



Andy Beshear
GOVERNOR

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

Melissa A. Moore, Director
Division of Regulated Child Care
Eastern Branch
455 Park Place, Suite 120A
Lexington, KY 40511
Phone: (859) 246-2301 Fax: (859) 246-2307
<https://chfs.ky.gov/agencies/os/oig>

Eric Friedlander
SECRETARY

Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Childcare Network #258	Provider Information	CLR No: L383404
Provider Address: 1748 Alysheba Way, Lexington, KY, 40509	Provider Type: LICENSED TYPE I	Capacity: 200
Owner(s): Child Development Schools, Inc.		Director(s): Durrum, Shannon

Inspection Type: Investigation	Inspection Information	Inspection No: 216423
Date Initiated: 07/21/2016 10:03 AM	Date Concluded: 07/21/2016 12:00 PM	
	No. of Children Present: 107	

Inspection Report	
Supervision	Not In Compliance
5 - 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: a. Ensures the child is 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 Interview, it was found that on 7/20/16 at approximately 3:45 p.m. the staff person in charge observed a two (2) year old child standing on the sidewalk in the front of the facility. The staff person in charge alerted the assistant director who looked out the window and saw the child. The staff person in charge went outside and did not see a staff person or other children. However, the child's mother had just pulled into a parking space that was in front of the building where the staff person in charge saw the child. The staff person in charge went down the sidewalk approximately 100 feet and met the child's teacher as she came around the corner where nine (9) additional two (2) year old children were playing with sidewalk chalk outside the playground fence by the dumpster. The staff person in charge stated that the staff person said, "I guess she saw her mother". A review of the child's file found a section on the enrollment application asking if the child has permission to participate in activities outside of the fenced area. The child's parent had marked the area that states the child does not have permission to play in the area outside of the fence. This was dated 5/11/15. A phone interview was conducted with the individual responsible for the child at the time of the incident, found that it was approximately 3:30 p.m. when she took nine (9) two (2) year old children outside. She took one (1) child back to the side classroom door and gave him to the teacher inside and got two (2) other children giving her ten (10) children. The mother of the child who was found stated during a phone interview that her child was more than halfway down the side walk almost to the front door when she pulled into the parking lot. The mother stated she heard the staff person calling her daughter's name. The staff person then came around the corner from the back of the building and saw she had her child then turned and went back around the corner of the building.	
Staffing Requirements	In Compliance

Inspection Report	
Director Requirements	Not In Compliance
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 Interview, it was found that on 7/20/16 at approximately 3:45 p.m. the staff person in charge observed a two (2) year old child standing on the sidewalk in the front of the facility. The staff person in charge alerted the assistant director who looked out the window and saw the child. The staff person in charge went outside and did not see a staff person or other children. However, the child's mother had just pulled into a parking space that was in front of the building where the staff person in charge saw the child. The staff person in charge went down the sidewalk approximately 100 feet and met the child's teacher as she came around the corner where nine (9) additional two (2) year old children were playing with sidewalk chalk outside the playground fence by the dumpster. The staff person in charge stated that the staff person said, "I guess she saw her mother". A phone interview was conducted with the staff responsible for supervising the child at the time of the incident, found that it was approximately 3:30 p.m. when she took nine (9) two (2) year old children outside. She took one (1) child back to the side classroom door and gave him to the teacher inside and got two (2) other children giving her ten (10) children. The mother of the child who was found stated during a phone interview that her child was more than halfway down the side walk almost to the front door when she pulled into the parking lot. The mother stated she heard the staff person calling her daughter's name. The staff person then came around the corner from the back of the building and saw she had her child then turned and went back around the corner of the building.	
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 Review of Documentation, it was found that a staff person hired 3/7/16 had lived in the state of Indiana within the last five (5) years. An interview with the staff person in charge found that this staff person had been outside the fenced playground with a group of ten (10) two (2) year old children by herself on 7/20/16. A further review of records found that an application for a criminal records check from the state of Indiana had not been submitted. The staff person in charge indicated that this staff person had been notified at 6:15 p.m. on 7/20/16 that she was no longer employed at the facility. During a phone interview conducted on 7/21/16 with this former staff person it was confirmed that she had taken a group of nine (9) two (2) year old children outside of the fenced playground alone. She then took one (1) child back to the room and got two (2) different children giving her a total of ten (10) two (2) year olds outside of the fenced area.	
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 Review of Documentation, it was found that a staff person hired 3/7/16 had lived in the state of Indiana within the last five (5) years. An interview with the staff person in charge found that this staff person had been outside the fenced playground with a group of ten (10) two (2) year old children by herself on 7/20/16. A further review of records found that an application for a criminal records check from the state of Indiana had not been submitted. The staff person in charge indicated that this staff person had been notified at 6:15 p.m. on 7/20/16 that she was no longer employed at the facility. During a phone interview conducted on 7/21/16 with this former staff person it was confirmed that she had taken a group of nine (9) two (2) year old children outside of the fenced playground alone. She then took one (1) child back to the room and got two (2) different children giving her a total of ten (10) two (2) year olds outside of the fenced area.	
Programming	Not In Compliance
410 - Infant/Toddler Combined with Older Children	Not In Compliance
922 KAR 2:120. Section 5. Infant and Toddler Play Requirements. (2) Except in accordance with subsection (3) of this section, an infant or toddler shall participate in an activity with an older child for no more than one (1) hour per day.	
Findings: General: Based on Observation, during a tour of the facility which was taken upon arrival there were ten (10) children ages twenty-one (21) months to two (2) years old with two (2) staff. An interview with the staff person in charge found that only one (1) of the children was two (2) years old and had just turned two (2) recently. The staff person in charge also indicated that the child stays in the room all day.	

Inspection Report**Children's Records****Not In Compliance****1080 - Documentation for Off Premise Trip****Not In Compliance****922 KAR 2:110. Section 3. Records.****(1) A child-care center shall maintain:****(b) A written record for each child:****3. To contain:****g. A permission form for each trip off the premises signed by the child's parent in accordance with 922 KAR 2:120, Section 12;****Findings:**

General: Based on Interview, it was found that on 7/20/16 at approximately 3:45 p.m. the staff person in charge observed a two (2) year old child standing on the sidewalk in the front of the facility. The staff person in charge went down the sidewalk approximately 100 feet and met the child's teacher as she came around the corner where nine (9) additional two (2) year old children were playing with sidewalk chalk outside the playground fence by the dumpster. A review of the child's file found a section on the enrollment application asking if the child has permission to participate in activities outside of the fenced area. The child's parent had marked the area that states the child does not have permission to play in the area outside of the fence. This was dated 5/11/15.

Signature of Provider/Representative

Title

Date