



**CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL**

Andy Beshear
Governor

Melissa A. Moore, Director
Division of Regulated Child Care
Northern Branch
908 W. Broadway, 10-W
Louisville, KY 40203
Phone: (502) 595-5781 Fax: (502) 595-5773
<https://chfs.ky.gov/agencies/os/oi>

Eric C. Friedlander
Secretary

Adam Mather
Inspector General

Inspection Report

Provider Name: Bright Start Childcare	Provider Information	CLR No: L356814
Provider Address: 9810-4 Taylorsville Road, Louisville, KY, 40299	Provider Type: LICENSED TYPE I	Capacity: 199
Owner(s): JSK Group, Inc.		Director(s): Lawes, Christy Lynn; Tillman, Whitney Danielle

Inspection Type: Renewal Application	Inspection Information	Inspection No: 290322
Date Initiated: 07/08/2019 9:45 AM	Date Concluded: 07/08/2019 2:38 PM	
	No. of Children Present: 157	

Inspection Report	
Background Checks	Not In Compliance
10 - Submit background check	Not In Compliance
<p>922 KAR 2:280 - Section 4. Procedures and Payments.</p> <p>(1) To initiate the process for obtaining background checks on a prospective child care staff member, the child care provider shall:</p> <p>(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;</p> <p>(b) Request that the prospective child care staff member complete and sign the:</p> <ol style="list-style-type: none"> 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 <p>(c) Log on to the NBCP portal and enter the prospective child care staff member's demographic information for a check of the:</p> <ol style="list-style-type: none"> 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. <p>Findings:</p> <p>General: Based on review of documentation and interview, the child care center failed to comply with background checks in accordance with regulatory requirements. Review of the presented employee records revealed a staff member with hire date 6/10/19 who turned eighteen (18) on 6/24/19 and whose file did not contain documentation to verify that the child care center had initiated a new background check. Review of the KARES report verified that the child care center had not initiated a background on the staff member. Upon request, the director did not present documentation to verify initiation of the background check for the aforementioned staff member.</p>	
85 - Employment Status	Not In Compliance
<p>922 KAR 2:280. Section 11. Status of Employment.</p> <p>(1) A child care provider shall maintain the employment or residential status of each child care staff member who has submitted to a fingerprint-based criminal background check by reporting the status using the NBCP Web-based system.</p> <p>Findings:</p> <p>General: Based on review of documentation and interview, the child care center failed to comply with background checks in accordance with regulatory requirements.</p> <p>1) Review of the KARES report revealed ten (10) individuals who were listed as current employees and were determined to be eligible for employment on 6/12/18, 6/15/18, 7/12/18, 7/16/18, 7/18/18, 9/24/18, 10/14/18, 10/28/18, 12/27/18 and 1/23/19. Interview with the director revealed that the aforementioned individuals were no longer employed with the child care center.</p> <p>2) Review of the presented employee records revealed two (2) staff members with re-hire dates of 5/7/19. Review of the KARES report revealed that both staff members were determined to be eligible for employment on 6/5/18. Interview with the director revealed that the aforementioned staff members are college students who only work for the child care center during the summer when they are on break from school and were re-hired at the child care center when they came back on 5/7/19.</p>	
Supervision	In Compliance

Inspection Report

Staffing Requirements

In Compliance

General Administration

In Compliance

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 and interview, the child care center director failed to assure compliance with regulatory requirements. Review of the presented employee records revealed eight (8) staff members with hire dates 3/12/05, 8/8/17, 7/24/17, 10/27/08, 10/23/17, 6/5/18, 2/4/08, and 5/31/16 whose file did not contain a current annual evaluation. Upon request, the director did not present a current evaluation for the aforementioned staff members at the time of the survey.

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. Review of the presented employee records revealed two (2) staff members with hire dates 5/9/16 and 2/18/19 whose file did not contain a high school diploma, GED or other documentation from a comparable educational entity. Upon request, the director did not present educational documentation for the aforementioned staff members at the time of the survey.

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. Review of the presented employee records revealed two (2) staff members with hire dates 1/10/17 and 3/28/16 whose file did not contain documentation to verify completion of the fifteen (15) hours of cabinet approved training. Review of the ECE-TRIS verified that the staff members did not complete the fifteen (15) hours of cabinet approved training. Upon request, the director did not present training documentation for the aforementioned staff members at the time of the survey.

