care program, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.

(17) A staff person's compliance with training requirements of this section shall be verified through the cabinet-designated database maintained pursuant to 922 KAR 2:240.

**Findings:**

General: Based on review of documentation, it was found that five staff members did not receive the required 15 hours of training for the year from 7/1/2020-6/30/2021. A review of ECE-TRIS confirmed this finding.

**Programming**

**In Compliance**

**Premises**

**Not In Compliance**

**565 - 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 a staff had her phone, keys, drink and purse on a table next to the children. Also, three bottles of hand sanitizer were accessible to the children.

**Hygienic Practices**

**In Compliance**

**First Aid/Medication**

**In Compliance**

**Outdoor Play Area**

**In Compliance**

**Equipment**

**In Compliance**

**Transportation**

**In Compliance**

**Kitchen Requirements**

**In Compliance**

**Food Service**

**In Compliance**

**Meal Planning/Center Provides Meals**

**Not In Compliance**

**1190 - Snack Requirements**

**Not In Compliance**

**922 KAR 2:120. Section 10. Meal Planning Requirements for a Center that Provides Meals.**

(2) A snack shall include two (2) of the following components:

- (a) Milk;
- (b) Meat or meat alternative;
- (c) Bread or grain; or
- (d) 1. Fruit;
- 2. Vegetable; or
- 3. 100 percent juice.

**Findings:**

General: Based on observation, it was found that the center did not meet the minimum two requirements for snack. Snack that was served during the visit consisted of animal crackers, fruit snacks and water. Snack should include two (2) of the following: milk, protein, bread, vegetable or fruit (which can include 100% fruit juice).

**Meal Planning/Center Does Not Provide Meals**

**In Compliance**

**Inspection Report**

**Children's Records**

**Not In Compliance**

**1250 - 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 one child did not have any emergency medical information included in their enrollment paperwork which included physician's contact, preferred hospital and emergency care information. Also, one child did not have a preferred hospital name in their enrollment paperwork.

**Written Documentation**

**Not In Compliance**

**1280 - Professional Development**

**Not In Compliance**

**922 KAR 2:090. Section 9. 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, it was found that five staff were missing an updated professional development plan.

**Posted Documentation**

**In Compliance**

**Animals**

**In Compliance**

Signature of Provider/Representative

Title

Date