



Andy Beshear  
GOVERNOR

CABINET FOR HEALTH AND FAMILY SERVICES  
OFFICE OF INSPECTOR GENERAL

Eric Friedlander  
SECRETARY

Melissa A. Moore, Director  
Division of Regulated Child Care  
Eastern Branch  
455 Park Place, Suite 120A  
Lexington, KY 40511

Adam Mather  
INSPECTOR GENERAL

Phone: (859) 246-2301 Fax: (859) 246-2307  
<https://chfs.ky.gov/agencies/os/oig>

**Inspection Report**

<b>Provider Name:</b> Veterans Park Elementary Patriots Place After School Program	<b>Provider Information</b> <b>Provider Type:</b> LICENSED TYPE I	<b>CLR No:</b> L359038
<b>Provider Address:</b> 4351 Clearwater Way, Lexington, KY, 40515		<b>Capacity:</b> 180
<b>Owner(s):</b> Fayette County Public Schools		<b>Director(s):</b> Jones, Janet Lee

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 307357
<b>Date Initiated:</b> 08/18/2021 2:35 PM	<b>Date Concluded:</b> 08/18/2021 4:45 PM	
	<b>No. of Children Present:</b> 68	

**Inspection Report**

**Background Checks**

**Not In Compliance**

**5 - Background check/left alone/dismissed/relocated**

**Not In Compliance**

**922 KAR 2:280. Section 3. Implementation and Enforcement.**

- (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.
- (2) A child care staff member hired on or after April 1, 2018, shall:
  - (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
  - (b) 1. Have submitted to the background checks required in accordance with this administrative regulation;
    - 2. Not be left unsupervised with a child in care pending the completion of the background checks in accordance with this administrative regulation; and
    - 3. Be dismissed or relocated from the residence if the person is found to have a disqualifying background check result.

**Findings:**

General: Based on observation, interview, and review of documentation, it was determined that nine (9) staff were working with children without evidence of the results of the required background checks as required by this regulation.

**10 - Submit background check**

**Not In Compliance**

**922 KAR 2:280 - Section 4. Procedures and Payments.**

- (1) To initiate the process for obtaining background checks on a prospective child care staff member, the child care provider shall:
  - (a) Request that the prospective child care staff member provide a copy of his or her driver's license or other government-issued photo identification and verify that the photograph clearly matches the prospective child care staff member;
  - (b) Request that the prospective child care staff member complete and sign the:
    - 1. DCC-500, Applicant Child Care Staff Member Waiver Agreement and Statement; and
    - 2. DCC-501, Disclosures to Be Provided to and Signed by the Applicant Child Care Staff Member; and
  - (c) Log on to the NBCP portal and enter the prospective child care staff member's demographic information for a check of the:
    - 1. Child abuse and neglect central registry pursuant to 922 KAR 1:470;
    - 2. National Crime Information Center's National Sex Offender Registry in accordance with 34 U.S.C. 20921; and
    - 3. Sex Offender Registry established in accordance with KRS 17.500 through 17.580.

**Findings:**

General: Based on interview and review of documentation, it was determined that ten (10) staff were working with children without evidence of the required background checks. This staff had not completed the process to have the required background checks on file.

**Inspection Report**

**Supervision**

**Not In Compliance**

**90 - Children Supervised**

**Not 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 shall be:**
- 1. Provided with adequate supervision at all times by a qualified staff person who ensures the child is:**
    - a. Within scope of vision and range of voice; or**
    - b. For a school-age child, within scope of vision or range of voice;**

**Findings:**

General: Based on observation during the inspection, a child was walking alone in the hallway coming from the courtyard area and going to the front office for dismissal. The surveyor asked the person in charge about their procedure for dismissal and she stated that "the children navigate the school really well" and can walk alone to the office at pick up time. It was determined that the children are not within "vision or range of voice" of a staff person as required by this regulation.

