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**Inspection Report**

<b>Provider Name:</b> Brightside Child Care & Learning Center, LLC	<b>Provider Information</b> <b>Provider Type:</b> LICENSED TYPE I	<b>CLR No:</b> L359343
<b>Provider Address:</b> 1107 North Dixie Avenue, Elizabethtown, KY, 42701		<b>Capacity:</b> 49
<b>Owner(s):</b> Brightside Child Care & Learning Center, LLC		<b>Director(s):</b> Cook, Brandy Lee

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 246094
<b>Date Initiated:</b> 09/28/2018 10:20 AM	<b>Date Concluded:</b> 09/28/2018 12:55 PM	
	<b>No. of Children Present:</b> 27	

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>                      (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.</p>	
<b>Findings:</b>	
<p>General: Based on review of documentation, interview, and observation, the child care center failed to assure compliance with background checks. Upon request, the staff in charge did not provide verification that a member with the hire date of 09/09/2018 had completed the background checks required in accordance with this administrative regulation and found to have no disqualifying offense prior to becoming a child care staff member. The above-mentioned staff member was observed working alone, with four (4) children, from 10:20 to 12:55p.m.</p>	
<b>Supervision</b>	<b>In Compliance</b>
<b>Staffing Requirements</b>	<b>In Compliance</b>
<b>General Administration</b>	<b>Not In Compliance</b>
<b>180 - Plan of Correction/15 days</b>	<b>Not In Compliance</b>
<p><b>922 KAR 2:090. Section 14. Statement of Deficiency and Corrective Action Plans.</b>                      (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 fifteen (15) calendar days of the date of the statement of deficiency to eliminate or correct the regulatory violation.</p>	
<b>Findings:</b>	
<p>A PLAN OF CORRECTION WAS DUE ON 10/23/2018 AND AS OF 11/03/2018, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.</p>	

**Inspection Report****Director Requirements****Not In Compliance****340 - Staff Meeting****Not In Compliance****922 KAR 2:090. Section 10. Director Requirements and Responsibilities.****(1) A director shall:**

- (i) Conduct, manage, and document in writing recurring staff meetings;**

**Findings:**

General: Based on review of documentation and interview, the child care center director failed to assure compliance with regulatory requirements. Upon request, the staff in charge did not present verification that more than one (1) staff meeting had been conducted and documented in writing within the last year.

**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 and interview, the child care center failed to maintain employee records in accordance with regulatory requirements. Upon request, the staff in charge did not present verification that the records of the employees with the hire dates of 09/09/2018 and 09/17/2018 contained a copy of a High school diploma; or a GED or qualifying documentation from a comparable educational entity; or Commonwealth Child Care Credential.

**395 - 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 and interview, the child care center failed to maintain employee records in accordance with regulatory requirements. Upon request, the staff in charge did not present verification that the records of the two (2) employees with the hire date of 09/09/2018 and the employees with the hire dates of 09/23/2011 and 09/17/2018 contained a current copy of a statement from a health professional that the individual is free of active tuberculosis; or a copy of negative tuberculin results.

**410 - 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 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 cabinet-approved 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 cabinet-approved pediatric abusive head trauma training completed once every five (5) years.**

**Findings:**

General: Based on review of documentation and interview, the child care center failed to maintain employee records in accordance with regulatory requirements. Upon request, the staff in charge did not present verification that the records of employees with the hire dates of 09/23/2011, 12/02/2012, 11/10/2015 and 04/10/2017 had met the requirement of Fifteen (15) hours of cabinet-approved early care and education training during each subsequent year of employment. Review of the TRIS training system indicated the above-mentioned employees had not met the requirement.

**Programming****Not In Compliance****445 - Waiting Period****Not In Compliance****922 KAR 2:120. Section 2. Child Care Services.**

- (8) A child shall not be required to stand or sit for a prolonged period of time:**

- (a) During an activity;**
- (b) While waiting for an activity to start; or**
- (c) As discipline.**

**Findings:**

General: Based on observation, the child care center failed to comply with programming requirements. Observation in the one-year-old classroom revealed the staff placed four (4) toddlers in their high chairs at 10:45 a.m. The toddlers remained in the high chairs until 11:10 p.m., when lunch was served. Therefore, the toddlers remained in a prolonged sitting position awaiting an activity.

**Inspection Report**

**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 child care center failed to maintain the premises in accordance with regulatory requirements. The duct tape located throughout the center on the floor was worn and frayed, creating a potential tripping hazard. The walls in the one-year-old classroom contained chipped paint. Observation of the door in the infant and one-year-old classroom revealed that the door ledge was loose and wobbly.

**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 child care center failed to maintain the premises in accordance with regulatory requirements. Observation of the boy's restroom revealed the tank-covering lid was not of adequate size to securely cover the holding tank.

**Hygienic Practices**

**In Compliance**

**First Aid/Medication**

**In Compliance**

**Outdoor Play Area**

**In Compliance**

**Equipment**

**Not In Compliance**

**825 - Toys**

**Not In Compliance**

**922 KAR 2:120. Section 11. Toys and Furnishings.**

- (3) Toys shall be:**
  - (a) Used according to the manufacturer's safety specifications;**
  - (b) Durable; and**
  - (c) Without sharp points or edges.**

**Findings:**

General: Based on observation, the child care center failed to maintain equipment in accordance with regulatory requirements. Various toys located throughout the classroom revealed a number of battery-operated toys that were not maintained and used according to the manufacturers' safety specifications; the batteries were non-operational.

**Transportation**

**Not Applicable**

**Food Service/Food Program**

**In Compliance**

**Food Service**

**In Compliance**

**Children's Records**

**Not In Compliance**

**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 and interview, the child care center failed to maintain children's records in accordance with regulatory requirements. Upon request, the staff in charge did not present verification that the record for the child with the enrollment date of 02/05/2018 contained information listing the name of a person designated to pick up the child.

**Inspection Report**

**Written Documentation**

**Not In Compliance**

**1155 - Policies and Procedures**

**Not In Compliance**

**922 KAR 2:090. Section 8. General.**

**(4) 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 2:120, Child-care center health and safety standards;**
  - c. 922 KAR 2:280, Background checks for child care staff members, reporting requirements, and appeals; and**
  - d. This administrative regulation.**

**Findings:**

General: Based on review of documentation and interview, the child care center failed to maintain written documentation in accordance with regulatory requirements. Upon request, the staff in charge did not present verification of an updated policy identifying the chain of command. The documentation provided listed employees who were no longer employed.

**1175 - Earthquake/Tornado/Fire Drills**

**Not In Compliance**

**922 KAR 2:090. Section 9. Records.**

**(1) A child-care center shall maintain:**

**(h) A written record of quarterly practiced earthquake drills and tornado drills detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;**

**(i) A written record of practiced fire drills conducted monthly detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;**

**Findings:**

General: Based on review of documentation and interview, the child care center failed to maintain written documentation in accordance with regulatory requirements. Upon request, the staff in charge did not provide verification that fire drills, tornado drills and earthquake drills had been conducted since December of 2017.

**Posted Documentation**

**In Compliance**

**Animals**

**Not Applicable**

Signature of Provider/Representative

Title

Date