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GOVERNOR

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

**Inspection Report**

|                                                                       |                                       |                                       |
|-----------------------------------------------------------------------|---------------------------------------|---------------------------------------|
| <b>Provider Name:</b> Settle Memorial Preschool                       | <b>Provider Information</b>           | <b>CLR No:</b> L354025                |
| <b>Provider Address:</b> 201 East Fourth Street, Owensboro, KY, 42303 | <b>Provider Type:</b> LICENSED TYPE I | <b>Capacity:</b> 130                  |
| <b>Owner(s):</b> Settle Memorial United Methodist Church              |                                       | <b>Director(s):</b> Poirier, Lisa Ann |

|                                             |                                            |                              |
|---------------------------------------------|--------------------------------------------|------------------------------|
| <b>Inspection Type:</b> Renewal Application | <b>Inspection Information</b>              | <b>Inspection No:</b> 292354 |
| <b>Date Initiated:</b> 01/17/2020 10:55 AM  | <b>Date Concluded:</b> 01/17/2020 11:45 AM |                              |
|                                             | <b>No. of Children Present:</b> 64         |                              |

| Inspection Report                                                                                                                                                                                                                                                                        |                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| <b>Background Checks</b>                                                                                                                                                                                                                                                                 | <b>In Compliance</b>     |
| <b>Supervision</b>                                                                                                                                                                                                                                                                       | <b>In Compliance</b>     |
| <b>Staffing Requirements</b>                                                                                                                                                                                                                                                             | <b>In Compliance</b>     |
| <b>General Administration</b>                                                                                                                                                                                                                                                            | <b>Not In Compliance</b> |
| <b>140 - Zoning</b>                                                                                                                                                                                                                                                                      | <b>Not In Compliance</b> |
| <b>922 KAR 2:090. Section 6. License Issuance.</b><br><b>(8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:</b><br><b>(a) Provide written documentation from the local authority showing compliance with local zoning requirements;</b> |                          |
| <b>Findings:</b><br>General: Based on interview, written zoning documentation was not available for review on 1/17/20. Interview determined the file was locked and the key was not at the center.                                                                                       |                          |
| <b>145 - Fire Marshal</b>                                                                                                                                                                                                                                                                | <b>Not In Compliance</b> |
| <b>922 KAR 2:090. Section 6. License Issuance.</b><br><b>(8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:</b><br><b>(b) Be approved by the Office of the State Fire Marshal or designee;</b>                                          |                          |
| <b>Findings:</b><br>General: Based on interview, the Fire Marshal report was not available for review on 1/17/20. Interview determined the file was locked and the key was not at the center.                                                                                            |                          |
| <b>155 - Liability Insurance</b>                                                                                                                                                                                                                                                         | <b>Not In Compliance</b> |
| <b>922 KAR 2:090. Section 6. License Issuance.</b><br><b>(8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:</b><br><b>(d) Provide written proof of liability insurance coverage of at least \$100,000 per occurrence;</b>               |                          |
| <b>Findings:</b><br>General: Based on interview, liability insurance was not available for review on 1/17/20. Interview determined the file was locked and the key was not at the center.                                                                                                |                          |

**275 - Abuse/Neglect Report Procedure**

**Not In Compliance**

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

**(3)(b) The program shall include:**

**1. A procedure to ensure compliance with and inform child care staff of the laws of the Commonwealth pertaining to child abuse or neglect set forth in KRS 620.030;**

**Findings:**

General: Based on interview, the center did not have an abuse/neglect reporting procedure available for review on 1/17/20. Interview determined the file was locked and the key was not at the center.

**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, Fire Marshal/Zoning compliance was not available for review on 1/17/20. Interview determined the file was locked and the key was not at the center.

**310 - Sick Child Exclusion**

**Not In Compliance**

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

**(2) A child showing signs of an illness or condition that could be communicable shall not be admitted to the regular child-care program.**

**Findings:**

General: Based on interview, the center did not have a sick child exclusion policy available for review on 1/17/20. Interview determined the file was locked and the key was not at the center.

**315 - Sick Child Protocol**

**Not In Compliance**

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

**(3) If a child becomes ill while at the child-care center:**

- (a) The child shall be placed in a supervised area isolated from the rest of the children;**
- (b) The parent shall be contacted immediately; and**
- (c) Arrangements shall be made to remove the child from the child-care center as soon as practicable.**

**Findings:**

General: Based on interview, the center did not have a sick child protocol available for review on 1/17/2020. Interview determined the file was locked and the key was not at the center.

