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Adam Mather
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Inspection Report

Provider Name: Northeast Family YMCA Child Development Center	Provider Information Provider Type: LICENSED TYPE I	CLR No: L354890
Provider Address: 9400 Mill Brook Road, Louisville, KY, 40223		Capacity: 80
Owner(s): The Young Mens Christian Association Of Greater Louisville		Director(s): Ashcraft, Mandee Lynn

Inspection Type: Renewal Application	Inspection Information	Inspection No: 246133
Date Initiated: 10/09/2018 10:00 AM	Date Concluded: 10/09/2018 2:00 PM	
No. of Children Present: 61		

Inspection Report	
Background Checks	Not In Compliance
5 - Background check/left alone/dismissed/relocated	Not In Compliance
<p>922 KAR 2:280. Section 3. Implementation and Enforcement.</p> <p>(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.</p> <p>(2) A child care staff member hired on or after April 1, 2018, shall:</p> <p>(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</p> <p>(b) 1. Have submitted to the background checks required in accordance with this administrative regulation;</p> <p>2. Not be left unsupervised with a child in care pending the completion of the background checks in accordance with this administrative regulation; and</p> <p>3. Be dismissed or relocated from the residence if the person is found to have a disqualifying background check result.</p> <p>Findings:</p> <p>General: Based on review of documentation and interview, the child care center failed to assure compliance with regulatory background check requirements. Upon request, the child care center director failed to provide documented evidence of completed background checks for staff with a hire date of 10/03/01 and 09/17/18. In addition, review of the National Background Check Report revealed neither staff were entered into the KARES system.</p>	
15 - Submit fingerprints	Not In Compliance
<p>922 KAR 2:280. Section 4. Procedures and Payments.</p> <p>(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.</p> <p>(b) The child care staff member shall:</p> <p>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</p> <p>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.</p> <p>Findings:</p> <p>General: Based on review of documentation and interview, the child care center failed to assure compliance with regulatory background check requirements. Upon request, the child care center director failed to provide documented evidence of completed background checks for staff with a hire date of 10/03/01 and 09/17/18. In addition, review of the National Background Check Report revealed neither staff were entered into the KARES system nor were fingerprints completed for the staff.</p>	

85 - Employment Status

Not In Compliance

922 KAR 2:280. Section 11. Status of Employment.

(1) A child care provider shall maintain the employment or residential status of each child care staff member who has submitted to a fingerprint-based criminal background check by reporting the status using the NBCP Web-based system.

Findings:

General: Based on review of documentation, interview and observation, the child care center failed to assure compliance with regulatory background check requirements. Review of employee records and the child care center staff schedule revealed staff with hire dates of 09/12/18, 06/15/09, 10/04/94, and 02/14/16 were not correctly identified on the National Background Check Report. Upon request for employee records and the child care center staff schedule, the director identified staff with hire dates 06/15/09, 10/04/94 and 02/14/16 were no longer employed with the child care center; however, the staff were listed as current employees on KARES. In addition, staff with a hire date of 09/12/18 was observed in the classroom. Review of KARES revealed the staff person's "Employment Status" was pending.

Supervision

Not In Compliance

90 - Children Supervised

Not In Compliance

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

(3)(a) Each center shall maintain a child-care program that assures each child will be:

1. Provided with adequate supervision at all times by a qualified staff person who ensures the child is:

- a. Within scope of vision and range of voice; or**
- b. For a school-age child, within scope of vision or range of voice;**

Findings:

General: Based on observation and interview, the child care center failed to maintain adequate supervision in accordance with regulatory requirements. Observation of the playground revealed three (3) staff and thirty-one (31) children who played as a "group". The playground area was observed to be a "U" shaped format for play. Children were observed in areas of play, which were out of the scope of vision and possible range of voice of the staff who cared for them. A fourth teacher arrived shortly after the surveyor's entrance to the playground area. Interview with staff revealed the age of the children ranged from two (2) to three (3) years old. Further observation of the Two Year and Three Year classrooms at naptime, revealed children slept behind shelves and were out of the scope of vision of the staff who sat in chairs, as they each comforted other children to sleep. A child in the Two Year classroom was observed behind a shelf under a "Welcome" Pooh and Tigger Sign. Interview with staff revealed the children ranged in age from two (2) to three (3) years old. The child in the Three Year classroom was observed to sleep in the far upper left corner of the room, behind a shelf. Interview with staff revealed the children ranged in age from three (3) to four (4) years old.

