



**CABINET FOR HEALTH AND FAMILY SERVICES  
OFFICE OF INSPECTOR GENERAL**

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**Inspection Report**

<b>Provider Name:</b> TLC Creative Learning Center	<b>Provider Information</b>	<b>CLR No:</b> L359177
<b>Provider Address:</b> 964 Highway 44 West, Shepherdsville, KY, 40165	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 51
<b>Owner(s):</b> Shepherdsville Trinity Assembly Of God, Inc.		<b>Director(s):</b> Boylen, Cheryl Lynne

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 243401
<b>Date Initiated:</b> 01/29/2018 9:30 AM	<b>Date Concluded:</b> 01/29/2018 2:15 PM	
	<b>No. of Children Present:</b> 14	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
<b>75 - Liability Insurance</b>	<b>Not In Compliance</b>
<b>922 KAR 2:090. Section 6. License Issuance.</b>	
<b>(11) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:</b>	
<b>(d) Provide written proof of liability insurance coverage of at least \$100,000 per occurrence;</b>	
<b>Findings:</b>	
General: Based on review of documentation and interview, the child care center failed to comply with regulatory requirements. Upon request current liability insurance was not presented for review. The liability insurance that was presented expired 1/1/18.	
	<b>Director Requirements</b>
	<b>Not In Compliance</b>
<b>260 - Staff Evaluation</b>	<b>Not In Compliance</b>
<b>922 KAR 2:110. Section 4. Director Requirements and Responsibilities.</b>	
<b>(1) Effective with the adoption of this administrative regulation, a director shall:</b>	
<b>(j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;</b>	
<b>Findings:</b>	
General: Based on review of documentation and interview, the child care center director failed to assure compliance with regulatory requirements. Upon request, a staff evaluation for a staff member with the hire date 3/12/14 was not presented for review.	
<b>275 - Caregiver Alone</b>	<b>Not In Compliance</b>
<b>922 KAR 2:110. Section 4. Director Requirements and Responsibilities.</b>	
<b>(1) Effective with the adoption of this administrative regulation, a director shall:</b>	
<b>(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;</b>	
<b>Findings:</b>	
General: Based on observation, review of documentation and interview, the child care center director failed to assure compliance with regulatory requirements. Observation of the two-and-three-year-old room revealed at 11:45 am a staff member with the hire date 1/17/18 escorted one (1) child into the bathroom where both, that staff member and the child, were not visible to the staff member in the room. Continued observation of the two-and-three-year-old room revealed at 11:51 am a staff member with the hire date 1/17/18 escort two (2) children into the bathroom and close the door, there was no other adult present in the bathroom. The staff member and children exited the bathroom at 11:53 am. Review of presented staff files revealed the file for the staff member with the hire date 1/17/18 did not contain a completed child abuse and neglect check (CAN). Continued review of the file for the staff member with the hire date 1/17/18 revealed it did not contain a completed criminal record check. Interview with the director revealed the file for the staff member with the hire date 1/17/18 did not contain a CAN or criminal record check.	

**Inspection Report**

**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 observation, review of documentation and interview, the child care center failed to maintain employee records in accordance with regulatory requirements. Observation of the two-and-three-year-old room revealed at 11:45 am a staff member with the hire date 1/17/18 escorted one (1) child into the bathroom where both, that staff member and the child, were not visible to the staff member in the room. Continued observation of the two-and-three-year-old room revealed at 11:51 am the staff member with the hire date 1/17/18 escorted two (2) children into the bathroom and closed the door, there was no other adult present in the bathroom. The staff member and children exited the bathroom at 11:53 am. Review of presented staff files revealed the file for the staff member with the hire date 1/17/18 did not contain a completed child abuse and neglect check (CAN). Continued review of the file for the staff member with the hire date 1/17/18 revealed it did not contain a completed criminal record check. Interview with the director revealed the file for the staff member with the hire date 1/17/18 did not contain a CAN or criminal record check. Review of presented staff files revealed criminal records checks not submitted by the end of the first day of employment for five (5) staff members with the hire dates; 8/7/17, 9/1/17, 10/2/17, 4/6/17 and 6/1/17. Interview with the director revealed the five (5) aforementioned staff members did not work alone with children until the child care center had received a clear criminal record check for each staff member.

