



**Andy Beshear**  
GOVERNOR

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

**Eric Friedlander**  
SECRETARY

**Melissa A. Moore, Director**  
Division of Regulated Child Care  
Eastern Branch  
455 Park Place, Suite 120A  
Lexington, KY 40511

**Adam Mather**  
INSPECTOR GENERAL

Phone: (859) 246-2301 Fax: (859) 246-2307  
<https://chfs.ky.gov/agencies/os/oig>

**Inspection Report**

<b>Provider Name:</b> Tygart Creek Childcare Program	<b>Provider Information</b>	<b>CLR No:</b> L384087
<b>Provider Address:</b> 19743 West Highway 60, Olive Hill, KY, 41164	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 20
<b>Owner(s):</b> Carter County Schools		<b>Director(s):</b> Wright, Nellie

<b>Inspection Type:</b> Initial Application	<b>Inspection Information</b>	<b>Inspection No:</b> 304224
<b>Date Initiated:</b> 08/21/2020 10:38 AM	<b>Date Concluded:</b> 08/21/2020 12:41 PM	
	<b>No. of Children Present:</b>	

Inspection Report	
<b>Background Checks</b>	<b>Not In Compliance</b>
<b>5 - Background check/left alone/dismissed/relocated</b>	<b>Not In Compliance</b>

**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 and review of documentation, the applications for a child abuse and neglect (CAN) check for staff who will be working with the children were submitted on 8/19/2020. The applications for the criminal records checks for the same staff were submitted on 8/18/2020. As of 8/21/2020, these results have not been received. Therefore, there are no staff currently qualified staff or able to be left alone with the children.

<b>Supervision</b>	<b>In Compliance</b>
<b>Staffing Requirements</b>	<b>Discussed</b>
<b>General Administration</b>	<b>In Compliance</b>
<b>Director Requirements</b>	<b>In Compliance</b>
<b>Employee Records</b>	<b>Not In Compliance</b>

<b>390 - Educational Requirements</b>	<b>Not In Compliance</b>
---------------------------------------	--------------------------

**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, it was found that two of the regular staff and one substitute staff person did not have a copy of a high school diploma, GED or other qualifying documentation on file at the time of the initial inspection.

**400 - CPR/First Aid Coverage**

**Not In Compliance**

**922 KAR 2:090. Section 11. Staff Requirements.**

**(3) For a child-care center licensed for infant, toddler, or preschool-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:**

- (a) Infant and child cardiopulmonary resuscitation; and**
- (b) Infant and child first aid.**

**(4) For a child-care center licensed for school-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:**

- (a) Adult cardiopulmonary resuscitation; and**
- (b) First aid.**

**Findings:**

General: Based on review of documentation, it was found there was one staff person who is currently certified in infant, child and adult CPR. It could not be verified at the time of the initial inspection there is a staff person who is currently certified in first aid.

**Programming**

**Not In Compliance**

**420 - Program of Activities Followed**

**Not In Compliance**

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

**(4) The child-care center shall provide a daily planned program:**

- (a) Posted in writing in a conspicuous location with each age group and followed;**
- (b) Of activities that are individualized and developmentally appropriate for each child served;**
- (c) That provides experience to promote the individual child's physical, emotional, social, and intellectual growth and well-being; and**
- (d) Unless the child-care center is a before- or after-school program that operates part day or less, that offers a variety of creative activities including:**

- 1. Art or music;**
- 2. Math or numbers;**
- 3. Dramatic play;**
- 4. Stories and books;**
- 5. Science or nature;**
- 6. Block building or stacking;**
- 7. Tactile or sensory activity;**
- 8. Multi-cultural exposure;**
- 9. Indoor or outdoor play in which a child makes use of both small and large muscles;**
- 10. A balance of active and quiet play, including group and individual activity;**
- 11. An opportunity for a child to:**
  - a. Have some free choice of activities;**
  - b. If desired, play apart from the group at times;**

**Findings:**

General: Based on observation and interview, at the time of the initial inspection it was found that the daily planned program of activities was not posted. At the time of the initial inspection a lesson plan was found in a binder that contained various documents needed for the licensing purposes but the information was not available for public view.

**Premises**

**In Compliance**

**Hygienic Practices**

**Discussed**

**First Aid/Medication**

**In Compliance**

**Outdoor Play Area**

**In Compliance**

**Equipment**

**Not In Compliance**

**795 - Individual Bed/Mat/Cot and Bedding**

**Not In Compliance**

**922 KAR 2:120. Section 6. Sleeping and Napping Requirements.**

**(3) Rest time shall include adequate space specified by the child's age as follows:**

- (b) For a toddler or preschool-age child:**
  - 1. An individual bed, a two (2) inch thick waterproof mat, or cot in good repair; and**
  - 2. Bedding that is in good repair and is changed:**
    - a. Weekly; or**
    - b. Immediately if it is soiled or wet.**

**Findings:**

General: Based on observation, during the initial inspection it was found that the mats intended to be used for napping were one inch thick. This was verified by the surveyor by the use of a tape measure. The regulation requires that mats used for napping be at least two inches thick.

**Transportation**

**Not Applicable**

**Food Service/Food Program**

**In Compliance**

**Inspection Report**

**Food Service**

**Not In Compliance**

**1130 - Menu**

**Not In Compliance**

**922 KAR 2:120. Section 9. Food and Meal Requirements.**

**(16) A weekly menu shall be:**

- (a) Prepared;**
- (b) Dated;**
- (c) Posted in advance in a conspicuous place;**
- (d) Kept on file for thirty (30) days; and**
- (e) Amended in writing with any substitutions on the day the meal is served.**

**Findings:**

General: Based on observation, it was found that a menu that contained what would be served for breakfast, lunch and snack was not posted.

**Children's Records**

**Discussed**

**Written Documentation**

**In Compliance**

**Posted Documentation**

**Not In Compliance**

**1210 - Disaster Course of Action**

**Not In Compliance**

**922 KAR 2:090. Section 9. Records.**

**(1) A child-care center shall maintain:**

- (j) A written plan and diagram outlining the course of action in the event of a natural or manmade disaster, posted in a prominent place;**

**Findings:**

General: Based on observation, it was found that a diagram outlining the course of action to be taken in the event of a fire, tornado and earthquake was available. However, there was not a written plan posted along with the diagram outlining the course of action to be taken for each of these. A copy of this information was found in a binder along with other licensing documents.

**1215 - Daily Activities**

**Not In Compliance**

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

**(1) 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, there was not a schedule of daily activities posted that included dates and times of activities to be conducted with the children in each classroom. At the time of the initial inspection a copy of the daily schedule was in a binder along with other documents required for licensing purposes.

**Animals**

**In Compliance**

**Emergency Regulation**

**In Compliance**

Signature of Provider/Representative

Title

Date