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Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Rosa Parks Elementary Trailblazers After School Program	Provider Information Provider Type: LICENSED TYPE I	CLR No: L358954
Provider Address: 1251 Beaumont Centre Lane, Lexington, KY, 40513		Capacity: 200
Owner(s): Fayette County Board Of Education		Director(s): Covington, Leslie

Inspection Type: Renewal Application	Inspection Information	Inspection No: 243284
Date Initiated: 01/19/2018 3:05 PM	Date Concluded: 01/19/2018 4:30 PM	
	No. of Children Present: 96	

Inspection Report	
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
100 - Plan of Correction/10 days	Not In Compliance
922 KAR 2:090. Section 9. 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 ten (10) calendar days of receipt of the statement of deficiency to eliminate or correct the regulatory violation.	
Findings:	
A PLAN OF CORRECTION WAS DUE ON 02/08/2018 AND AS OF 02/27/2018, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.	
170 - Notification of Changes	Not In Compliance
922 KAR 2:110. Section 6. Reports. (4) Written notification of the following shall be made to the cabinet to allow for approval before implementation: (a) Change of ownership; (b) Change of location; (c) Increase in capacity; (d) Change in hours of operation; (e) Change of services in the following categories: 1. Infant; 2. Toddler; 3. Preschool-age; 4. School-age; 5. Nontraditional hours; or 6. Transportation; or (f) Addition to the square footage a child-care center's premises.	
Findings:	
General: Based on Observation, it was found that Room 303 was being used for child care during the survey. During interview, it was found that Rooms 306, 307 and 314 were also used for child care on differing days of the week. None of these four (4) classrooms has been approved as licensed space.	

Inspection Report

190 - 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 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 Review of Documentation, it was found that the facility did not have evidence of a procedure to inform child care staff of the laws of the Commonwealth pertaining to child abuse and neglect.

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, this regulatory requirement was not met. One (1) staff eligible for an annual performance review did not have documentation of a review on file in the facility.

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:

General: Based on observation, review of documentation and interview, it was found that this regulatory requirement was not met. One staff file (hire date: 10/30/17) did not contain the results of a criminal records check. This staff person was observed to be working with a staff person (hire date: 10/2/17) that did not have a criminal records check or central registry check on file. These two (2) employees were found to be supervising eighteen (18) children ages eight and nine-years-old.

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 and interview, the following was found: 1. One staff file (hire date: 10/30/17) did not contain evidence or results of a criminal records check (CRC). This staff person was observed working with a staff person (hire date: 10/2/17) that did not have any documentation on file for the surveyor to review during the visit including, but not limited to, a CRC and a child abuse/neglect check (CAN). The staff person in charge stated that she thought she had a staff file for the staff person with a 10/2/17 hire date; however, it was not located during the visit. 2. One (1) staff file (hire date: 8/16/17) did not contain evidence or results of a CAN check. 3. One (1) staff file (hire date: 10/30/17) did not contain evidence or results of a CAN check. 4. One (1) staff file (hire date: 9/13/17) did not contain evidence or results of a CRC.

310 - Personnel File

Not In Compliance

922 KAR 2:110. Section 3. 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. Written record of training participation to include:**
 - a. The training source;**
 - b. Location;**
 - c. Date; and**
 - d. Number of clock hours completed;**
- 5. Every two (2) years, a:**
 - a. Statement from a health professional that the individual is free of active tuberculosis; or**
 - b. Copy of negative tuberculin results; and**
- 6. For a director, employee, volunteer, or any person with supervisory or disciplinary control over, or having unsupervised contact with, a child in care, the results of a:**
 - a. Child abuse or neglect check using the central registry in accordance with 922 KAR 1:470;**
 - b. Criminal records check required by KRS 199.896(19);**
 - c. Criminal records check from any previous state of residence completed once if:**
 - (i) The individual resided outside the state of Kentucky in the last five (5) years; and**
 - (ii) No criminal records check has been completed for the individual's previous state of residence; and**
 - d. An address check of the Sex Offender Registry;**

Findings:

General: Based on Review of Documentation and interview, it was found that the hire dates for five (5) staff were not available in the files. The staff person in charge sent a text message to her supervisor during the visit and then identified the hire dates as 8/16/17, 2 on 10/30/17, 9/13/17 and 10/2/17.

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, this regulatory requirement was not met. Four (4) staff (hire dates: 8/16/17, 10/30/17, 9/13/17 and 10/2/17) did not have educational documentation on file.

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, the following was found: 1. Three (3) staff files (hire dates: 12/7/15, 9/14/15 and 8/17/15) contained results of negative T.B. tests that are no longer current. The tests were dated 1/5/16, 9/2/15 and 9/18/15 which exceeds the two (2) year time frame. 2. Three (3) staff (hire dates: 8/16/17, 10/30/17 and 10/2/17) did not have T.B. documentation on file.

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, and the Training Records Information System (TRIS), the following was found: 1. Nine (9) staff files (hire dates: 8/10/16, 8/24/15, 9/14/15, 8/17/15, 8/16/17, 2 on 10/30/17, 9/13/17 and 10/2/17) did not contain evidence of the six (6) hours of cabinet-approved training being completed within the first three (3) months of employment. 2. Six (6) staff files (hire dates: 3 on 8/10/16, 8/24/15, 9/14/15, and 8/17/15.) did not contain evidence of the pediatric abusive head trauma training class being completed within the first year of employment. 3. Two (2) staff files (both hired 5/28/09) contained a pediatric abusive head trauma training class certificate that was dated 10/20/12; therefore, this training is no longer valid. 4. Four (4) staff files (hire dates: 12/7/15, 5/28/19, 9/14/15 and 8/10/08) did not contain the required fifteen (15) hours of training.

