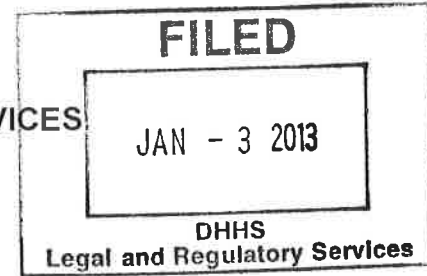


LICENSURE DIVISION
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RECEIVED

THE DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC HEALTH
STATE OF NEBRASKA



IN THE MATTER OF THE REQUEST)
FOR HEARING BY)

12-1951

CRADLES TO CRAYONS, INC.)
D/B/A CRADLES TO CRAYONS)
CHILD CARE-PRESCHOOL,)
A Child Care Center)

FINDINGS OF FACT AND
CONCLUSIONS OF LAW;
ORDER

STATEMENT OF THE CASE

An emergency closing order pursuant to Neb. Rev. Stat. §71-1915 and 391 NAC 4-001.06 was entered on July 17, 2012, revoking the license of Cradles to Crayons, Inc. and prohibiting it from providing care to children, to protect the physical well-being and safety of the children in the child care program.

SUMMARY OF THE HEARING

This matter came on for hearing before Susan Strohn, Department of Health and Human Services Hearing Officer, on November 29, 2012, in Lincoln, Nebraska. Assistant Agency Counsel Teresa Hampton appeared on behalf of the Department. Cradles to Crayons, Inc. did not appear, after being properly served with notice in accordance with Nebraska statutes. Testimony and nine (9) exhibits were offered and received into evidence.

FINDINGS OF FACT

1. Proper notice of this hearing was provided to the parties.
2. On July 12, 2012, a semi-annual inspection of Cradles to Crayons, Inc. was conducted. Multiple violations of Nebraska statutes, regulations, fire and sanitation codes were found, including but not limited to: no hot water for a period of months, no paper towels, no hand soap, no toilet paper, unlocked low windows, a padlocked fire exit, holes on the walls, no fire/tornado evacuation plans, disabled drinking fountain, unlocked hazardous chemicals, unlocked medications, broken equipment on the grounds and premises, unsafe and highly combustible building materials, and nails and splintered wood on the play equipment. In addition, there were no staff records available for review on the premises, and no new director approval.

3. On July 16, 2012, the Department received disapprovals from both the State Fire Marshal and State Health department, after inspections were conducted at Cradles to Crayons, Inc. The State Fire Marshal additionally found that deficiencies cited in an earlier inspection dated April 18, 2012, had not been addressed or rectified.
4. On July 17, 2012, Ms. Pat Urzendowski, Administrator, Children's Services Licensing, reviewed the inspection reports and signed an affidavit in support of an emergency closing order for Cradles to Crayons, Inc.
5. On July 17, 2012, an emergency order was entered closing Cradles to Crayons, Inc., to protect the physical well-being and safety of the children in the child care program, and prohibiting it from providing care to children.
6. On July 30, 2012, Cradles to Crayons, Inc. filed its appeal and request for administrative hearing.

CONCLUSIONS OF LAW


Neb. Rev. Stat. §71-1919 provides that disciplinary action may be taken against a license issued under the Child Care Licensing Act when there has been a "(1) [f]ailure to meet or violation of any of the...rules and regulations adopted and promulgated under the act;" or "(4) [c]onduct or practices detrimental to the health or safety of a person served by...the program;" or "(7) [f]ailure to meet requirements relating to sanitation, fire safety, and building codes...." Neb. Rev. Stat. §71-1920 provides that a discipline to a child care license includes revocation by the Department. 391 NAC 4-001.04 provides that the Department may initiate proceedings to revoke a license when (2) "a licensee has violated a regulation(s) so as to create a situation which places children at substantial risk;" when (9) "there is a fire safety (inspection) disapproval;" when (10) "there is a sanitation (inspection) disapproval;" or when (17) "a licensee has violated any regulation."

Pursuant to 391 NAC 4-001.05A, the Director finds that the charges are true, that the conditions of Cradles to Crayons, Inc. were detrimental to the health and safety of the children served by the program, and that Cradles to Crayons, Inc. violated multiple provisions of the Nebraska statutes and regulations. The action of the Department in revoking the child care license of Cradles to Crayons, Inc. was proper.

