



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
Northern Branch
908 W. Broadway, 10-W
Louisville, KY 40203

Adam Mather
INSPECTOR GENERAL

Phone: (502) 595-5781 Fax: (502) 595-5773
<https://chfs.ky.gov/agencies/os/oig>

Inspection Report

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

Inspection Type: Renewal Application	Inspection Information	Inspection No: 319938
Date Initiated: 02/21/2022 9:41 AM	Date Concluded: 02/21/2022 1:54 PM	
	No. of Children Present: 27	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
General Administration	Not In Compliance
225 - Licensee Responsibility	Not In Compliance
922 KAR 2:090. Section 8. General. (1) A licensee shall: (a) Be responsible for the operation of the child-care center pursuant to this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280; and (b) Protect and assure the health, safety, and comfort of each child.	
Findings:	
General: Observation of the Two-Year-Old room revealed there was one (1) electrical outlet that did not contain a protective covering.	
Director Requirements	In Compliance
Employee Records	Not In Compliance
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: Upon request, a High School diploma, GED or qualifying documentation from a comparable educational entity or a Commonwealth Child Care Credential was not presented for review for a staff member with the hire date 02/14/2022.	

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: Upon request, a current written statement from a health care professional stating that the staff member with the hire date 12/02/2012 was free of active tuberculosis or a copy of a tuberculin result was not presented for review on the day of the inspection.

410 - CPR/First Aid Coverage

Not In Compliance

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

- (3) For a child-care center licensed for infant, toddler, or preschool-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:**
(a) Infant and child cardiopulmonary resuscitation; and
(b) Infant and child first aid.
(4) For a child-care center licensed for school-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills:
(a) Adult cardiopulmonary resuscitation; and
(b) First aid.
(5) Cardiopulmonary resuscitation (CPR) and first aid training shall be in addition to the fifteen (15) clock hours requirement in subsection (16) of this section.

Findings:

General: Upon request, verification that at least one (1) staff member on duty and present with the children was currently certified by a cabinet-approved training agency in first aid and cardiopulmonary resuscitation was not presented for review on the day of the inspection. Review of the presented staff schedule revealed there was not one (1) staff member on duty at the child care center that was certified in first aid and cardiopulmonary resuscitation on the day of the inspection.

415 - CPR/First Aid Required Training

Not In Compliance

922 KAR 2:120. Section 7. First Aid and Medicine.

- (8) Each center shall ensure that every staff member has received training on first aid and cardiopulmonary resuscitation (CPR).**

Findings:

General: Upon request, verification that the staff members with the hire dates: 01/11/2011, 08/08/2019, 11/10/2015 and 07/08/2019 had completed the required first aid and cardiopulmonary resuscitation training was not presented for review on the day of the inspection.

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: Upon request, verification that the staff members with the hire dates 01/11/2011, 10/29/2010, 08/08/2019, 12/02/2012 and 07/08/2019 had completed fifteen (15) hours of cabinet-approved early care and educational training was not presented for review on the day of the inspection. Review of the Early Care and Education Training Records Information System (ECE-TRIS) report did not verify that the fifteen (15) hours of cabinet-approved training had been completed by the aforementioned staff members.

Inspection Report

Programming

Not In Compliance

455 - Program of Activities Followed

Not In Compliance

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

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

- (a) Posted in writing in a conspicuous location with each age group and followed;
- (b) Of activities that are individualized and developmentally appropriate for each child served;
- (c) That provides experience to promote the individual child's physical, emotional, social, and intellectual growth and well-being; and
- (d) Unless the child-care center is a before- or after-school program that operates part day or less, that offers a variety of creative activities including:
 - 1. Art or music;
 - 2. Math or numbers;
 - 3. Dramatic play;
 - 4. Stories and books;
 - 5. Science or nature;
 - 6. Block building or stacking;
 - 7. Tactile or sensory activity;
 - 8. Multi-cultural exposure;
 - 9. Indoor and outdoor play in which a child makes use of both small and large muscles;
 - 10. A balance of active and quiet play, including group and individual activity;
 - 11. An opportunity for a child to:
 - a. Have some free choice of activities;
 - b. If desired, play apart from the group at times;

Findings:

General: Upon request, a current daily activity plan was not presented for review for the School-Age room on the day of the inspection.

Premises

Not In Compliance

585 - 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: Observation of the child care center revealed the following:

- 1. The entry door leading into the Two-Year-Old room revealed the window screen on the door was partially attached and was hanging from the window frame; and
- 2. There was a wooden baseboard that was not attached to the wall within the One-Year-Old room. The baseboard was lying on the floor, accessible to the children.

625 - Floors, Walls, Ceilings

Not In Compliance

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

(9) Floors, walls, and ceilings shall be smooth, in good repair, and constructed to be easily cleaned.

