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Inspection Report

Provider Name: Owensboro Family YMCA Afterschool	Provider Information	CLR No: L353890
Provider Address: 900 Kentucky Parkway, Owensboro, KY, 42301	Provider Type: LICENSED TYPE I	Capacity: 99
Owner(s): Family Y Of Owensboro-daviess County, Inc.		Director(s): Weatherford, Marcus

Inspection Type: Renewal Application	Inspection Information	Inspection No: 291966
Date Initiated: 10/29/2019 3:02 PM	Date Concluded: 10/29/2019 6:30 PM	
	No. of Children Present: 31	

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>	
Findings:	
General: Based on a review of documentation and interview, six (6) staff members hired 10/27/19, 08/31/19, 08/30/19, 05/10/19, 06/20/19 and 07/31/19 did not have proof of final determination from the National Background Check Program (NBCP) on file.	
Supervision	In Compliance

Inspection Report

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, on 10/29/19, three (3) staff members supervised thirty-one (31) children, ages five-years-old through eleven-years-old, on the outdoor playground. The center exceeded the maximum group size allowed.

General Administration

Not In Compliance

180 - Plan of Correction/15 days

Not In Compliance

922 KAR 2:090. Section 14. Statement of Deficiency and Corrective Action Plans.

(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 fifteen (15) calendar days of the date of the statement of deficiency to eliminate or correct the regulatory violation.

Findings:

A PLAN OF CORRECTION WAS DUE ON 01/14/2020 AND AS OF 01/22/2020, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.

290 - Fire Marshal/Zoning Compliance

Not In Compliance

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

(2) A child-care center shall be in compliance with the State Fire Marshal and the local zoning laws.

Findings:

General: Based on interview, the State Fire Marshal's report, showing the center was in compliance, was not available for review.

Director Requirements

Not In Compliance

340 - Staff Meeting

Not In Compliance

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

(1) A director shall:

- (i) Conduct, manage, and document in writing recurring staff meetings;**

Findings:

General: Based on interview, there was no documentation of a minimum of two (2) staff meetings.

345 - Staff Evaluation

Not In Compliance

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

(1) 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 record review, a staff member, hired on 11/09/18, did not have an evaluation on file.

Inspection Report

350 - Health, Safety, Comfort

Not In Compliance

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

- (1) A director shall:
 - (l) Assure the health, safety, and comfort of each child;

Findings:

General: Based on observation and interview, five (5) children present on 10/29/19, did not have an enrollment form on file to enable the person in charge to contact the child's parents or physician in case of an emergency.

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 a review of documentation and interview, four (4) staff members hired on 10/27/19, 05/10/19, 06/20/19, 07/31/19, and two (2) caregivers hired on 08/31/19, did not have documentation of their education on file.

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 observation, review of documentation, and interview, four (4) staff members hired on 10/27/19, 05/10/19, 06/20/19, 07/31/19, and two (2) hired 08/31/19, had no TB documentation on file.

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 a review of documentation and interview, three (3) staff members hired on 8/16/18, 09/26/18, and 11/09/18 had not completed the fifteen (15) hours of cabinet-approved early care and education training, to include one and one half (1 ½) hours of cabinet-approved Pediatric Abusive Head Trauma Training. A staff member hired 05/16/16, lacked fifteen (15) hours of cabinet-approved early care and education training during their subsequent year of employment. Two (2) staff members hired on 05/10/19, and 06/20/19 had not completed the six (6) hours orientation training.

415 - 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 2:280; 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 interview and review of documentation, five (5) staff members, hired on 07/10/19, 05/16/16, 11/09/18, 08/16/18, and 09/26/18 to drive vehicles to transport children, did not have their driver's history record on file.

Programming

In Compliance

Premises

In Compliance

Hygienic Practices

In Compliance

Inspection Report

First Aid/Medication

Not In Compliance

715 - First Aid Supplies

Not In Compliance

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

- (1) First aid supplies shall:**
 - (a) Be available to provide prompt and proper first aid treatment;**
 - (b) Be stored out of reach of a child;**
 - (c) Be periodically inventoried to ensure the supplies have not expired;**
 - (d) If reusable, be:**
 - 1. Sanitized; and**
 - 2. Maintained in a sanitary manner; and**
 - (e) Include:**
 - 1. Liquid soap;**
 - 2. Adhesive bandages;**
 - 3. Sterile gauze;**
 - 4. Medical tape;**
 - 5. Scissors;**
 - 6. A thermometer;**
 - 7. Flashlight;**
 - 8. Cold pack;**
 - 9. First aid book;**
 - 10. Disposable gloves; and**
 - 11. A cardiopulmonary resuscitation mouthpiece protector.**

Findings:

General: Based on observation and interview, a CPR mouthpiece was not available in the first aid supplies .