ORDER

For the reasons set out above, the appeal filed by Cradles to Crayons, Inc. is hereby DENIED.


DATED this 3 day of January, 2013.



Joann Schaefer M.D.
Chief Medical Officer
Director, Division of Public Health
Dept. of Health and Human Services

CERTIFICATE OF SERVICE

The undersigned certifies that on the 3rd day of January, 2013, a copy of the foregoing **FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER** was sent by regular and certified United States mail, postage prepaid, return receipt requested, to: Cradles to Crayons, Inc., 911 N. Adams, Papillion, NE 68046; and Timothy Ashford, P.C., LLO, 300 S. 19th Street, Suite 316, Omaha, NE 68102; and to Teresa Hampton, Agency Counsel, at: teresa.hampton@nebraska.gov.



DHHS Hearing Office
P.O. Box 98914
Lincoln NE 68509-8914
P. (402) 471-7237 F. (402) 742-2376

**THE DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC HEALTH
STATE OF NEBRASKA**

IN THE MATTER OF)
) **EMERGENCY ORDER AND**
CRADLES TO CRAYONS,) **PROTECTIVE ORDER**
INC.D/B/A CRADLES TO)
CRAYONS CHILD CARE-)
PRESCHOOL)
A Child Care Center)

This matter comes for consideration on the Motion for an Emergency Order and Motion for Protective Order filed by the Nebraska Department of Health and Human Services, Division of Public Health. The Chief Medical Officer and Director, Division of Public Health, having reviewed the Motion and accompanying Affidavits, finds as follows:

1. Cradles to Crayons, Inc. holds a Child Care Center License, located at 911 North Adams, Papillion, NE 68046.

2. An emergency exists requiring immediate action to protect the physical well-being and safety of a child or children in the care of Cradles to Crayons, Inc.

WHEREFORE, IT IS ORDERED:

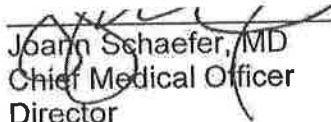
1. Pursuant to Nebraska Revised Statutes §71-1915, the child care license of Cradles to Crayons, Inc. is hereby and immediately revoked, and Cradles to Crayons, Inc. is hereby and immediately prohibited from providing child care to any children. Upon application to the Director within fifteen days of this Order, Cradles to Crayons, Inc. shall be afforded a hearing as soon as possible and within ten days of the application, unless it requests that the hearing be held later. Any such application should be addressed to: Marsha Wandersee, for DHHS, Children's Services Licensing Licensure –Division of Public Health, P.O. Box 94986, Lincoln, NE 68509-4986.

2. Any reference in this matter to any child enrolled in the above child care program or any child residing in the home shall be made by the use of the initial letters of the child's first and last name.

3. Any information which is confidential by state statute shall not be released to the public and any pictures of any children referred to in this matter shall not be released to the public.

DATED this 17 day of July, 2012.

**NEBRASKA DEPARTMENT OF
HEALTH AND HUMAN SERVICES**


Joann Schaefer, MD
Chief Medical Officer
Director
Division of Public Health
Department of Health and Human
Services

**THE DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC HEALTH
STATE OF NEBRASKA**

IN THE MATTER OF)	
)	MOTION FOR EMERGENCY ORDER;
CRADLES TO CRAYONS,)	MOTION FOR PROTECTIVE ORDER
INC.D/B/A CRADLES TO)	
CRAYONS CHILD CARE-)	
PRESCHOOL)	
A Child Care Center)	

COMES NOW the Department of Health and Human Services, Division of Public Health and pursuant to Neb. Rev. Stat. §71-1915 moves the Chief Medical Officer and Director, Division of Public Health to declare an emergency and issue an Emergency Order revoking the child care license of Cradles to Crayons, Inc. 911 N. Adams, Papillion, NE 68046 and prohibiting it from providing care for any children. Cradles to Crayons, Inc. has a license as a Child Care Center at 911 N. Adams, Papillion, NE 68046. Its operating hours are Monday through Friday; 0600 to 1900. The Department also requests that a Protective Order be entered pursuant to Neb. Rev. Stat. §84-914(2) to protect the privacy of any minor children whose identity may be revealed during the course of these proceedings, and to ensure the confidentiality of any information which is deemed confidential by state statute.