Findings:

General: Observation of the child care center revealed the following:

- 1. The walls throughout the Girls bathroom were peeling paint and the drywall was exposed;
- 2. The last stall within the Boys bathroom revealed there was paint chipping off the walls and the drywall was exposed; and
- 3. There was one (1) ceiling tile that was not flush to the metal frame within the Infant room.

690 - Sink

Not In Compliance

922 KAR 2:120. Section 12. Toilet, Diapering, and Toiletry Requirements.

- (3) A sink shall be:
 - (a) Located in or immediately adjacent to toilet rooms;
 - (b) Equipped with hot and cold running water that allows for hand washing;
 - (c) Equipped with hot water at a minimum temperature of ninety (90) degrees Fahrenheit and a maximum of 120 degrees Fahrenheit;
 - (d) Equipped with liquid soap;
 - (e) Equipped with hand-drying blower or single use disposable hand drying material;
 - (f) Equipped with an easily cleanable waste receptacle; and
 - (g) Immediately adjacent to a changing area used for infants and toddlers.

Findings:

General: Observation of the One-Year-Old room revealed there was a portable sink in the room that was not equipped with hot water. Therefore, the hot water was not a minimum of ninety (90) degrees Fahrenheit and a maximum of one hundred - twenty (120) degrees Fahrenheit.

Inspection Report

Hygienic Practices

Not In Compliance

700 - Child Personal Care/Handwashing

Not In Compliance

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

(4) A child shall:

- (a) Be helped with personal care and cleanliness based upon his or her developmental skills;
- (b) Except as established in paragraph (c) of this subsection, wash his or her hands with liquid soap and warm running water:
 - 1. a. Upon arrival at the center; or
 - b. Within thirty (30) minutes of arrival for school-age children;
 - 2. Before and after eating or handling food;
 - 3. After toileting or diaper change;
 - 4. After handling animals;
 - 5. After touching an item or an area of the body soiled with body fluids or wastes; and
 - 6. After outdoor or indoor play time; and
- (c) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (b) of this subsection. The child shall wash the child's hands as soon as practicable once liquid soap and warm running water are available.

Findings:

General: Observation of a diaper changing procedure in the Infant room revealed a staff member changed a child's diaper and did not wash the child's hands after the diapering procedure was completed.

705 - Staff Hygiene/Handwashing

Not In Compliance

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

(5) Staff shall:

- (a) Maintain personal cleanliness;
- (b) Conform to hygienic practices while on duty;
- (c) Except as established in paragraph (d) of this subsection, wash their hands with liquid soap and running water:
 - 1. Upon arrival at the center;
 - 2. After toileting or assisting a child in toileting;
 - 3. Before and after diapering each child;
 - 4. After wiping or blowing a child's or own nose;
 - 5. After handling animals;
 - 6. After caring for a sick child;
 - 7. Before and after feeding a child or eating;
 - 8. Before dispensing medication;
 - 9. After smoking or vaping; and
 - 10. If possible, before administering first aid; and
- (d) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (c) of this subsection. The staff shall wash the staff's hands as soon as practicable once liquid soap and warm running water are available.

Findings:

General: Observation of a diaper changing procedure in the Infant room revealed a staff member changed a child's diaper and did not wash his/her hands after the diapering procedure was completed. The staff member placed the child on the floor and retrieved another child and proceeded to change that child's diaper.

730 - Diaper Changing Area/Surface

Not In Compliance

922 KAR 2:120. Section 12. Toilet, Diapering, and Toiletry Requirements.

(10) When a child is diapered, the child shall:

- (b) Be placed on a surface that is:
 - 1. Clean;
 - 2. Padded;
 - 3. Free of holes, rips, tears, or other damage;
 - 4. Nonabsorbent;
 - 5. Easily cleaned; and
 - 6. Free of any items not used for diaper changing.

Findings:

General:

- 1. Observation of the changing table within the Infant room revealed the seam of the changing pad was torn. The area of the changing pad that was torn was sealed with tape that was partially attached to the changing pad causing the inside absorbent material to be exposed.
- 2. Observation of the changing table within the One-Year-Old room revealed the changing pad was torn at the seam, causing the inside absorbent material to be exposed.

First Aid/Medication

In Compliance

Outdoor Play Area

In Compliance

Inspection Report

Equipment

Not In Compliance

825 - Storage Space/Storage Device

Not In Compliance

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

(30) Storage space shall be provided:

(a) In the form of:

- 1. Shelves; or**
- 2. Other storage device accessible to the children; and**

(b) In sufficient quantity for each child's personal belongings.

Findings:

General: Observation of the Two-Year-Old room revealed there was a backpack sitting on the floor in front of a set of cubbies that stores the children's personal belongings. Interview with the staff member revealed that there were not enough cubbies available to store the child's backpack.

840 - Individual Bed/Mat/Cot and Bedding

Not In Compliance

922 KAR 2:120. Section 6. Sleeping and Napping Requirements.

(3) Rest time shall occur in an adequate space according to the child's age as follows:

(b) For a toddler or preschool-age child:

- 1. An individual bed, a two (2) inch thick waterproof mat, or cot in good repair; and**
- 2. Bedding that is in good repair and is changed:**

a. Weekly; or

b. Immediately if it is soiled or wet.