**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, staff meetings were not available for review on 1/17/20. Interview determined the keys were not at the center.

**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 interview, staff hired 11/1/09, 9/1/05, 8/9/15, 8/20/14, 8/18/14, 8/15/95, 3/1/16, 2/1/06, 8/19/15 and 8/28/04, did not have documentation of a written performance evaluation on file. Interview determined the key was not at the center; therefore, the files were not available for review.

**370 - Parental/Family Involvement Activity**

**Not In Compliance**

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

**(1) A director shall:**

- (p) Coordinate at least one (1) annual activity involving parental or family participation;**

**Findings:**

General: Based on interview, documentation of parental/family involvement activities was not available for review on 1/17/20. Interview determined the information was locked and the key was not at the center.

**Inspection Report****Employee Records****Not In Compliance****385 - Personnel File****Not In Compliance****922 KAR 2:090. Section 9. 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. Documentation of compliance with tuberculosis screening in accordance with Section 11(1)(b) of this administrative regulation; and**
- 5. The results of background checks conducted in accordance with 922 KAR 2:280;**

**Findings:**

General: Based on interview, personnel files were not available for review on 1/17/20. Interview determined the files were locked and the key was not at the center.

**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 interview, staff hired 11/1/19, 9/1/05, 8/9/15, 8/20/14, 8/18/14, 8/15/95, 3/1/16, 2/1/06, 8/19/15 and 8/28/04, did not have their education documentation available for review. Interview determined the files were locked and the key was not at the center.

**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 interview, staff hired 11/1/09, 9/1/05, 8/9/15, 8/20/14, 8/18/14, 8/15/95, 3/1/16, 2/1/06, 7/31/17, 8/19/15 and 8/28/04, did not have a TB skin test or physician statement available for review. Interview determined the files were locked and the key was not at the center.

**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 interview, staff hired 11/1/09, 9/1/05, 8/9/15, 8/20/14, 8/18/14, 8/15/95, 3/1/16, 2/1/06, 7/31/17, 8/19/15 and 8/28/04, did not have CPR/First Aid documentation available for review. Interview determined the files were locked and the key was not at the center.

**405 - Adequate Substitute(s)****Not In Compliance****922 KAR 2:090. Section 11. Staff Requirements.****(6) Child-care centers shall have available in case of need:**

- (a) One (1) qualified substitute staff person for a Type II child-care center; or**
- (b) Two (2) qualified substitute staff persons for a Type I child-care center.**

**(7) Each qualified substitute staff person shall:**

- (a) Meet the staff requirements of this administrative regulation; and**
- (b) Provide the required documentation to verify compliance with this administrative regulation.**

**Findings:**

General: Based on interview, substitute staff information was not available for review on 1/17/20. Interview determined the file was locked and the key was not on file.

## Inspection Report

### Programming

Not In Compliance

#### 455 - Discipline

Not In Compliance

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

###### (10) A child shall not be subjected to:

- (a) Corporal physical discipline pursuant to KRS 199.896(18);
- (b) Loud, profane, threatening, frightening, humiliating, or abusive language; or
- (c) Discipline that is associated with:
  - 1. Rest;
  - 2. Toileting; or
  - 3. Food.

###### Findings:

General: Based on interview, the center did not have written discipline policy available for review on 1/17/20. Interview determined the file was locked and the key was not at the center.

### Premises

Not In Compliance

#### 535 - Smoking Protocol

Not In Compliance

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

###### (10) Smoking or vaping shall:

- (a) Be permitted in accordance with local ordinances;
- (b) Be allowed only in outside designated areas; and
- (c) Not be permitted in the presence of a child.

###### Findings:

General: Based on interview, the center did not have a smoking protocol available for review on 1/17/20. Interview determined the file was locked and the key was not at the center.

#### 560 - Building Requirements

Not In Compliance

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

###### (5) The building shall be constructed to ensure the:

- (a) Building is:
  - 1. Dry;
  - 2. Ventilated; and
  - 3. Well lit, including clean light fixtures that are:
    - a. In good repair in all areas; and
    - b. Shielded or have shatter-proof bulbs installed; and
- (b) Following are protected:
  - 1. Windows;
  - 2. Doors;
  - 3. Stoves;
  - 4. Heaters;
  - 5. Furnaces;
  - 6. Pipes; and
  - 7. Stairs.