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 outdoor play area revealed three (3) staff and thirty-one children. Interview with staff revealed the children ranged in age from two (2) to three (3) years old. A fourth staff person arrived to the playground shortly after the arrival of the surveyor. The children played as a group of thirty-one (31) which exceeded the maximum group size based on the youngest child in the group, who was identified as two-years-old. Interview with one (1) staff person revealed he/she cared for seventeen (17) three-year-olds for less than three (3) minutes until the second teacher arrived. The staff-to-child ratio was exceeded by seven (7) children. The maximum group size was exceeded by eleven (11) children.

General Administration

In Compliance

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 review of documentation and interview, the child care center director failed to assure compliance with regulatory requirements. Upon request, the child care center director failed to provide a current copy of the administrative regulations. The documents provided were printed on 08/25/14 which was before the amended regulations completed in 2018.	
Employee Records	Not In Compliance
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, the child care center director failed to provide documented evidence of a high school diploma, a general equivalency Diploma (GED), or qualifying documentation from a comparable educational entity for staff with a hire date of 05/21/18.	
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, the child care center failed to provide documented evidence of a current statement from a health professional that staff with hire dates 05/29/15, 02/13/14, 07/28/14, 11/19/92 and 10/03/01 are 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 review of documentation and interview, the child care center failed to maintain employee records in accordance with regulatory requirements. Upon request, the child care center director failed to provide written documentation that staff with hire dates 09/27/17, 02/13/14, 09/09/14, 10/03/01, 02/05/16, 03/21/17, 11/18/16, 10/19/15, and 12/15/15, completed fifteen (15) hours of cabinet-approved early care and education training during each subsequent year of employment. In addition, there was no documented evidence of the completion of six (6) hours of cabinet-approved orientation within the first three (3) months of employment for staff with hire dates of 05/21/18 and 09/27/17. Further review revealed staff with hire dates 09/27/17, 09/09/14 and 10/19/15 failed to provide written documentation of currently completed one and one-half (1 ½) hours of pediatric abusive head trauma (PAHT) training. Staff with a hire date of 10/19/15 and 09/09/14 completed PAHT more than five (5) years from the date of the certificate provided and is subjected to additional certification per regulatory requirement.	
Programming	In Compliance
Premises	In Compliance
Hygienic Practices	In Compliance
First Aid/Medication	In Compliance
Outdoor Play Area	In Compliance
Equipment	In Compliance
Transportation	Not Applicable
Food Service/Food Program	In Compliance
Food Service	In Compliance

Inspection Report		
Children's Records		Not In Compliance
1135 - Immunization		Not In Compliance
<p>922 KAR 2:090. Section 9. Records.</p> <p>(1) A child-care center shall maintain:</p> <p>(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;</p> <p>Findings:</p> <p>General: Based on review of documentation and interview, the child care center failed to maintain children's records in accordance with regulatory requirements. Upon request, the child care center director failed to provide documented evidence of a current immunization certificate from an approved source for a child with an enrollment date of 08/06/18. The document provided was prepared in the State of Indiana and did not provide an expiration date for immunizations.</p>		
Written Documentation		Not In Compliance
1150 - Evacuation Plan		Not In Compliance
<p>922 KAR 2:090. Section 5. Evacuation Plan.</p> <p>(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).</p> <p>Findings:</p> <p>General: Based on review of documentation and interview, the child care center failed to maintain written documentation in accordance with regulatory requirements. Upon request, the child care center director failed to provide written documentation of an 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, that had been submitted to the local emergency preparedness agency during the review period. The document provided was dated 11/14/16. Additional interview with the director revealed he/she had not submitted the written plan in the review period.</p>		
1155 - Policies and Procedures		Not In Compliance
<p>922 KAR 2:090. Section 8. General.</p> <p>(4) Program policies and procedures shall:</p> <p>(a) Be in writing; and</p> <p>(b) Include:</p> <ol style="list-style-type: none"> 1. Staff policies; 2. Job descriptions; 3. An organization chart; 4. Chain of command; and 5. Other procedures necessary to ensure implementation of: <ol style="list-style-type: none"> a. KRS 199.898, Rights for children in child-care programs and their parents, custodians, or guardians - posting and distribution requirements; b. 922 KAR 2:120, Child-care center health and safety standards; c. 922 KAR 2:280, Background checks for child care staff members, reporting requirements, and appeals; and d. This administrative regulation. <p>Findings:</p> <p>General: Based on review of documentation and interview, the child care center failed to maintain written documentation in accordance with regulatory requirements. Upon request, the child care center director failed to provide a current Chain of Command. The Chain of Command provided contained staff who were no longer employed with the child care center.</p>		
Posted Documentation		In Compliance
Animals		In Compliance

Signature of Provider/Representative

Title

Date