



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: Southern Preschool & Childcare	Provider Information	License No: L358307
Provider Address: 109 Steele Street, Frankfort, KY, 40601	Provider Type: LICENSED TYPE I	Capacity: 112
Owner(s): Southern Preschool & Childcare, Inc.		Director(s): Anderson, Jessica Eden

Inspection Type: Investigation	Inspection Information	Inspection No: 41205
Visit Start Date: 07/12/2013 11:30 AM	Visit End Date: 07/12/2013 11:51 AM	
	No. of Children Present: 51	

Inspection Report

Supervision

5 - Children Supervised

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;

Staffing Requirements

40 - Ratios and Group Size

In Compliance

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

- (2) Minimum staff-to-child ratios and group size for an operating child-care center shall be maintained as follows:

Age of Children Ratio Maximum Group Size*

Infant

1 staff for 5 children 10

Toddler

1 staff for 6 children 12

Preschool-age 2 to 3 years

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.

Inspection Report

General Administration

140 - Staff Conviction/Substantiation

Not In Compliance

922 KAR 2:110. Section 5. Staff Requirements.

(2) A child-care center shall not employ a person:

- (a) Convicted of a crime pursuant to KRS 17.165;
- (b) Found by the cabinet to have abused or neglected a child, pursuant to 922 KAR 1:470;
- (c) Convicted of a drug-related felony, and five (5) years has not elapsed since the person was fully discharged from imprisonment, probation, or parole;
- (d) Placed on the Sex Offender Registry; or
- (e) Determined by a physician to have a health condition that renders the person unable to care for children.

Findings:

General: Based on Review of Documentation and Interview, it was revealed that a staff person who currently has a substantiated finding of neglect issued on 3/17/13 and 6/13/13 was hired to work as a "floater" at the child care center on 5/15/13. According to documentation presented for review, the child abuse/neglect check (CA/N) was signed by the staff person and staff person in charge on 5/17/13 and was completed by the central registry check on 5/30/13. The bottom page of the CA/N check was marked in red ink in the box that reads "Substantiated child neglect found on the registry". During interviews with child care staff on 7/12/13, it was revealed that this person is currently employed but has never worked alone with children. However, based on an interview with the staff person in charge, it was revealed that this person only worked the month of June and was told that she could not return to work until she went through the appeal process to get the finding overturned. The staff person in charge stated that she has been on vacation and indicated that the person that she left in charge must have overlooked the finding on the CA/N check. The staff person in charge stated that she only recently found out about the finding when she spoke to the staff person's case worker. The staff person in charge gave the surveyor a copy of the staff person's CA/N check and a copy of the staff person's time card for the month of June. The time card revealed that the staff person worked June 4, 2013 through June 27, 2013. The staff person in charge stated that the staff person worked approximately two (2) weeks before the results of the CA/N check came back. She stated that she spoke to the staff person about the substantiation and was told by the staff person that she was unaware that she had a substantiation. It is important to note on the day of the investigation the staff person in question was not working. However; based on record review and interviews, the child care center continued to allow this staff person to work after receiving the results of the child abuse/ neglect check (CA/N).

Employee Records

305 - Background checks/discharged

Not In Compliance

922 KAR 2:090. Section 6. License Issuance.

(5) Upon completion of background checks described in subsection (4)(b) of this section, a licensee shall discharge immediately a:

- (a) Director, employee, volunteer, or any person:
 - 1. Whose name is listed on the central registry established by 922 KAR 1:470;
 - 2. Who has been convicted of, or has entered an Alford plea or a plea of guilty to, a crime in accordance with KRS 17.165;
 - 3. Who is confirmed by an address check of the Sex Offender Registry and supporting document as a registered sex offender; and
 - 4. Who has been convicted of, or has entered an Alford plea or a plea of guilty to, a drug-related felony, and five (5) years has not elapsed since the person was fully discharged from imprisonment, probation, or parole.

Findings:

General: Based on Review of Documentation and Interview, it was revealed that a staff person who currently has a substantiated finding of neglect issued on 3/17/13 and 6/13/13 was hired to work as a "floater" at the child care center on 5/15/13. According to documentation presented for review, the child abuse/neglect check (CA/N) was signed by the staff person and staff person in charge on 5/17/13 and was completed by the central registry check on 5/30/13. The bottom page of the CA/N check was marked in red ink in the box that reads "Substantiated child neglect found on the registry". During interviews with child care staff on 7/12/13, it was revealed that the this person is currently employed but has never worked alone with children. However, based on an interview with the staff person in charge, it was revealed that this person only worked the month of June and was told that she could not return to work until she went through the appeal process to get the finding overturned. The staff person in charge stated that she has been on vacation and indicated that the person that she left in charge must have overlooked the finding on the CA/N check. The staff person in charge stated that she only recently found out about the finding when she spoke to the staff person's case worker. The staff person in charge gave the surveyor a copy of the staff person's CA/N check and a copy of the staff person's time card for the month of June. The time card revealed that the staff person worked June 4, 2013 through June 27, 2013. The staff person in charge stated that the staff person worked approximately two (2) weeks before the results of the CA/N check came back. She stated that she spoke to the staff person about the substantiation and was told by the staff person that she was unaware that she had a substantiation. It is important to note on the day of the investigation the staff person in question was not working. However; based on record review and interviews, the child care center continued to allow this staff person to work after receiving the results of the child abuse/ neglect check (CA/N).

Programming

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, upon entry into the toddler classroom at approximately 11:30 a.m., the surveyor observed twelve (12) children and two (2) staff. The staff stated that the youngest child in the group was one (1) year old and the oldest child in the group was two (2) years old. The staff stated that five (5) of the children present were actually two (2) to (2 1/2) years old. The staff stated that the children are grouped together all day.

Signature of
Provider/Representative

Title

Date