###### Findings:

General: Based on observation, a light fixture cover had a break down the middle and an approximate two (2) inch wide hole. This fixture was located in the hallway at the top of the steps which lead to the indoor gross motor room.

#### 645 - Sink

Not In Compliance

##### 922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.

###### (3) A sink shall be:

- (a) Located in or immediately adjacent to toilet rooms;
- (b) Equipped with hot and cold running water that allows for hand washing;
- (c) Equipped with hot water at a minimum temperature of ninety (90) degrees Fahrenheit and a maximum of 120 degrees Fahrenheit;
- (d) Equipped with liquid soap;
- (e) Equipped with hand-drying blower or single use disposable hand drying material;
- (f) Equipped with an easily cleanable waste receptacle; and
- (g) Immediately adjacent to a changing area used for infants and toddlers.

###### Findings:

General: Based on observation, the hot water temperature registered eighty (80) degrees Fahrenheit in the restroom adjacent to the cafeteria.

## Inspection Report

### 650 - Toilet

**Not In Compliance**

**922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.**

**(4) Each toilet shall:**

- (a) Be kept in clean condition;**
- (b) Be kept in good repair;**
- (c) Be in a lighted room; and**
- (d) Have ventilation to outside air.**

**Findings:**

General: Based on observation, the toilet did not have ventilation to outside air in the restroom adjacent to the cafeteria.

**Hygienic Practices**

**In Compliance**

**First Aid/Medication**

**In Compliance**

**Outdoor Play Area**

**Not In Compliance**

### 750 - Playground Conditions

**Not In Compliance**

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

**(20) An outdoor play area shall be:**

- (d) Safe from foreseeable hazard;**
- (e) Well drained;**
- (f) Well maintained;**
- (g) In good repair; and**
- (h) Visible to staff at all times.**

**Findings:**

General: Based on observation, an approximate forty-two (42) inch tall metal climbing dome was not anchored to the ground in the outdoor play area.

**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, a four (4) inch hole was in the rubber padding located in the indoor gross motor room.

**Transportation**

**Not Applicable**

**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 observation and interview, sixty-four (64) children present at the center on 1/17/20, did not have an immunization certificate presented for review. Interview determined the file was locked and the key was not at the center.

**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 interview, sixty-four (64) children present on 1/17/20, did not have a written record presented for review. Interview determined the file was locked and the key was not at the center.

**1145 - Documentation for Off Premises Trip****Not In Compliance****922 KAR 2:090. Section 9. 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, the center did not have documentation for off premises trip on 1/17/20. Interview determined the file was locked and the key was not at the center.

**Written Documentation****Not In Compliance****1150 - 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 and 42 U.S.C. 9858c(c)(2)(U).**

**Findings:**

General: Based on interview, the evacuation plan was not available for review on 1/17/20 because the information was locked and the key was not at the center.

**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 interview, policies and procedures were not available for review on 1/17/20. Interview determined the file was locked and the key was not at the center.

**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 interview, staff working hours was not available for review on 1/17/20. Interview determined the file was locked and the key was not at the center.

# Inspection Report

## 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 interview, staff hired 11/1/09, 9/1/05, 8/9/15, 8/20/14, 8/18/14, 8/15/95, 3/1/16, 2/1/06, 8/19/15 and 8/28/04, did not have a written professional development plan available for review. Interview determined the file was locked and the key was not at the center.

## 1175 - Earthquake/Tornado/Fire Drills

Not In Compliance

### 922 KAR 2:090. Section 9. 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;

(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 interview, quarterly earthquake and tornado drills were not available for review on 1/17/20. Interview determined the file was locked and the key was not at the center.

## 1190 - Orientation Procedure

Not In Compliance

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

(3)(b) The program shall include:

2. Written policy that specifies that the procedures that were taught at the orientation training shall be implemented by each child-care center staff member.

#### Findings:

General: Based on interview, orientation policy was not available for review on 1/17/20. Interview determined the file was locked and the key was not at the center.

## 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 interview, the monthly fire drills were not available for review on 1/17/20. Interview determined the file was locked and the key was not at the center.

Posted Documentation

In Compliance

Animals

Not Applicable

Signature of Provider/Representative

Title

Date