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**Adam Mather**  
INSPECTOR GENERAL

**Inspection Report**

|                                                                                      |                                       |                                        |
|--------------------------------------------------------------------------------------|---------------------------------------|----------------------------------------|
| <b>Provider Name:</b> Southside Christian Child Care #19                             | <b>Provider Information</b>           | <b>CLR No:</b> L383244                 |
| <b>Provider Address:</b> 1711 Cedar Grove Road, Suite #28, Shepherdsville, KY, 40165 | <b>Provider Type:</b> LICENSED TYPE I | <b>Capacity:</b> 210                   |
| <b>Owner(s):</b> Southside Christian Day Care, Inc.                                  |                                       | <b>Director(s):</b> Kelly, Margie Dean |

|                                           |                                           |                              |
|-------------------------------------------|-------------------------------------------|------------------------------|
| <b>Inspection Type:</b> Investigation     | <b>Inspection Information</b>             | <b>Inspection No:</b> 216443 |
| <b>Date Initiated:</b> 08/12/2016 1:10 PM | <b>Date Concluded:</b> 08/12/2016 4:15 PM |                              |
|                                           | <b>No. of Children Present:</b> 90        |                              |

| Inspection Report                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| Supervision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | In Compliance            |
| Staffing Requirements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | In Compliance            |
| General Administration                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Not In Compliance        |
| <b>100 - Plan of Correction/10 days</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Not In Compliance</b> |
| <b>922 KAR 2:090. Section 9. Statement of Deficiency and Corrective Action Plans.</b><br><b>(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 ten (10) calendar days of receipt of the statement of deficiency to eliminate or correct the regulatory violation.</b>                                                                                                                                                                                                                                                                                                                                     |                          |
| <b>Findings:</b><br>A PLAN OF CORRECTION WAS DUE ON 07 Oct 16 AND AS OF 07 Nov 16, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                          |
| Director Requirements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Not In Compliance        |
| <b>250 - Staff Management/Policy Development/Supervision</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>Not In Compliance</b> |
| <b>922 KAR 2:110. Section 4. Director Requirements and Responsibilities.</b><br><b>(1) Effective with the adoption of this administrative regulation, a director shall:</b><br><b>(e) Manage the staff in their individual job descriptions;</b><br><b>(f) Develop child-care center plans, policies, and procedures;</b><br><b>(g) Supervise staff conduct to ensure implementation of program policies and procedures;</b>                                                                                                                                                                                                                                                                                                                                          |                          |
| <b>Findings:</b><br>General: Based on Review of Documentation, and interview, the child care center director failed to assure compliance with regulatory requirements with regard to staff management, policy development and supervision. Review of Incident and Accident reports revealed numerous occasions of biting incidences in the Panda and Croc Toddler classrooms. Review of child care center "Biting" policy and procedures and interview with the child care center director revealed staff have not been following the center's Biting policy and have failed to provide care of children in the best interest of their health, safety and comfort. Exit interview with the child care center director revealed acknowledgement of deficient practice. |                          |

**265 - Health, Safety, Comfort**

**Not In Compliance**

**922 KAR 2:110. Section 4. Director Requirements and Responsibilities.**

**(1) Effective with the adoption of this administrative regulation, a director shall:**

**(l) Provide for the health, safety, and comfort of each child;**

**Findings:**

General: Based on Review of Documentation, and interview, the child care center director failed to assure compliance with regulatory requirements with regard to the health, safety and comfort of a child in care. Review of Incident and Accident Reports revealed numerous occurrences of children biting in the Croc and Panda Toddler classrooms. Interviews with staff revealed an inability to control the classrooms due to lack of planned program activities. Interviews also revealed the classrooms are very chaotic and children are sometimes hard to control.

**275 - Caregiver Alone**

**Not In Compliance**

**922 KAR 2:110. Section 4. Director Requirements and Responsibilities.**

**(1) Effective with the adoption of this administrative regulation, 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 Section 3(1)(e)6 of this administrative regulation;**

**Findings:**

General: Based on Observation, interview and record review, the child care center director failed to assure compliance with regulatory requirements with regard to children left alone with a caregiver who had not received results of completed background checks. Observation of the Preschool classroom on 08/12/16 at approximately 1:15 pm to 1:22 pm revealed one (1) staff and thirteen (13) preschoolers. Interview with staff revealed she was a new employee. Review of employee records revealed the child care center acknowledged the staff person with an official hire date of 08/15/16. In addition, review revealed a Child Abuse and Neglect (CA/N) check request was not submitted until 08/12/16 and the result was conducted on 08/17/16 as well as the Criminal Records Check from the Administrative Office of the Courts dated 08/18/16. Based on record review, staff was left alone to care for children without receipt of background checks by the child care center.

**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, interview and record review, the child care center failed to maintain employee records in accordance with regulatory requirements. Observation of the Preschool classroom on 08/12/16 at approximately 1:15 pm to 1:22 pm revealed one (1) staff and thirteen (13) preschoolers. Interview with staff revealed she was a new employee. Review of employee records revealed the child care center acknowledged the staff person with an official hire date of 08/15/16 which is contradictory to the observation made on 08/12/16. In addition, review revealed a Child Abuse and Neglect (CA/N) check request was not submitted until 08/12/16 and the result was conducted on 08/17/16 as well as the Criminal Records Check from the Administrative Office of the Courts dated 08/19/16. Based on record review, staff was left alone to care for children without receipt of background checks by the child care center.

**922 KAR 2:110. Section 3. 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. Written record of training participation to include:**
  - a. The training source;**
  - b. Location;**
  - c. Date; and**
  - d. Number of clock hours completed;**
- 5. Every two (2) years, a:**
  - a. Statement from a health professional that the individual is free of active tuberculosis; or**
  - b. Copy of negative tuberculin results; and**
- 6. For a director, employee, volunteer, or any person with supervisory or disciplinary control over, or having unsupervised contact with, a child in care, the results of a:**
  - a. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;**
  - b. Criminal records check required by KRS 199.896(19);**
  - c. Criminal records check from any previous state of residence completed once if:**
    - (i) The individual resided outside the state of Kentucky in the last five (5) years; and**
    - (ii) No criminal records check has been completed for the individual's previous state of residence; and**
  - d. An address check of the Sex Offender Registry;**

**Findings:**

General: Based on Observation, interview and record review, the child care center failed to maintain employee records in accordance with regulatory requirements. Observation of the Preschool classroom on 08/12/16 revealed staff present in the role of caregiver for children in the classroom. Interview with staff revealed she was a new employee. Record review revealed no documented evidence of employee records on 08/12/16. However, on 09/01/16 employee records were presented to the surveyor with an official hire date of 08/15/16, which was contradictory to the observation made by the surveyor on 08/12/16. Record review of 08/12/16 revealed the child care center failed to maintain employee record for staff as the documents were presented after the inspection of 08/12/16.

Signature of Provider/Representative

Title

Date