Programming

In Compliance

Premises

Not In Compliance

520 - Inaccessible Items

Not In Compliance

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

(7) The following shall be inaccessible to a child in care:

- (a) Toxic cleaning supplies, poisons, and insecticides;**
- (b) Matches, cigarettes, lighters, and flammable liquids; and**
- (c) Personal belongings and medications of staff.**

Findings:

General: Based on observation, the child care center failed to maintain the premises in accordance with regulatory requirements. There was a clear container labeled bleach water located on the changing table within reach of the children in the Infant Room.

560 - Building Requirements

Not In Compliance

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

(5) The building shall be constructed to ensure the:

(a) Building is:

- 1. Dry;**
- 2. Ventilated; and**
- 3. Well lit, including clean light fixtures that are:**
 - a. In good repair in all areas; and**
 - b. Shielded or have shatter-proof bulbs installed; and**

(b) Following are protected:

- 1. Windows;**
- 2. Doors;**
- 3. Stoves;**
- 4. Heaters;**
- 5. Furnaces;**
- 6. Pipes; and**
- 7. Stairs.**

Findings:

General: Based on observation, the child care center failed to maintain the premises in accordance with regulatory requirements.

- 1) There were water stains in five (5) of the ceiling tiles and water inside the fluorescent light fixture above the cubbies in the Three-Year-Old Room.
- 2) There were water stains in three (3) of the ceiling tiles in the Cafeteria.
- 3) There was water inside the flickering fluorescent light fixture in the first bathroom inside the Cafeteria.
- 4) There were water stains in two (2) of the ceiling tiles in the Younger Two's Room.
- 5) There were water stains in two (2) of the ceiling tiles in the Toddler Room.
- 6) There was a water stain in the ceiling tile located above the dramatic play area in the Older Two's Room.
- 7) There was a large water stain across three (3) ceiling tiles inside the bathroom in the Older Two's Room.
- 8) There was a water stain in the ceiling tile located above the sink inside the bathroom in the Older Two's Room.
- 9) There were water stains in three (3) of the ceiling tiles in the hallway outside the Toddler Room.
- 10) There were water stains in three (3) of the ceiling tiles in the School-Age Room.
- 11) There were water stains in two (2) of the ceiling tiles and water inside the fluorescent light fixture in the Men's Bathroom inside the School-Age Room.
- 12) There was a water stain on the ceiling tile located above the blackboard and water inside the fluorescent light fixture in the Cafeteria inside the School-Age Room.
- 13) There was a large water stain in the ceiling tile located above the fire extinguisher in the hallway outside the School-Age Room.
- 14) There were water stains in five (5) of the ceiling tiles and water inside one (1) of the fluorescent light fixtures in the Five-Year-Old Room.
- 15) There were water stains in four (4) of the ceiling tiles inside the Gross Motor Room.

580 - 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: Based on observation, the child care center failed to maintain the premises in accordance with regulatory requirements.

- 1) There was a hole in the wall at the bottom of the electrical outlet in the Older Two's Room.
- 2) There were holes in two (2) of the ceiling tiles located inside the bathroom in the Three-Year-Old Room.
- 3) The ceiling tile containing the vent inside the bathroom in the Older Two's Room was bulging from the frame.
- 4) The ceiling tile located by the wall in the bathroom inside the Older Two's Room was not secured to the frame.
- 5) The ceiling tile located above the sink in the Women's Bathroom in the School-Age Room was cracked down the middle.
- 6) The silver light fixture located in the Men's Bathroom inside the School-Age Room was not secured to the wall.
- 7) There was excessive dust inside the vent and on the ceiling tile containing the vent located in the bathroom inside the Four-Year-Old Room.

Inspection Report

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.

- 1) The bathroom located inside the Older Two's Room was not ventilated to outside air at the time of the survey.
- 2) The toilet located on the right side of the Women's Bathroom in the School-Age Room was not secured to the floor.

Hygienic Practices **Not In Compliance**

685 - Diaper Changing Area/Surface **Not In Compliance**

922 KAR 2:120. Section 10. 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: Based on observation, the child care center failed to comply with hygienic practices in accordance with regulatory requirements.

- 1) The changing pad located in the Three-Year-Old Room was torn exposing the absorbent material.
- 2) The changing pad located in the Infant Room was torn exposing the absorbent material.
- 3) The changing pad located in the Toddler Room was torn exposing the absorbent material.
- 4) The changing pad located in the Older Two's Room was torn in multiple areas exposing the absorbent material.