**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 and interview, the child care center failed to maintain employee records in accordance with regulatory requirements. Upon request a high school diploma, GED, or Commonwealth Child Care Credential was not presented for two (2) staff members with the hire dates 10/2/17 and 1/17/18.

**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 and interview, the child care center failed to maintain employee records in accordance with regulatory requirements. Review of presented staff files revealed a staff member with the hire date 4/6/17 did not have written documentation from a health care professional to verify that the individual was free from active TB on file. Interview with the director revealed the documentation was not in the staff members 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 and interview, the child care center failed to maintain employee records in accordance with regulatory requirements. Review of presented staff files revealed two (2) staff members with the hire dates 11/2/16 and 3/12/14 did not complete Fifteen (15) hours of cabinet-approved early care and education training. Review of the ECE TRIS report did not verify the training hours were completed. Continued review of presented staff files revealed two (2) staff members with hire dates 6/1/17 and 10/2/17 had not completed the six (6) hours of cabinet approved orientation training within the first ninety (90) days of employment. Interview with the director revealed an acknowledgement of the deficiency.

**Programming**

**In Compliance**

**Inspection Report**

**Premises**

**Not In Compliance**

**480 - 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, the child care center failed to maintain the premises in accordance with regulatory requirements. Observation of the school age room revealed the following: 1. The wall by the window was soiled, 2. The floor was soiled, 3. Chipping paint on the walls. Observation of the preschool room revealed the following: 1. Missing baseboard by the window, 2. Chipping paint on the walls that exposed the drywall material. Observation of the two-and-three-year-old room revealed the following: 1. The classroom walls are soiled, 2. The classroom floor was soiled with a black substance located by the art work, 3. The vent cover had an accumulation of dust. Observation of the two-and-three-year-old bathroom revealed the walls were soiled.

**500 - Building Requirements**

**Not In Compliance**

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

- (5) The building shall be constructed to ensure the:**
  - (a) Building is:**
    - 1. Dry;**
    - 2. Adequately heated;**
    - 3. Ventilated; and**
    - 4. Well lit, including clean light fixtures that are:**
      - a. In good repair in all areas; and**
      - b. Shielded or have shattered proof bulbs installed; and**
  - (b) Following are protected:**
    - 1. Windows;**
    - 2. Doors;**
    - 3. Stoves;**
    - 4. Heaters;**
    - 5. Furnaces;**
    - 6. Pipes; and**
    - 7. Stairs.**

**Findings:**

General: Based on observation, the child care center failed to maintain the premises in accordance with regulatory requirements. Observation of the school age room revealed light bulbs that were not shielded or shatter proof. Observation of the two-and-three-year-old room revealed light bulbs that were not shielded or shatter proof. Observation of the infant room revealed a light that was not in working order causing the area to be dimly lit.

**520 - 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, the child care center failed to maintain the premises in accordance with regulatory requirements. Observation of the preschool room revealed the following: 1. A hole in the wall by the door; and 2. An eight (8) inch crack in the wall by the window. Observation of the two-and-three-year-old bathroom revealed the tile behind the toilet was cracked.

**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 child care center failed to comply with hygienic practices in accordance with regulatory requirements. Observation of the infant room revealed a torn changing pad exposing the inside absorbent material.

