



**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  
Southern Branch  
116 Commerce Ave  
London, KY 40744

**Adam Mather**  
INSPECTOR GENERAL

Phone: (606) 330-2030 Fax: (606) 330-2056  
<https://chfs.ky.gov/agencies/os/oig>

**Inspection Report**

<b>Provider Name:</b> St. Mark Catholic School	<b>Provider Information</b>	<b>CLR No:</b> L359294
<b>Provider Address:</b> 115 Parrish Avenue, Richmond, KY, 40475	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 32
<b>Owner(s):</b> Catholic Diocese Of Lexington		<b>Director(s):</b> Pearce, Courtney Lauren

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 305152
<b>Date Initiated:</b> 03/09/2021 12:15 PM	<b>Date Concluded:</b> 03/09/2021 2:00 PM	
	<b>No. of Children Present:</b> 33	

Inspection Report	
Background Checks	Not In Compliance
<b>5 - Background check/left alone/dismissed/relocated</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:280. Section 3. Implementation and Enforcement.</b></p> <p>(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.</p> <p>(2) A child care staff member hired on or after April 1, 2018, shall:</p> <p>(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</p> <p>(b) 1. Have submitted to the background checks required in accordance with this administrative regulation;</p> <p>2. Not be left unsupervised with a child in care pending the completion of the background checks in accordance with this administrative regulation; and</p> <p>3. Be dismissed or relocated from the residence if the person is found to have a disqualifying background check result.</p> <p><b>Findings:</b></p> <p>General: Based on observation, the surveyor found an individual in the Library with Pre-K children who is not an employee of the child-care center. Through interview with staff-in-charge, the surveyor learned that the individual is employed by Madison County Schools and is a Title I employee that does reading recovery with K-5 students.</p>	
Supervision	Not In Compliance
<b>90 - Children Supervised</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:120. Section 2. Child Care Services.</b></p> <p>(3)(a) Each center shall maintain a child-care program that assures each child will be:</p> <p>1. Provided with adequate supervision at all times by a qualified staff person who ensures the child is:</p> <p>a. Within scope of vision and range of voice; or</p> <p>b. For a school-age child, within scope of vision or range of voice;</p> <p><b>Findings:</b></p> <p>General: Based on observation, the surveyor observed a child to come out of the girls' restroom and walk down the hallway to her classroom. The child was observed to be unsupervised and alone. During interview with staff, the surveyor learned that the child is five (5) years old. Staff-in-charge stated that children do not go to the restroom alone and she was unaware the child had gone to the restroom unsupervised.</p>	
<b>Staffing Requirements</b>	<b>In Compliance</b>
<b>General Administration</b>	<b>In Compliance</b>

**Inspection Report**

**Director Requirements**

**Not In Compliance**

**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 review of documentation, the surveyor found the following:

- 1. A staff's (DOH: 08/10/17) file contained an annual written performance evaluation dated for 10/10/19; therefore, the evaluation was not completed annually.
- 2. A staff's (DOH: 08/01/19) file did not contain an annual written performance evaluation; therefore, the evaluation was not completed as required.
- 3. A staff's (DOH: 08/01/19) file did not contain an annual written performance evaluation; therefore, the evaluation was not completed as required.

Through interview with staff-in-charge, the surveyor learned that up-to-date annual written performance evaluations were not available for review for the staff mentioned.

**Employee Records**

**Not In Compliance**

**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 review of documentation, the surveyor found the following:

- 1. A staff's (DOH: 11/02/20) file did not contain verification of a High School Diploma, GED or Commonwealth Child Care Credential.
- 2. A staff's (DOH: 10/12/20) file did not contain verification of a High School Diploma, GED or Commonwealth Child Care Credential.
- 3. A staff's (DOH: 08/01/19) file did not contain verification of a High School Diploma, GED or Commonwealth Child Care Credential.

Through interview with staff-in-charge, the surveyor learned that the educational verification was not available for review for the staff mentioned.

**Programming**

**In Compliance**

**Premises**

**Not In Compliance**

**540 - Premises Requirements**

**Not In Compliance**

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

**(1) The premises shall be:**

- (a) Suitable for the purpose intended;**
- (b) Kept clean and in good repair;**

**Findings:**

General: Based on observation, the surveyor found the following:

- 1. A rug with trucks on it in Classroom 2 had stains; therefore, the rug was not kept clean.
- 2. A blue round rug contained debris in Classroom 3; therefore, the rug was not kept clean.
- 3. The floor contained debris in Classroom 3; therefore, the floor was not kept clean.

