



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: Renewal Application	Inspection Information	Inspection No: 216473
Date Initiated: 09/13/2016 9:25 AM	Date Concluded: 09/13/2016 11:45 AM	
	No. of Children Present: 107	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	In Compliance
Director Requirements	Not In Compliance

260 - Staff Evaluation	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: (j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;	
Findings: General: Based on Review of Documentation, eleven (11) of the twelve (12) staff eligible for an annual evaluation did not have evidence of an annual evaluation on file in the facility.	

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 Observation, there were outlets missing the protective covers in the Green Room, Purple Room and in the Blue Room. Also, in the Green Room the cord for the radio was hanging within reach of the children and could have been pulled down by the children.	

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: Based on observation a staff person with a hire date of 6/13/16 was working alone in one of the infant rooms. The results of their CAN check was not in their personnel file.	

Inspection Report**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, 1. Staff person hired 6/13/16 did not have the results of a CA/N check on file in the facility. The staff person was observed alone supervising children in the Infant classroom. 2. Staff person hired 5/10/16 did not have the results of or evidence of the application for a criminal background check on file in the facility. The staff person was not alone with children at the time of the survey.

315 - Educational Requirements**Not In Compliance****922 KAR 2:110. Section 5. 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, it was determined that a staff persons hired 8/8/16, 8/3/16 and 7/28/16 did not have evidence of the required education on file in the facility.

320 - TB Verification**Not In Compliance****922 KAR 2:110. Section 5. 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, ten (10) of the twenty-nine (29) staff files presented for review did not have documentation of negative T.B. results on file in the facility that had been obtained within the past two (2) years. Of those ten (10) files, three (3) had results dated 2/23/14, 3/3/14 and 2/12/14. The other seven (7) files did not contain any documentation of negative T.B. results.

340 - Training**Not In Compliance****922 KAR 2:110. Section 5. Staff Requirements.****(14) 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 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 pediatric abusive head trauma training completed once every five (5) years.****Findings:**

General: Based on Review of Documentation, 1. It was determined that ten (10) out of thirteen (13) staff did not have evidence of fifteen (15) hours of annual training on file for the last full year of employment. A review of ECE-TRIS records supports the information found during the survey. 2. Staff persons hired 8/31/15 and 7/14/15 did not have evidence of completing the Pediatric Abusive Head Trauma training within the first year of employment. A review of ECE-TRIS records supports the information found during the survey. 3. Staff persons hired 11/19/15 and 5/10/16 did not have evidence of completing the required orientation training. A review of ECE-TRIS records supports the information found during the survey. 4. Six (6) staff persons, all hired 7/14/15, did not have evidence of completing the required orientation training in the first three (3) months of employment. The certificates for these staff were all dated 11/11/15. Also, a staff person hire 11/30/15 had a certificate dated 4/25/16. A review of ECE-TRIS records supports the information found during the survey.

345 - Driver Requirements

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(18) A driver of a vehicle transporting a child for a center shall:

- (a) Be at least twenty-one (21) years old;**
- (b) Complete:**
 - 1. The background checks as described in 922 KAR 2:110; and**
 - 2. An annual check of the:**
 - a. Kentucky driver history records in accordance with KRS 186.018; or**
 - b. Driver history records through the state transportation agency that issued the driver's license;**
- (c) Hold a current driver's license which has not been suspended or revoked during the last five (5) years; and**
- (d) Not caused an accident which resulted in the death of a person.**

Findings:

General: Based on Review of Documentation, one (1) of the staff designated as a van driver for the facility did not have evidence of an annual driving record on file in the facility. The record on file was dated 7/13/15.

Programming

In Compliance

Premises

Not In Compliance

460 - Inaccessible Items

Not In Compliance

922 KAR 2:120. Section 3. General Requirements.

(7) Except in accordance with subsection (8) of this section, the following shall be inaccessible to a child in care:

- (a) Toxic cleaning supplies, poisons, and insecticides;**
- (b) Knives and sharp objects;**
- (c) Matches, cigarettes, lighters, and flammable liquids;**
- (d) Plastic bags;**
- (e) Litter and rubbish;**
- (f) Bar soap; and**
- (g) Personal belongings and medications of staff.**

Findings:

General: Based on Observation, there was a bottle of cleaning solution on the end of the diaper changing table. The bottle was within reach of the children who were being changed.

