



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

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Inspection Report

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

Inspection Type: Renewal Application	Inspection Information	Inspection No: 292600
Date Initiated: 03/05/2020 11:11 AM	Date Concluded: 03/05/2020 2:08 PM	
	No. of Children Present: 21	

Inspection Report	
Background Checks	In Compliance
Supervision	Not In Compliance
90 - Children Supervised	Not 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> <p>1. Provided with adequate supervision at all times by a qualified staff person who ensures the child is:</p> <p>a. Within scope of vision and range of voice; or</p> <p>b. For a school-age child, within scope of vision or range of voice;</p> <p>Findings:</p> <p>General: Based on observation and interview, the child care center failed to maintain adequate supervision of children in accordance with regulatory requirements. Observation of the Toddler classroom revealed a toddler who sat on the toilet in an area that was out of the scope of vision of the one (1) staff member in the classroom. The staff stood at a counter space with a computer and her back to the other children in the classroom. The child was left alone in the bathroom during his/her time on the toilet. Further observation also revealed the staff left four (4) napping children out of his/her scope of vision, when he/she went into the bathroom to clean for approximately two (2) minutes or less. Interview with the staff revealed the children ranged in age from two (2) to three (3) years old.</p>	
Staffing Requirements	In Compliance
General Administration	Not In Compliance
155 - Liability Insurance	Not In Compliance
<p>922 KAR 2:090. Section 6. License Issuance.</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>Findings:</p> <p>General: Based on interview and review of documentation, the child care center failed to comply with regulatory requirements with regard to liability insurance. Upon request, the director failed to provide documented evidence of liability insurance coverage of at least \$100,000 per occurrence.</p>	

Inspection Report

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 interview and review of documentation, the child care center director failed to assure compliance with regulatory requirements with regard to the operation instruction/regulation copy. Upon request, the director failed to provide documented evidence that each staff person at the child care center were instructed on the current administrative regulations. Review of the administrative regulations presented were dated 10/08/15.

Employee Records

Not In Compliance

395 - 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 interview and review of documentation, the child care center failed to maintain employee records for staff with a hire date of 09/11/18. Upon request, the director failed to provide documented evidence from a medical professional that the staff is free of active tuberculosis.

410 - 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 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 cabinet-approved 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 cabinet-approved pediatric abusive head trauma training completed once every five (5) years.**

Findings:

General: Based on interview and review of documentation, the child care center failed to maintain employee records for staff with hire dates 12/12/16, 09/11/18, and 03/01/17. Upon request, the director failed to provide documented evidence of fifteen (15) hours of cabinet-approved early care and education training completed during each subsequent year of employment.

Programming

Not In Compliance

455 - Discipline

Not In Compliance

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

(10) A child shall not be subjected to:

- (a) Corporal physical discipline pursuant to KRS 199.896(18);**
- (b) Loud, profane, threatening, frightening, humiliating, or abusive language; or**
- (c) Discipline that is associated with:**
 - 1. Rest;**
 - 2. Toileting; or**
 - 3. Food.**

Findings:

General: Based on observation, the child care center failed to comply with regulatory programming requirements with regard to discipline. Observation of the Toddler and Preschool classrooms revealed staff who used loud, aggressive and threatening language when speaking to the children in care. Staff in Preschool classroom were observed to state "Lay Down!! You are about to be in trouble if you don't lay down!!" Staff in the Toddler classroom was observed to state "Get back on that potty! I told you not to get up off the potty until you pooped! What did I tell you! "

Premises

Not In Compliance

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, the child care center failed to maintain premises in accordance with regulatory requirements, i.e. the wall of the Toddler classroom revealed missing wall border.

Inspection Report

650 - Toilet **Not In Compliance**

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.
(4) Each toilet shall:
(a) Be kept in clean condition;
(b) Be kept in good repair;
(c) Be in a lighted room; and
(d) Have ventilation to outside air.

Findings:

General: Based on observation, the child care center failed to maintain the toilet room in accordance with regulatory requirements. Upon inspection of the School-age Boys toilet room, it was discovered that one (1) of two (2) toilets in the room were unclean. The toilet was unflushed and contained a large amount of toilet paper and stool.

Hygienic Practices **Not In Compliance**

680 - Soiled Diapers/Clothing **Not In Compliance**

922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.
(8) Diapers or clothing shall be:
(a) Changed when soiled or wet;
(b) Stored in a covered container temporarily; and
(c) Washed or disposed of at least once a day.

Findings:

General: Based on observation, the child care center failed to comply with regulatory hygienic requirements. Upon inspection of the One-Year-Old's classroom and outside the door of the Preschool's classroom, it was revealed that soiled diapers were stored in uncovered containers.

685 - 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 regulatory hygienic requirements as it related to the diaper changing area/surface. Observation of the One-Year-Old's classroom revealed rips and tears in the diaper changing mat. The diaper changing area was also observed with disinfectant spray on the mat and in accessible reach of a child when receiving a diaper change.

First Aid/Medication **In Compliance**

Outdoor Play Area **Not In Compliance**

750 - 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 the outdoor play area in accordance with regulatory requirements. Upon inspection of the outdoor play area, it was discovered that areas of the playground had exposed black plastic from underneath the protective surface material. The plastic was presented as a foreseeable tripping hazard. In addition, railroad track wooden blocks protruded from the ground and also presented trip hazards in areas of play.

Equipment **Not In Compliance**

820 - Indoor/Outdoor Equipment **Not In Compliance**

922 KAR 2:120. Section 11. Toys and Furnishings.
(2) Indoor and outdoor equipment shall:
(a) Be clean, safe, and in good repair;
(b) Meet the physical, developmental needs, and interests of children of different age groups;
(c) Be free from sharp points or corners, splinters, protruding nails or bolts, loose or rusty parts, hazardous small parts, lead-based paint, poisonous material, and flaking or chalking paint; and
(d) Be designed to guard against entrapment or situations that may cause strangulation.

Findings:

General: Based on observation, the child care center failed to maintain outdoor equipment in accordance with regulatory requirements. Observation of the outdoor play area revealed a blue see-saw with rusty parts. In addition, a stationary bike peddler toy had two (2) broken seats with sharp edges. Further observation revealed a multi-colored climbing apparatus, stationed in close proximity to the fence, presenting an entrapment hazard, as well as, a large gap between the ground and fencing, also presenting an entrapment hazard.

Inspection Report

Transportation	Not Applicable
Food Service/Food Program	In Compliance
Food Service	In Compliance
Children's Records	In Compliance
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 interview and review of documentation, the child care center failed to maintain written documentation in accordance with regulatory requirements. Upon request, the director failed to provide documented evidence that an emergency preparedness plan was submitted to the local emergency management by December 31, 2019. The written plan received was dated 01/25/19, which was more than one (1) year from the date of the review.

Posted Documentation	In Compliance
Animals	Not Applicable

Signature of
Provider/Representative

Title

Date