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**Inspection Report**

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

<b>Inspection Information</b>		<b>Inspection No:</b> 278318
<b>Inspection Type:</b> Investigation	<b>Date Concluded:</b> 01/23/2019 5:00 PM	
<b>Date Initiated:</b> 01/22/2019 10:35 AM	<b>No. of Children Present:</b> 120	

<b>Inspection Report</b>	
<b>Supervision</b>	<b>In Compliance</b>
<b>Staffing Requirements</b>	<b>In Compliance</b>
<b>Director Requirements</b>	<b>Not In Compliance</b>

**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 interviews and a review of documentation, the facility director failed provide for the health, safety and comfort of a five (5) year-old child in regards to an incident that occurred during the after-school program on 1/16/19. Based on interviews, Room 112 is used by the after-school program for the Kindergarten children to gather and have snacks once a week. This room is approved licensed space for the program. Based on interviews and written statements provided by witnesses the Kindergarten teacher acted in the role of a staff member for the after-school children on 1/16/19 when she got upset with them for being loud and began to discipline the children in this room. The Kindergarten teacher is not a staff member of the after-school program. According to witnesses, a five (5) year-old female child did not comply with the teacher's requests to move away from another student because she was giggling and the teacher pulled her chair out from under the child. When the teacher pulled the chair back, the child fell and landed on her knees, on the floor. The teacher then told the child to get up from the floor and when she would not comply, the teacher pulled by her arms/wrists off the floor into another seat and then forced her to sit in that chair. Based on interviews and written statements the teacher put her body weight behind the chair so the child could not get up even when she struggled. During that, time the teacher commented, "I'm not touching her" to others in the room. Witness information also confirmed the teacher began to belittle the child, calling her a baby, and polling the other children in the class to see if they had any younger siblings that "act like this". It was reported that the teacher took the child by her arms/wrists, moved her out of the classroom, then pinned her up against the wall outside of the cafeteria. The teacher told the child she did not want her in her classroom. The after-school program director was notified of what was going on and went to the area outside of the cafeteria and saw the teacher holding the five (5) year-old child up against the wall. The after-school program director directed the teacher to release the student and step away. Based on interviews the child was not physically injured during this incident. Based on the information obtained during the investigation this five (5) year-old child was belittled in front of her peers, physically dumped out of a chair, aggressively moved into a chair, and then physically moved by her wrists/arms into the hallway and pinned up against a wall. In addition, based on interviews, the other children in the classroom were uncomfortable, frightened, and upset while this incident was happening in the classroom.

**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:**

Based on interviews and a review of documentation, on 1/16/19 a five (5) year-old child and a classroom of Kindergarten children, enrolled in the after-school program, were subjected to loud, threatening, frightening, and humiliating language. Based on interviews, Room 112 is used by the after-school program for the Kindergarten children to gather and have snacks once a week. This room is approved licensed space for the program. Based on interviews and written statements provided by witnesses a Kindergarten teacher acted in the role of a staff member for the after-school children on 1/16/19, and got upset with the children for being loud and began to discipline the children in this room. The Kindergarten teacher is not a staff member of the after-school program. According to witnesses a five (5) year-old female child did not comply with the teacher's requests to move away from another student because she was giggling and the teacher pulled her chair out from under the child. When the teacher pulled the chair back, the child fell and landed on her knees, on the floor. The teacher then told the child to get up from the floor and when she would not comply, the teacher pulled her by the arms/wrists off the floor into another seat and then forced her to sit in the chair. Based on interviews and written statements the teacher put her body weight behind the chair so the child could not get up, even when she struggled. During that time, the teacher commented, "I'm not touching her" to others in the room. Witness information also confirmed the teacher began to belittle the child, calling her a baby, and polling the other children in the class to see if they had any younger siblings that "act like this". It was reported that the teacher took the child by her arms/wrists, moved her out of the classroom, then pinned her up against the wall outside of the cafeteria. The teacher told the child she did not want her in her classroom. The after-school program director was notified of what was going on and went to the area outside of the cafeteria and saw the teacher holding the five (5) year-old child up against the wall. The after-school program director directed the teacher to release the student and step away. Based on interviews the child was not physically injured during this incident. Based on interviews and written statements this five (5) year-old child was belittled in front of her peers, physically dumped out of a chair, aggressively moved into a chair, and then physically moved by her wrists/arms into the hallway and pinned up against a wall. In addition, based on interviews, the other children in the classroom were uncomfortable, frightened, and upset while this incident was happening in the classroom.

Signature of Provider/Representative

Title

Date