**Staffing Requirements**

**Not In Compliance**

**120 - Adequate Adults/Qualified Staff**

**Not In Compliance**

**922 KAR 2:090. Section 11. Staff Requirements.**

- (10) The minimum number of adult workers in a child-care center shall be sufficient to ensure that:**
- (a) Minimum staff-to-child ratios in accordance with 922 KAR 2:120 are followed;**
  - (b) Each staff person under eighteen (18) years of age and each student trainee are under the direct supervision of a qualified staff person who meets the requirements of this section; and**
  - (c) Unless providing care with a qualified staff person, a person under the age of eighteen (18) shall not be counted as staff for the staff-to-child ratio.**

**Findings:**

General: Based on review of documentation, it was found that the facility did not have a sufficient number of qualified staff at the time of the visit. During the inspection, there were multiple staff without background checks working alone with children. The facility did not have enough qualified staff to divide the children as needed.

**General Administration**

**Not In Compliance**

**270 - Notification of Changes**

**Not In Compliance**

**922 KAR 2:090. Section 13. Reports.**

- (4)(a) Written notification of the following shall be:**
- 1. Made to the cabinet, in writing, 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:**
      - (i) Infant;**
      - (ii) Toddler;**
      - (iii) Preschool-age;**
      - (iv) School-age;**
      - (v) Nontraditional hours; or**
      - (vi) Transportation; or**
    - f. Addition to or reduction of the square footage of a child-care center's premises; and**
  - 2. Signed by each owner listed on the preliminary or regular license.**

**Findings:**

General: Based on observation, it was found that child care was being provided in five (5) classrooms that were not included in the facility's approved space.

**Director Requirements**

**Not In Compliance**

**370 - Caregiver Alone**

**Not In Compliance**

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

- (1) A director shall:**
- (m) 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 922 KAR 2:280;**

**Findings:**

General: Based on observation and review of documentation, it was found that nine (9) staff were left alone/unsupervised without evidence the required background checks. Group 9 had two (2) teachers, Groups 1 & 2 had three (3) teachers, Groups 7 & 8 had two (2) teachers and Groups 5 & 6 had two (2) teachers, all of which had no evidence or documentation that they had been entered into KARES prior to hire date or working alone with children. A review of KARES supported this finding.

Inspection Report

Employee Records

Not In Compliance

395 - 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 review of documentation, it was found that five(5) staff did not have files on site at the time of visit. It was also determined that fourteen (14) staff did not have a date of hire listed in their files.

400 - 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 review of documentation, it was found that ten (10) staff did not have proof of the required education on file at the facility.

405 - 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 review of documentation, it was found that twelve (12) staff did not have documentation of negative TB results or a physician's statement on file at the facility.

435 - 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 completed within the first three (3) months of employment in a child-care program;
- (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment in a child care program, 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 completed between July 1 and the following June 30 of each subsequent year of employment in a child care program, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.

(17) A staff person's compliance with training requirements of this section shall be verified through the cabinet-designated database maintained pursuant to 922 KAR 2:240.

Findings:

General: Based on review of documentation, it was found that six (6) staff members did not have the required fifteen (15) hours of training required per year.

Programming

In Compliance

Premises

In Compliance

Hygienic Practices

In Compliance

First Aid/Medication

In Compliance

Outdoor Play Area

In Compliance

Equipment

In Compliance

Transportation

In Compliance

Kitchen Requirements

In Compliance

Food Service

In Compliance

Meal Planning/Center Provides Meals

In Compliance

Meal Planning/Center Does Not Provide Meals

In Compliance

**Inspection Report**

**Children's Records**

**Not In Compliance**

**1250 - 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, it was found that one (1) child did not have a preferred hospital listed. It is important to note, it was listed as "any" instead of an actual name of a hospital.

**Written Documentation**

**In Compliance**

**Posted Documentation**

**In Compliance**

**Animals**

**In Compliance**

Signature of Provider/Representative

Title

Date