520 - 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, large areas of chipped paint on the walls were observed in the following rooms; Infant Room 1, Infant Room 2, Red Room (both sides), Yellow Room, and the Orange Room. There was paint on the wall in the Purple Room. Also, in the Orange Room the sink in the bathroom was pulled away from the wall which left a large crack between the wall and the sink. Additionally, in Infant Room 2, there was black residue on the wall behind the trash can as you enter the room.

Hygienic Practices

In Compliance

First Aid/Medication

Not In Compliance

670 - Medication

Not In Compliance

922 KAR 2:120. Section 7. First Aid and Medicine.

(6) Medication, including refrigerated medication, shall be:

- (a) Stored in a separate and locked place, out of the reach of a child;**
- (b) Kept in the original bottle; and**
- (c) Properly labeled.**

(7) Medication shall not be given to a child if the expiration date on the bottle has passed.

Findings:

General: Based on Observation, there were medications such as diaper cream in a basket under the diaper changing table. The cabinet where those were stored was unlocked and accessible to the children.

Outdoor Play Area

Not In Compliance

685 - Playground Clean

Not In Compliance

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

(20) An outdoor play area shall be:

- (c) Free from:**
 - 1. Litter;**
 - 2. Glass;**
 - 3. Rubbish; and**
 - 4. Flammable materials;**

Findings:

General: Based on Observation, there were several pieces of a plastic container scattered in the play area. All of the pieces contained sharp edges and were accessible to the children on the playground.

Inspection Report	
Equipment	Not In Compliance
755 - Toys/Equipment/Furniture	Not In Compliance
922 KAR 2:120. Section 11. Toys and Furnishings. (1) All toys, equipment, and furniture contacted by a child shall be: (a) Kept clean and in good repair; and (b) Free of peeling, flaking, or chalking paint.	
Findings: General: Based on Observation, an orange chair in the Orange Room contained several tears along the bottom cushion and on the back of the cushion.	
Transportation	Not In Compliance
785 - Requirements for Transportation Services	Not In Compliance
922 KAR 2:120. Section 12. Transportation. (2) A center providing or arranging transportation service shall: (a) Be licensed and approved by the cabinet or its designee prior to transporting a child; (b) Have a written plan that details the type of transportation, staff schedule, transportation schedule, and transportation route; and (c) Have written policies and procedures, including emergency procedures practiced monthly by staff who transports children.	
Findings: General: Based on Review of Documentation, there were no transportation routes included in the paperwork for the field trips taken during the summer. Additionally, there were no emergency drills practiced in the 2005 Chevy van for the months of July and August. There were no emergency drills practiced in the 2004 Chevy van for January, March, April, May, June, July and August of 2016.	
820 - Vehicle Equipment	Not In Compliance
922 KAR 2:120. Section 12. Transportation. (4) A vehicle used to transport children shall be equipped with: (a) A fire extinguisher; (b) First aid supplies as described in Section 7 of this administrative regulation; (c) Emergency reflective triangles; and (d) A device to cut the restraint system, if necessary.	
Findings: General: Based on Observation, the first aid kit in the 2005 Chevy van did not contain a CPR mask, cold pack, thermometer, or a flashlight. Additionally, there was no seat belt cutting device in the vehicle either.	
830 - Vehicle Inspection Documentation	Not In Compliance
922 KAR 2:120. Section 12. Transportation. (6) A vehicle used to transport children shall meet the following requirements: (a) A twelve (12) or more passenger vehicle shall display a current certification of inspection from the Transportation Cabinet on the designated window.	
Findings: General: Based on Review of Documentation, there was no proof of a current inspection having been conducted on the the 2004 Chevy van.	
900 - Children's Transportation Records	Not In Compliance
922 KAR 2:120. Section 12. Transportation. (17) Transportation services provided shall: (a) Be recorded in writing and include: 1. The first and last name of the child transported; and 2. The time each child gets on and the time each child gets off; (b) Be completed by a staff member other than the driver; and (c) Be kept for five (5) years.	
Findings: General: Based on Review of Documentation, there were no records for the children being transported on the field trips that were taken during the summer. The staff person in charge was able to recall five of the field trips that had been taken but was unable to locate the sign in/off sheets for those trips.	
Food Service	In Compliance

