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Inspection Report

Provider Name: Holy Trinity After School Program	Provider Information	CLR No: L359494
Provider Address: 423 Cherrywood Road, Louisville, KY, 40207	Provider Type: LICENSED TYPE I	Capacity: 64
Owner(s): The Young Mens Christian Association Of Greater Louisville		Director(s): Slaten, Valerie Rae

Inspection Type: Renewal Application	Inspection Information	Inspection No: 245250
Date Initiated: 09/19/2018 3:00 PM	Date Concluded: 09/19/2018 5:20 PM	
	No. of Children Present: 45	

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, review of documentation and interview, the child care center failed to maintain background checks in accordance with regulatory requirements. Observation of the cafeteria at 3:16 p.m. revealed a staff member with the hire date 8/15/18 was the sole care giver for twenty-four (24) children. Upon request, a background check was not presented for review for the aforementioned staff member with the hire date 8/15/18.

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 review of documentation and interview, the child care center failed to maintain background checks in accordance with regulatory requirements. Upon request, documentation to initiate the process for obtaining background checks was not presented for review for a staff member with the hire date 8/15/18.

15 - Submit fingerprints

Not In Compliance

922 KAR 2:280. Section 4. Procedures and Payments.

(4)(a) Upon submission of payment in accordance with subsections (2) and (3) of this section, the child care provider shall print a copy of the DCC-504, Applicant Child Care Staff Member Live Scan Fingerprinting Form, from the NBCP portal and provide the form to the child care staff member.

(b) The child care staff member shall:

- 1. Have no more than ninety (90) calendar days from the date of payment pursuant to subsections (2) and (3) of this section to submit the child care staff member's fingerprints at an authorized collection site for NBCP; and**
- 2. Present the DCC-504 and driver's license or other government-issued photo identification to the designated agent at an authorized collection site prior to fingerprint submission.**

Findings:

General: Based on observation, review of documentation and interview, the child care center failed to maintain background checks in accordance with regulatory requirements. Observation of the cafeteria revealed a staff member with the hire date 8/15/18 caring for children. Upon request, documentation to verify that the staff member with the hire date 8/15/18 had submitted fingerprints for the background check was not presented.

Supervision

In Compliance

Staffing Requirements

Not In Compliance

125 - Ratios and Group Size

Not In Compliance

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

(2) For an operating child-care center, minimum staff-to-child ratios and group size shall be maintained as established in the table established in this subsection.

Age of Children Ratio Maximum Group Size*

Infant

1 staff for 5 children 10

Toddler 12 to 24 months

1 staff for 6 children 12

Toddler 24 to 36 months

1 staff for 10 children 20

Preschool-age 3 to 4 years

1 staff for 12 children 24

Preschool-age 4 to 5 years

1 staff for 14 children 28

School-age 5 to 7 years

1 staff for 15 children 30

School-age 7 and older

1 staff for 25 children

(for before and after school) 30

1 staff for 20 children

(full day of care) 30

***Maximum Group Size shall be applicable only to Type I child-care centers.**

(b) The age of the youngest child in the group shall determine the:

- 1. Staff-to-child ratio; and**
- 2. Maximum group size.**

Findings:

General: Based on observation and interview, the child care center failed to comply with staffing requirements. Observation of the cafeteria at 3:06 p.m. revealed forty-five (45) children with two (2) staff members. Interview with the staff in charge revealed the youngest child in care was four-years-old; therefore, the child care center exceeded minimum staff to child ratio and maximum group size. Observation of the cafeteria at 3:16 p.m. revealed twenty-four (24) children with one (1) staff member continuing until 3:24 p.m. Interview with the staff member revealed the youngest child in care was four-years-old. Observation at 3:24 p.m. revealed forty-four (44) children with three (3) staff members. Interview with a staff member revealed the youngest child in care was four-years-old.

General Administration

Not In Compliance

180 - Plan of Correction/15 days

Not In Compliance

922 KAR 2:090. Section 14. 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 10/15/2018 AND AS OF 10/26/2018, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.

Inspection Report

Director Requirements

Not In Compliance

340 - Staff Meeting

Not In Compliance

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

(1) A director shall:

- (i) Conduct, manage, and document in writing recurring staff meetings;**

Findings:

General: Based on review of documentation and interview, the child care center director failed to assure compliance with regulatory requirements. Upon request, documentation of staff meetings was not presented for review.

360 - Caregiver Alone

Not In Compliance

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

(1) A director shall:

- (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 922 KAR 2:280;**

Findings:

General: Based on observation, review of documentation and interview, the child care center director failed to assure compliance with regulatory requirements. Observation of the cafeteria at 3:16 p.m. revealed a staff member with the hire date 8/15/18 was the sole care giver for twenty-four (24) children. Upon request, a background check was not presented for review for the aforementioned staff member with the hire date 8/15/18.

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 and interview, the child care center failed to maintain employee records in accordance with regulatory requirements. Upon request, a staff file was not presented for review for a staff member with the hire date 8/15/18.

390 - 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 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 review for a staff member with the hire date 8/15/18.

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 review of documentation and interview, the child care center failed to maintain employee records in accordance with regulatory requirements. Upon request, written documentation from a health care professional was not presented for review to verify that a staff member with the hire date 8/15/18 was free from active TB.

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 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 there was not verification that a staff member with the hire date 6/1/18 had completed six (6) hours of cabinet-approved orientation within ninety (90) days of employment. Interview with the staff in charge revealed she was not able to verify that the orientation training was completed within ninety (90) days of employment.

Inspection Report

Programming

In Compliance

Premises

Not In Compliance

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 and interview, the child care center failed to maintain the premises in accordance with regulatory requirements. Observation of the girls' bathroom revealed one (1) of the toilets was not in working order. Interview with the staff in charge revealed the toilet was not in working order.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Outdoor Play Area

Not In Compliance

735 - Fence Requirement

Not In Compliance

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

(20) An outdoor play area shall be:

- (a) Except for an after-school child-care program located on the premises of a public or state-accredited nonpublic school, fenced for the safety of the children;**

Findings:

General: Based on observation and review of documentation, the child care center failed to maintain an outdoor play area in accordance with regulatory requirements. Observation of the outdoor playground revealed the child care center failed to have a fenced in outdoor play area. Observation of the child care center revealed preschool age children were in care during the survey. Review of DRCC documentation revealed the child care center is licensed for preschool children.

755 - Protective Surface

Not In Compliance

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

(21) A protective surface shall:

- (a) Be provided for outdoor play equipment used to:**
 - 1. Climb;**
 - 2. Swing; and**
 - 3. Slide; and**
- (b) Have a fall zone equal to the height of the equipment.**

Findings:

General: Based on observation, the child care center failed to maintain an outdoor play area in accordance with regulatory requirements. Observation of the outdoor playground revealed the ground was visible through the protective surfacing under the following: six (6) swings, three (3) slides, the rope climbing apparatus and the monkey bars.

Equipment

In Compliance

Transportation

In Compliance

Food Service/Food Program

In Compliance

Food Service

In Compliance

Children's Records

In Compliance

Written Documentation

In Compliance

Posted Documentation

In Compliance

Animals

Not Applicable

Signature of Provider/Representative

Title

Date