First Aid/Medication **In Compliance**

Outdoor Play Area **In Compliance**

Equipment **Not In Compliance**

815 - Toys/Furniture **Not In Compliance**

922 KAR 2:120. Section 11. Toys and Furnishings.
(1) All toys and furniture contacted by a child shall be:
(a) Kept clean and in good repair; and
(b) Free of peeling, flaking, or chalking paint.

Findings:

General: Based on observation, the child care center failed to maintain equipment in accordance with regulatory requirements.

- 1) There were two (2) red vinyl pads located in the reading area in the School-Age Room that were torn exposing the absorbent material.
- 2) One-half (1/2) of the door on the large doll house located in the Five-Year-Old Room was broken off.
- 3) Both of the leather chairs located in the reading area in the Five-Year-Old Room were torn exposing the absorbent material.
- 4) The green multi-colored vinyl mat and the gray vinyl climber located in the Gross Motor Room were torn exposing the absorbent material.

Transportation **In Compliance**

Food Service/Food Program **In Compliance**

Food Service **Not In Compliance**

1025 - Refrigerator **Not In Compliance**

922 KAR 2:120. Section 8. Kitchen Requirements.
(4) A cold-storage facility used for storage of perishable food in a nonfrozen state shall:
(a) Have an indicating thermometer or other appropriate temperature measuring device;
(b) Be in a safe environment for preservation; and
(c) Be forty (40) degrees Fahrenheit or below.

Findings:

General: Based on observation, the child care center failed to maintain food service in accordance with regulatory requirements. The brown mini-fridge located in the Infant Room had an indicating thermometer reading of fifty (50) degrees Fahrenheit at the time of the survey.

Inspection Report

1050 - Bottles

Not In Compliance

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

(9) Bottles shall be:

- (a) Individually labeled;**
- (b) Promptly refrigerated;**
- (c) Covered while not in use; and**
- (d) Consumed within one (1) hour of being heated or removed from the refrigerator.**

Findings:

General: Based on observation, the child care center failed to maintain food service in accordance with regulatory requirements. There were two (2) clear bottles located inside the black mini-fridge in the Waddler Room that were not covered.

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.

1) Review of the presented children's records revealed three (3) children with enrollment dates 12/14/15, 2/10/14 and 11/26/18 whose file did not contain information on the child's general health status and medical history.

2) Continued review of the presented children's records revealed a child with enrollment date 1/3/17 whose file did not contain the name of each person who is designated in writing to pick up the child.

Upon request, the director did not present the documentation for the aforementioned children at the time of the survey.

Written Documentation

Not In Compliance

1150 - Evacuation Plan

Not In Compliance

922 KAR 2:090. Section 5. Evacuation Plan.

- (1) A licensed child-care center shall have a written evacuation plan in the event of a fire, natural disaster, or other threatening situation that may pose a health or safety hazard for a child in care in accordance with KRS 199.895 and 42 U.S.C. 9858c(c)(2)(U).**

Findings:

General: Based on review of documentation and interview, the child care center failed to maintain written documentation in accordance with regulatory requirements. Review of documentation revealed that the email verification of submission of the evacuation plan to the local emergency preparedness agency that was presented for review was dated 9/6/17. Upon request, the director did present a current verification of the evacuation plan submission to the local emergency preparedness agency at the time of the survey.

Inspection Report

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. Review of the presented documentation revealed that neither an organizational chart nor chain of command was presented for review. Upon request, the director did not present the documentation at the time of the survey.

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 and interview, the child care center failed to maintain written documentation in accordance with regulatory requirements. Review of the presented employee records revealed nine (9) staff members with hire dates 8/5/13, 8/8/17, 10/2/17, 8/4/08, 10/15/12, 7/24/17, 10/27/08, 9/1/15 and 10/23/17 whose file did not contain a current annual professional development plan. Upon request, the director did not present a current professional development plan for the aforementioned staff members at the time of the survey.

Posted Documentation

Not In Compliance

1215 - Daily Activities

Not In Compliance

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

(1) A director shall:

(h) Post a schedule of daily activities, to include dates and times of activities to be conducted with the children in each classroom;

Findings:

General: Based on observation, the child care center failed to post documentation in accordance with regulatory requirements. The schedule of daily activities posted in the School-Age Room was not dated at the time of the survey.

Animals

Not Applicable

Signature of
Provider/Representative

Title

Date