Inspection Report**Children's Records****Not In Compliance****1075 - Enrollment Information****Not In Compliance****922 KAR 2:110. Section 3. Records.****(1) A child-care center shall maintain:****(b) A written record for each child:**

- 1. Completed and signed by the child's parent;**
- 2. Retained on file on the first day the child attends the child-care center; and**
- 3. To contain:**
 - a. Identifying information about the child, which includes, at minimum, the child's name, address, and date of birth;**
 - b. Contact information to enable a person in charge to contact the child's:**
 - (i) Parent at the parent's home or place of employment;**
 - (ii) Family physician; and**
 - (iii) Preferred hospital;**
 - c. The name of each person who is designated in writing to pick-up the child;**
 - d. The child's general health status and medical history including, if applicable:**
 - (i) Allergies;**
 - (ii) Restriction on the child's participation in activities with specific instructions from the child's parent or health professional; and**
 - (iii) Permission from the parent for third-party professional services in the child-care center;**
 - e. The name and phone number of each person to be contacted in an emergency situation involving or impacting the child;**
 - f. Authorization by the parent for the child-care center to seek emergency medical care for the child in the parent's absence;**

Findings:

General: Based on Review of Documentation, one (1) out of the ten (10) children's files presented for review did not have documentation of a preferred hospital listed by the parent.

Written Documentation**Not In Compliance****1085 - 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.

Findings:

General: Based on Review of Documentation, the emergency preparedness plan had not been submitted for 2016. The last date for submission was for June 2015. The staff person in charge stated that she was not aware that the plan needed to be submitted annually.

1095 - Daily Attendance Records**Not In Compliance****922 KAR 2:110. Section 3. Records.****(1) A child-care center shall maintain:**

(c) Daily attendance records documenting the arrival and departure time of each child, including records that are required in accordance with 922 KAR 2:160, Section 13, if a child receives services from the child-care center through the Child Care Assistance Program;

Findings:

General: Based on Review of Documentation, the attendance forms required for the Child Care Assistance Program had not been signed by the parents for the month of August. Also, this survey was conducted on 9/13/16 and only the first two days of September had been filled out with arrival and dismissal times for these same forms, with no signatures from the parents. The staff person in charge stated that she has a hard time getting the parent's signatures on a weekly basis and usually fills them out at the end of each month.

1105 - Professional Development**Not In Compliance****922 KAR 2:110. Section 3. Records.****(1) A child-care center shall maintain:**

(f) A written annual plan for child-care staff professional development;

Findings:

General: Based on Review of Documentation, none of the thirteen (13) staff that had been employed for more than one (1) year had evidence of a professional development plan on file in the facility.

1115 - Earthquake/Tornado Drills**Not In Compliance****922 KAR 2:110. Section 3. Records.****(1) A child-care center shall maintain:**

(h) A written record of quarterly practiced earthquake drills and tornado drills detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;

Findings:

General: Based on Review of Documentation, there was no written record of any tornado/earthquake drills conducted for 2016. The staff person in charge stated she knew they had done some, but they must not have written the dates down.

Inspection Report

1120 - Fire Drills

Not In Compliance

922 KAR 2:110. Section 3. Records.

(1) A child-care center shall maintain:

(i) A written record of practiced fire drills conducted monthly detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;

Findings:

General: Based on Review of Documentation, there was no written record of a fire drill having been practiced in February 2016. Also, the other drills that had been done for 2016 did not have the names of the children that were present for those drills.

Posted Documentation

Not In Compliance

1165 - Daily Activities

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:

(h) Post a schedule of daily activities, to include dates and times of activities to be conducted with the children in each classroom;

Findings:

General: Based on Observation, the daily activities sheets in Infant Rooms 3 and 4, the Orange Room and in the Yellow Room, were not dated for the current week. Additionally, there was no lesson plan posted in Infant Room 1.

Animals

In Compliance

Signature of Provider/Representative

Title

Date