**First Aid/Medication**

**In Compliance**

**Inspection Report**

**Outdoor Play Area**

**Not In Compliance**

**690 - Playground Conditions**

**Not In Compliance**

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

- (20) An outdoor play area shall be:**
  - (d) Safe from foreseeable hazard;**
  - (e) Well drained;**
  - (f) Well maintained;**
  - (g) In good repair; and**
  - (h) Visible to staff at all times.**

**Findings:**

General: Based on observation, the child care center failed to maintain an outdoor play area in accordance with regulatory requirements. Observation of the playground revealed a sandbox with standing water that was approximately six (6) inches deep. Continued observation of the playground revealed an inverted water table lid lying on the ground with standing water that was approximately four (4) inches deep in it.

**Equipment**

**Not In Compliance**

**730 - Crib/Mattress/Sheet**

**Not In Compliance**

**922 KAR 2:120. Section 6. Sleeping and Napping Requirements.**

- (3) Rest time shall include adequate space specified by the child's age as follows:**
  - (a) For an infant:**
    - 1. An individual non-tiered crib that meets Consumer Product Safety Commission standards established in 16 C.F.R. 1219-1220;**
    - 2. A firm crib mattress in good repair with a clean tight-fitted sheet that shall be changed:**
      - a. Weekly; or**
      - b. Immediately if it is soiled or wet;**

**Findings:**

General: Based on observation and interview, the child care center failed to maintain equipment in accordance with regulatory requirements. Observation in the infant room revealed one (1) crib with two (2) mattresses; therefore, the crib did not have one firm crib mattress at the time of the survey. Continued observation revealed another crib with a mattress that was not firm.

**755 - Toys/Equipment/Furniture**

**Not In Compliance**

**922 KAR 2:120. Section 11. Toys and Furnishings.**

- (1) All toys, equipment, and furniture contacted by a child shall be:**
  - (a) Kept clean and in good repair; and**
  - (b) Free of peeling, flaking, or chalking paint.**

**Findings:**

General: Based on observation, the child care center failed to maintain equipment in accordance with regulatory requirements. Observation of the infant room revealed the brown high chair was missing a safety strap.

**Transportation**

**Not Applicable**

**Food Service**

**Not In Compliance**

**935 - Refrigerator**

**Not In Compliance**

**922 KAR 2:120. Section 8. Kitchen Requirements.**

- (4) A cold-storage facility used for storage of perishable food in a nonfrozen state shall:**
  - (a) Have an indicating thermometer or other appropriate temperature measuring device;**
  - (b) Be in a safe environment for preservation; and**
  - (c) Be forty (40) degrees Fahrenheit or below.**

**Findings:**

General: Based on observation, the child care center failed to maintain food service in accordance with regulatory requirements. Observation of the infant room mini-refrigerator revealed the thermometer registered fifty (50) degrees Fahrenheit. Continued observation revealed there were infants' bottles in the mini refrigerator.

**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 and interview, the child care center failed to maintain children's records in accordance with regulatory requirements. Review of children's files revealed there was not an immunization certificate for two (2) children with the enrollment dates 2/1/17 and 9/13/16 on file. Interview with the director revealed there were not current immunization certificates on file for the two (2) aforementioned children.

**Inspection Report**

**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 and interview, the child care center failed to maintain children's records in accordance with regulatory requirements. Review of children's files revealed the following: 1. Three (3) files did not contain the information for the parents preferred hospital, 2. One (1) file did not contain the name and phone number of each person to be contacted in an emergency situation involving or impacting the child, 3. One (1) file did not contain the child's general health status and medical history, 4. One (1) file did not contain a written record signed by the child's parent; and 5. One (1) file did not contain information for the family physician. Interview with the director revealed the aforementioned information was not contained in the children's files.

**Written Documentation**

**Not In Compliance**

**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 and interview, the child care center failed to maintain written documentation in accordance with regulatory requirements. Upon request an annual professional development plan was not presented for staff members with the hire dates 11/11/16, 9/8/14 and 3/12/14.

**Posted Documentation**

**In Compliance**

**Animals**

**In Compliance**

Signature of  
Provider/Representative

Title

Date