Findings:

General: Observation of the hallway revealed there were numerous vinyl mats stored on a cart that contained rips and tears. The inside absorbent material was exposed. Interview with the staff member revealed the cots were used daily for the children to sleep on.

865 - Indoor/Outdoor Equipment

Not In Compliance

922 KAR 2:120. Section 13. Toys and Furnishings.

(2) Indoor and outdoor equipment shall:

- (a) Be clean, safe, and in good repair;**
- (b) Meet the physical, developmental needs, and interests of children of different age groups;**
- (c) Be free from sharp points or corners, splinters, protruding nails or bolts, loose or rusty parts, hazardous small parts, lead-based paint, poisonous material, and flaking or chalking paint; and**
- (d) Be designed to guard against entrapment or situations that may cause strangulation.**

Findings:

General: Observation of the child care center revealed the following:

- 1. The plastic/foam protective material on the Jungle Gym was torn and missing pieces of the protective material, causing the metal frame to be exposed;
- 2. The large wooden crawling cube located within the School-Age room was damaged causing the top portion of the cube to have sharp splinter edges; and
- 3. There were multiple green vinyl mats that were torn and ripped, exposing the inside absorbent material within the Infant room.

870 - Toys

Not In Compliance

922 KAR 2:120. Section 13. 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: Observation of the Preschool room revealed a large plastic toy dragon that was broken and contained sharp pointed edges. Therefore, the toy was in disrepair.

Transportation

Not Applicable

Kitchen Requirements

Not In Compliance

1045 - Frozen Food

Not In Compliance

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

(5) Frozen food shall be:

(a) Kept at a temperature of zero degrees Fahrenheit or below; and

(b) Thawed:

- 1. At refrigerator temperatures;**
- 2. Under cool, potable running water;**
- 3. As part of the cooking process; or**
- 4. By another method in accordance with the Department for Public Health's food safety standards and permits, established in KRS Chapter 217.**

Findings:

General: Observation of the Frigidaire stand-up freezer located within the kitchen revealed the inside temperature of the freezer was twenty (20) degrees Fahrenheit. Therefore, the temperature inside the freezer was not zero (0) degrees Fahrenheit or below. Interview with the staff in-charge revealed the freezer was broken.

1055 - Kitchen Equipment Clean and Sanitary

Not In Compliance

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

- (7) The following shall be clean and sanitary:**
- (a) Eating and drinking utensils;**
 - (b) Kitchenware;**
 - (c) Food contact surfaces of equipment;**
 - (d) Food storage utensils;**
 - (e) Food storage containers;**
 - (f) Cooking surfaces of equipment; and**
 - (g) Nonfood contact surfaces of equipment.**

Findings:

General: Observation of the child care center revealed the following:

1. The oven located within the kitchen contained a mass build-up of a burnt substance on the bottom of the stove;
2. The Whirlpool refrigerator located within the kitchen contained a dried white substance on the shelves; and
3. The Frigidaire stand-up freezer located within the kitchen revealed there was a red and orange sticky substance throughout the freezer. Also, there were dried food particles throughout the freezer.

Food Service

Not In Compliance

1115 - Food Storage

Not In Compliance

922 KAR 2:120. Section 9. Food and Drink Requirements for All Child-Care Centers.

- (8) Food shall be stored on:**
- (a) Clean racks;**
 - (b) Clean shelves;**
 - (c) Other clean surfaces; or**
 - (d) If maintained in a sanitary condition, in nonabsorbent labeled containers a minimum of (6) six inches off the floor.**

Findings:

General: Observation of the food pantry located within the kitchen revealed there were crumbs and crackers scattered on the floor.

Meal Planning/Center Provides Meals

In Compliance

Meal Planning/Center Does Not Provide Meals

Not Applicable

Children's Records

Not In Compliance

1245 - Immunization

Not In Compliance

922 KAR 2:090. Section 9. 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: Upon request, a current immunization certificate was not presented for review for a child with the enrollment date 06/16/2021.

Written Documentation

Not In Compliance

1265 - 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: Upon request, job descriptions were not presented for review on the day of the inspection for the cook, substitute teacher, and the supervisor.

1280 - 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: Upon request, a current written professional development plan was not presented for review on the day of the inspection for the staff members with the following hire dates: 10/29/2010, 08/01/2017, 08/08/2019, 11/10/2015, 12/02/2012 and 07/08/2019.

Inspection Report

1285 - 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: Upon request, a written quarterly practiced lockdown drill detailing the date, time and the name of the children that participated in the drill for the third (3rd) and fourth (4th) quarter of 2021 was not presented for review on the day of the inspection.

Posted Documentation

In Compliance

Animals

Not Applicable

Signature of Provider/Representative

Title

Date