Outdoor Play Area

In Compliance

Equipment

Not In Compliance

820 - Indoor/Outdoor Equipment

Not In Compliance

922 KAR 2:120. Section 11. Toys and Furnishings.

- (2) Indoor and outdoor equipment shall:**
 - (a) Be clean, safe, and in good repair;**
 - (b) Meet the physical, developmental needs, and interests of children of different age groups;**
 - (c) Be free from sharp points or corners, splinters, protruding nails or bolts, loose or rusty parts, hazardous small parts, lead-based paint, poisonous material, and flaking or chalking paint; and**
 - (d) Be designed to guard against entrapment or situations that may cause strangulation.**

Findings:

General: Based on observation and interview, the 1999 Chevrolet Express van's carpet was torn and covered with candy wrappings, wadded paper and crayons. On the 2008 Chevrolet Express van, the door handle on the middle passenger entrance was broke and partially missing. The passenger side front door handle was loose and the 2nd row seat was torn, which exposed the seat's foam in several areas. The van's floor contained candy wrappings, candy and wadded papers.

Transportation

Not In Compliance

845 - 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, the center failed to maintain a written plan that details the type of transportation, staff schedule, transportation schedule and transportation route.

880 - 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 established 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, a cutting device was not available in the 1999 Chevrolet Express and the 2008 Chevrolet Express Van.

890 - Vehicle Inspection Documentation

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(6) A vehicle used to transport children shall comply with the requirements established in paragraphs (a) through (d) of this subsection.

(a) For a twelve (12) or more passenger vehicle, the child-care center shall maintain a current certification of inspection from the Transportation Cabinet.

Findings:

General: Based on interview the vehicle inspection documentation for the 2008 Chevrolet Van was not available.

915 - Pre-trip Inspection

Not In Compliance

922 KAR 2:120. Section 12. Transportation.

(8) A daily inspection of the vehicle shall be performed prior to the vehicle's use and documented for:

- (a) Tire inflation consistent with tire manufacturer's recommended air pressure;
- (b) Working lights, signals, mirrors, gauges, and wiper blades;
- (c) Working safety restraints;
- (d) Adequate fuel level; and
- (e) Cleanliness and good repair.

Findings:

General: Based on interview, the center transported children daily but did not complete daily van inspections.

960 - 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 interview, the transportation documentation was not available for the 1999 and 2008 Chevrolet Vans, detailing the first and last name of each child being transported. Documentation would include the time each child got on and the time each child got off the van.

Food Service/Food Program

In Compliance

Food Service

In Compliance

Children's Records

Not In Compliance

1135 - Immunization

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

(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;

Findings:

General: Based on review of documentation and interview, two (2) children, both enrolled 08/05/19, had immunization certificates which were valid until 09/05/19.

1140 - Enrollment Information

Not In Compliance

922 KAR 2:090. Section 9. 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 a 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 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 and interview, a child enrolled 010/21/19, a child enrolled 08/07/19, and two (2) children enrolled 08/05/19, did not have a preferred hospital listed on their enrollment form. A child enrolled 10/21/19, contact information did not include the phone number of the child's physician on the enrollment form. Five (5) children present on 10/29/19, did not have enrollment information on file.

Inspection Report

Written Documentation

Not In Compliance

1155 - Policies and Procedures

Not In Compliance

922 KAR 2:090. Section 8. General.

(4) Program policies and procedures shall:

(a) Be in writing; and

(b) Include:

1. Staff policies;

2. Job descriptions;

3. An organization chart;

4. Chain of command; and

5. Other procedures necessary to ensure implementation of:

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.

Findings:

General: Based on a review of documentation and interview, the center's written policies and procedures were not available for review.

1160 - Daily Attendance Records

Not In Compliance

922 KAR 2:090. Section 9. 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 and interview, thirty-one (31) children were present on 10/29/19 and twenty-six (26) had a documented arrival time.

1165 - Staff Schedule

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

(d) A written schedule of staff working hours;

Findings:

General: Based on review of documentation, and interview, the center did not have a written schedule of staff working hours.

1170 - Professional Development

Not In Compliance

922 KAR 2:090. Section 9. 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, a staff member hired on 08/05/18, did not have a professional development plan on file.

1195 - Fire Drills

Not In Compliance

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

(12) A fire drill shall be:

(a) Conducted during hours of operation at least monthly; and

(b) Documented.

(13) An earthquake drill and a tornado drill shall be:

(a) Conducted during hours of operation at least quarterly; and

(b) Documented.

Findings:

General: Based on review of documentation and interview, a fire drill was not conducted for August 2019 or September 2019.

Inspection Report

Posted Documentation

Not In Compliance

1200 - Posting Requirements

Not In Compliance

922 KAR 2:090. Section 8. General.

(6) In addition to the posting requirement of KRS 199.898(3), a child-care center shall post the following in a conspicuous place and make available for public inspection:

- (a) The provider's preliminary or regular license;**
- (b) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;**
- (c) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;**
- (d) Information on the Kentucky Consumer Product Safety Program and the program's Website as specified in KRS 199.897;**
- (e) A description of services provided by the child-care center, including:**
 - 1. Current rates for child care; and**
 - 2. Each service charged separately and in addition to the basic rate for child care;**
- (f) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and**
- (g) Daily planned program.**

Findings:

General: Based on observation and interview, written chain of command and current rates for child care were not posted.

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 and interview, the schedule of daily activities was not posted.

Animals

Not Applicable

Signature of Provider/Representative

Title

Date