**565 - 35 Square Feet per Child**

**Not In Compliance**

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

**(6) Exclusive of the kitchen, bathroom, hallway, and storage area, there shall be a minimum of thirty-five (35) square feet of space per child.**

**Findings:**

General: Based on observation, the surveyor found that the child-care center had thirty three (33) children present during the visit on 03/09/21. The child-care center is licensed for thirty two (32) children; therefore, the child-care center was over capacity by one (1) child.

**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 surveyor found the following:

1. The toilet bowl located in the fourth stall of the girls' restroom contained toilet paper.
2. The toilet bowl located in the sixth stall of the girl's restroom contained toilet paper, urine, and feces.
3. The toilet located in the sixth stall of the girls' restroom would not flush properly.
4. The toilet bowl located in the first stall of the boys' restroom contained toilet paper and urine.

**Hygienic Practices**

**In Compliance**

**First Aid/Medication**

**In Compliance**

**Outdoor Play Area**

**In Compliance**

**Equipment**

**In Compliance**

**Transportation**

**In Compliance**

**Food Service/Food Program**

**In Compliance**

**Food Service**

**Not In Compliance**

**1015 - Food Service Permit**

**Not In Compliance**

**922 KAR 2:120. Section 8. Kitchen Requirements.**

**(2) A child-care center required to have a food service permit shall be in compliance with 902 KAR 45:005 and this administrative regulation.**

**Findings:**

General: Based on review of documentation, the surveyor was presented with a food service permit with an expiration date of 12/31/20. Through interview with staff, the surveyor learned that an up-to-date food service permit was not available for review.

**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 review of documentation, the surveyor found the following:

1. A child's (DOE: 08/17/20) file did not contain a contact telephone number for the child's preferred hospital or family physician.
  2. A child's (DOE: 08/17/20) file did not contain a contact telephone number for the child's preferred hospital.
  3. A child's (DOE: 03/05/20) file did not contain a contact telephone number for the child's preferred hospital.
  4. A child's (DOE: 08/17/20) file did not contain a contact telephone number for the child's preferred hospital or family physician.
  5. A child's (DOE: 08/14/19) file did not contain a contact telephone number for the child's preferred hospital.
  6. A child's (DOE: 08/17/20) file did not contain a contact telephone number for the child's preferred hospital.
  7. A child's (DOE: 08/14/19) file did not contain a contact telephone number for the child's preferred hospital or family physician.
  8. A child's (DOE: 08/17/20) file did not contain a contact telephone number for the child's preferred hospital.
  9. A child's (DOE: 08/14/19) file did not contain a contact telephone number for the child's preferred hospital or the name of each person who is designated in writing to pick-up the child.
  10. A child's (DOE: 08/17/20) file did not contain a contact telephone number for the child's preferred hospital.
- Staff-in-charge reported that they would update the children's files.

**Written Documentation**

**Not In Compliance**

**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 review of documentation, the surveyor found the following:

1. A staff's (DOH: 09/01/18) file contained a professional development plan dated for 08/20/19; therefore, the plan was not completed annually.
2. A staff's (DOH: 08/10/17) file contained a professional development plan dated for 08/30/19; therefore, the plan was not completed annually.
3. A staff's (DOH: 08/01/19) file contained a professional development plan that was not dated; therefore, it could not be determined if the plan was completed annually.
4. A staff's (DOH: 08/01/19) file did not contain a professional development plan; therefore, a plan was not completed annually.

Through interview with staff-in-charge, the surveyor learned that up-to-date professional development plans were not available for review for the staff mentioned.

**Posted Documentation**

**In Compliance**

**Animals**

**In Compliance**

**Inspection Report**

**Emergency Regulation**

**Not In Compliance**

**1260 - Emergency Regulation**

**Not In Compliance**

**922 KAR 2:410E. Emergency Regulation.**

**Due to the current declared public health emergency caused by the Novel Coronavirus Disease (COVID-19), licensed child care centers must operate under Centers for Disease Control and Prevention and public health guidelines, as mandated by 922 KAR 2:410E, to prevent the spread of COVID-19.**

**Findings:**

General: Based on review of documentation, the surveyor found a staff's (DOH: 11/02/20) file did not contain a completed Criminal Records Background Check or a completed Child Abuse/Neglect Background Check. During interview, staff-in-charge stated that the staff member had completed background checks; however, they were not available for review during the visit on 03/09/21. Staff-in-charge stated that the staff member has not worked alone with children. The surveyor did not observe the staff member working alone with children. Based on review of the Kentucky National Background Check Service, the staff person did not have a completed background check.

Signature of Provider/Representative

Title

Date