Inspection Report

Programming

Not In Compliance

360 - Electronic Viewing/Listening Devices

Not In Compliance

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

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

(d) That offers a variety of creative activities including the following:

12. Use of electronic viewing and listening devices if the:

- a. Material is appropriate to the child using the equipment;
- b. Material does not include any violence, adult content viewing, or inappropriate language;
- c. Viewing or individual listening is limited to two (2) hours per day;
- d. Viewing or listening is discussed with parents prior to viewing or listening; and
- e. Viewing or listening is designed as an educational tool.

(5) A child who does not wish to use the electronic devices during the planned program shall be offered other appropriate activities.

Findings:

General: Based on Observation, it was found that the children in the cafeteria were watching "Honey, I Shrank the Kids." This movie is rated PG for mild sex and language. The age of the youngest child watching the movie was six-years-old. This viewing was not designed as an educational tool and the children were not given an alternate activity if they did not want to watch the movie.

395 - Electronic Viewing/Listening Planned Program

Not In Compliance

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

(1) Electronic viewing and listening devices shall only be used in the center as a part of the child's planned program of activity described Section 2(4) of this administrative regulation.

Findings:

General: Based on Observation, it was found that the children in the cafeteria were watching "Honey, I Shrank the Kids." Movie time and the name of the movie were not listed on the daily schedule or the schedule of daily activities.

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, it was found that multiple containers of Clorox wipes were present and accessible to the children in rooms 104, 203, 309, 302, 308, 319, 318, 317, 316, 128, 110, 112, 111, 205, 202 and 204. The Clorox wipes were found to be on the counters by the sinks and in the space under the sinks. In addition, multiple pairs of sharp scissors were found to be accessible to the children in rooms 203, 303, 305, 309, 308, 319, 318, 317, 316, 128, 110 and 202. In Room 111, a roll of black garbage bags was being stored on a table by the sink.

465 - Items Accessible Only During Activity

Not In Compliance

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

(8) The following shall be inaccessible to a child in care unless under direct supervision and part of planned program of instruction:

- (a) Knives and sharp objects;
- (b) Litter and rubbish; and
- (c) Plastic bags not used for personal belongings.

Findings:

General: Based on Observation, it was found that multiple pairs of sharp scissors were accessible to the children in rooms 203, 303, 305, 309, 308, 319, 318, 317, 316, 128, 110 and 202. These scissors were not being used as part of a structured activity.

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Outdoor Play Area

In Compliance

Equipment

In Compliance

Transportation

Not Applicable

Inspection Report

Food Service

Not In Compliance

1060 - Snack Requirements

Not In Compliance

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

(18) A snack shall include two (2) of the following:

- (a) Milk;**
- (b) Protein;**
- (c) Bread; or**
- (d) 1. Fruit;**
- 2. Vegetable; or**
- 3. 100 percent juice.**

Findings:

General: Based on Observation, it was found that the snack served consisted of only a bread component such as crackers or cereal. The children were served water to drink. A second component was not served as required.

Children's Records

Not In Compliance

1070 - Immunization

Not In Compliance

922 KAR 2:110. Section 3. 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, one (1) child (enrollment date: 4/15/17) had an immunization certificate on file that was no longer current as of 7/15/07.

Written Documentation

Not In Compliance

1090 - Policies and Procedures

Not In Compliance

922 KAR 2:110. Section 2. General.

(5) 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 2:090, Child-care center licensure;**
 - c. 922 KAR 2:120, Child-care center health and safety standards; and**
 - d. This administrative regulation.**

Findings:

General: Based on Interview, it was found that the facility did not have evidence of written policies and procedures or job descriptions. The staff person in charge stated that they were being reworked and were not ready for review.

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, this regulatory requirement was not met. One (1) staff person (hire date: 12/7/15) did not have evidence of an annual professional development plan on file in the facility.

1135 - 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, it was found that the facility did not have evidence of a written policy stating that the procedures taught at the cabinet-approved orientation training are to be implemented at the facility.

Inspection Report

1140 - Fire Drills

Not In Compliance

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

(12) A fire drill shall be conducted during hours of operation:

- (a) At least monthly; and
- (b) Documented.

Findings:

General: Based on Review of Documentation, it was found that the fire drill documentation did not include evidence of fire drills being conducted during the months of August, November and December of 2017.

Posted Documentation

Not In Compliance

1155 - Posting Requirements

Not In Compliance

922 KAR 2:110. Section 2. General.

(7) 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) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year;
- (b) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year;
- (c) Information on the Kentucky Consumer Product Safety Program and the program's website as specified in KRS 199.897;
- (d) 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;
- (e) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and
- (f) Daily schedule.

Findings:

General: Based on Observation, it was found that the statement of deficiencies issued and the plan of correction submitted for the 2017 relicensure survey was not posted in the facility. It was also found that the statement of deficiencies issued and the plan of correction submitted for an allegation investigation conducted on 7-10-17 was not posted in the facility.

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 Review of Documentation, it was found that the schedule of daily activities posted was last revised on 10-3-17. It also did not include specific activities that would be conducted during the day with each group of children.

Animals

Not In Compliance

1175 - Animals in the Presence of Children

Not In Compliance

922 KAR 2:120. Section 13. Animals.

(1) An animal shall not be allowed in the presence of a child in care:

- (a) Unless:
 - 1. The animal is under the supervision and control of an adult;
 - 2. Written parental consent has been obtained; and
 - 3. The animal is certified as vaccinated against rabies; or
- (b) Except in accordance with subsection (3) of this section.

Findings:

General: Based on Observation, it was found that a guinea pig was present in Room 302. The after school program uses different rooms on a daily basis depending on which school teachers stay late. The facility did not have written permission from the parents for the children to be around the guinea pig when that room is in use.

Signature of Provider/Representative

Title

Date