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**Adam Mather**  
INSPECTOR GENERAL

**Inspection Report**

<b>Provider Name:</b> Shining Stars Daycare	<b>Provider Information</b>	<b>CLR No:</b> L358141
<b>Provider Address:</b> 309 Chestnut Street, Murray, KY, 42071	<b>Provider Type:</b> LICENSED TYPE I	<b>Capacity:</b> 34
<b>Owner(s):</b> Shining Stars Daycare, LLC		<b>Director(s):</b> Hornbuckle Jr., Thomas Wilson

<b>Inspection Type:</b> Renewal Application	<b>Inspection Information</b>	<b>Inspection No:</b> 290171
<b>Date Initiated:</b> 06/17/2019 9:48 AM	<b>Date Concluded:</b> 06/17/2019 12:40 PM	
	<b>No. of Children Present:</b> 15	

Inspection Report	
<b>Background Checks</b>	<b>In Compliance</b>
<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>155 - Liability Insurance</b>	<b>Not In Compliance</b>
<b>922 KAR 2:090. Section 6. License Issuance.</b> <b>(8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall:</b> <b>(d) Provide written proof of liability insurance coverage of at least \$100,000 per occurrence;</b>	
<b>Findings:</b>	
General: Based on review of documentation, the center's general liability insurance expired 09/20/18. Interview with director determined the center had current insurance but could not provide proof.	
<b>180 - Plan of Correction/15 days</b>	<b>Not In Compliance</b>
<b>922 KAR 2:090. Section 14. Statement of Deficiency and Corrective Action Plans.</b> <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.</b>	
<b>Findings:</b>	
A PLAN OF CORRECTION WAS DUE ON 07/20/2019 AND AS OF 07/30/2019, THE PLAN OF CORRECTION HAS NOT BEEN RECEIVED.	
<b>215 - Volunteer/Board Member Compliance</b>	<b>Not In Compliance</b>
<b>922 KAR 2:090. Section 8. General.</b> <b>(3) A volunteer or board member shall comply with the policies and procedures of the child-care center.</b>	
<b>Findings:</b>	
General: Based on review of documentation, a volunteer start date 03/24/19 was present on 06/17/19, but there was no volunteer policy in place. Surveyor observed the volunteer was not left alone with the children. Interview with the director stated the volunteer was a floater within the center as needed, but the center does not have a volunteer policy.	

**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, a caregiver hired 03/24/06, had an annual written performance evaluation on file that was dated 01/16/18. A caregiver hired 03/15/06, had an annual written performance evaluation on file that was dated 01/18/18. In addition, a caregiver hired 07/21/06, had an annual written performance evaluation on file that was dated 01/17/18.

**Employee Records**

**Not In Compliance**

**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, one caregiver hired 03/15/06, had TB documentation on file that was dated 11/03/16.

**Programming**

**Not In Compliance**

**420 - 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 or 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: Based on observation and interview, there was no posted daily planned program of activities in the preschool classroom.

**Premises**

**Not In Compliance**

**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, Cheerios cereal, dust build up and grime were on the floor throughout the center. There was milk spilt on the table and was not wiped down after used in preschool room. The floor tiles around the toilet were missing in the boys' restroom. Also, the wall was deteriorated behind the toilet and exposed drywall around the baseboards in the boys' restroom. There was peeling blue paint on the wall and baseboards which led to the kitchen in the preschool room. A rug had grim and stains and was heavily soiled in the preschool classroom.

**640 - Toilet Room**

**Not In Compliance**

**922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.**

**(2) A toilet room shall:**

- (a) 1. Be provided for each gender; or**
- 2. A plan shall be implemented to use the same toilet room at separate times;**
- (b) Have a supply of toilet paper; and**
- (c) Be cleaned and disinfected daily.**

**Findings:**

General: Based on observation, the girls' restroom was inoperable. Interview with the director determined the girls were using the boys' restroom during the repairs. The vent cover had dead bugs visible in the boys' restroom.

Inspection Report

645 - Sink

Not In Compliance

**922 KAR 2:120. Section 10. 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: Based on observation, the sink in the boys' restroom had dirt and grim on top of the sink.

**Hygienic Practices**

Not In Compliance

680 - Soiled Diapers/Clothing

Not In Compliance

**922 KAR 2:120. Section 10. Toilet, Diapering, and Toiletry Requirements.**  
**(8) Diapers or clothing shall be:**  
 (a) Changed when soiled or wet;  
 (b) Stored in a covered container temporarily; and  
 (c) Washed or disposed of at least once a day.

**Findings:**

General: Based on observation, soiled diapers were in the uncovered trash can in the infants' room.

**First Aid/Medication**

In Compliance

**Outdoor Play Area**

Not In Compliance

750 - Playground Conditions

Not In Compliance

**922 KAR 2:120. Section 4. Premises Requirements.**  
**(20) An outdoor play area shall be:**  
 (d) Safe from foreseeable hazard;  
 (e) Well drained;  
 (f) Well maintained;  
 (g) In good repair; and  
 (h) Visible to staff at all times.

**Findings:**

General: Based on observation, tree roots were above the ground throughout and one of the roots, under a metal frame, extended two (2) inches above the ground in the older children's outdoor playground. In addition, weed block was raised above the mulch in several areas on the older children's outdoor playground.

**Equipment**

In Compliance

**Transportation**

Not Applicable

**Food Service/Food Program**

In Compliance

**Food Service**

Not In Compliance

1040 - 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: Based on observation, the mini refrigerator, located in the infants' room, had dirt, grim and dried food inside. The white refrigerator in the kitchen had grease and grim all over the refrigerator.

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, an uncovered, blue Evenflo baby-bottle was not labeled to indicate for whom it was intended. The bottle was stored in the mini refrigerator located in the infants' room.

Children's Records

Not In Compliance

1135 - 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: Based on review of documentation, a child, first date of attendance on 08/28/18, had an immunization certificate on file that was valid until 04/07/18.

1145 - Documentation for Off Premises Trip

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

(b) A written record for each child:

3. To contain:

- g. A permission form for each trip off the premises signed by the child's parent in accordance with 922 KAR 2:120, Section 12;

Findings:

General: Based on review of documentation and interview, ten (10) children did not have written permission forms signed by the child's parent for a walking field trip to Central Park on 06/17/19. Surveyor observed one (1) parent arrive to pick up a child at 12:00 p.m. on 06/17/19, and the parent was upset that she had not been informed the center had a field trip scheduled on 06/17/19.

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, a volunteer start date 03/24/19 was present on 06/17/19, but there was no volunteer policy in place.

1160 - Daily Attendance Records

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

- (c) Daily attendance records documenting the arrival and departure time of each child, including records that are required in accordance with 922 KAR 2:160, Section 13, if a child receives services from the child-care center through the Child Care Assistance Program;

Findings:

General: Based on review of documentation and interview, fifteen (15) children were present on 06/17/19 and only twelve (12) children had their arrival time documented.

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, a caregiver hired 03/24/06, had a professional development plan dated 01/09/18. Two (2) caregivers hired 03/15/06, had a professional development plan dated 01/25/18. A caregiver hired 07/21/06, had a professional development plan dated 01/10/18. A caregiver hired 03/15/06, had a professional development plan dated 01/09/18.

**Inspection Report**

**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 and interview, the schedule of daily activities was not posted in the school-age and preschool classrooms.

**Animals**

**Not Applicable**

Signature of Provider/Representative

Title

Date