The Department requests the following:

1. That any reference to any child enrolled in the above child care program or any foster child residing in the home or any child of the licensee be made by the use of the initial letters of the child's first and last name.
2. That any information which is confidential by state statute be protected from release to the public and that any pictures of children referred to in matter be non-releasable to the public. .

In support of its motion the Chief Medical Officer and Director is shown the accompanying affidavits of Dawn Kozak, Child Care Inspection Specialist, and Patricia Urzedowski, Section Administrator.

WHEREFORE the Department moves the Chief Medical Officer and Director of the Division of Public Health for an Emergency Order revoking the child care license of Cradles to Crayons, Inc. and prohibiting it from providing care for any children.

**Nebraska Department of Health
and Human Services**

Dated: *July 17, 2012*

Teresa M. Hampton

Teresa M. Hampton #16746

P.O. Box 95026

Legal Services

Department of Health and Human
Services

Lincoln, Nebraska 68509-5026

(402) 471-4051

Its Attorney

THE DEPARTMENT OF HEALTH AND HUMAN SERVICES

DIVISION OF PUBLIC HEALTH

STATE OF NEBRASKA

IN THE MATTER OF)
)
THE CHILD CARE CENTER LICENSE OF)
)
CRADLES TO CRAYONS, INC. D/B/A CRADLES) AFFIDAVIT
TO CRAYONS CHILD CARE-PRESCHOOL)

STATE OF NEBRASKA)

COUNTY OF DOUGLAS) ss

Comes now Affiant, Dawn Kozak, being first duly sworn, and states as follows:

1. I am employed as a Child Care Inspection Specialist with the Nebraska Department of Health and Human Services, Division of Public Health, Office of Children's Services Licensing (hereinafter "Department").
2. The records of the Department show that Cradles to Crayons, Inc. d/b/a Cradles to Crayons Child Care Center -Preschool holds a Child Care Center License, with a license capacity of 64, at 911 N. Adams, Papillion, Ne. 68046.
3. Children's Services Licensing (CSL) conducted a Semi- annual Inspection on the premises on July 12, 2012.
4. On that date Kozak observed the following:
 - No daily schedules posted for any age group
 - No staff records for any staff available for review on the premises
 - Staff responsible for menu planning had not completed 4 hours of training as required
 - No infant feeding schedules signed by parents on the premises.
 - No fire/tornado evacuation plans posted
 - Holes in the walls from where soap dispensers and paper towel dispensers had been torn off the wash room walls by the company that provided them.
 - Only one roll of toilet paper was available, for the boy and girls bathroom, which was sitting on the floor in the girls' bathroom.

- Drinking fountain was turned off due to leaking thus no water readily available to children
- One hand washing sink not working and soap not available
- No paper towels or individual towels available for hand drying
- Water tested at 67 F. Staff stated no hot water had been available since May, 2012
- Staff were preparing bottle and infant food in the sink that were utilized for hand washing after diaper changing. Staff stated that there had been a water cooler in the room up until 2 weeks ago, at which time the owner removed it.
- Several electrical outlets were missing safety caps.
- Diapers were not being disposed of in air tight containers but were being placed in a trash can in the infant room.
- Containers used for garbage/food disposal were not covered or water tight.
- Medications were not in locked storage and program had no way of locking medications in the refrigerator.
- Laundry soap, bleach and other chemicals were not in locked storage and were accessible to children in the laundry room and kitchen.
- Windows within reach of children did not lock, and children were able to push them open gaining access to outside per staff. A playhouse and other objects had been placed against the windows to block children from opening the windows and getting out. No screens on the windows to keep rodents out.
- Rear fire exit had a dead bolt lock on it which would impede children's ability to exit facility in case of fire.
- Broken equipment and garbage as well as weeds along both sides of the building that needed removal.
- Program was unable to sanitize dishes due to the gas being turned off for several weeks thus water could not be heated.
- Nails and splintered wood on play equipment in playground area
- No new director approval. Director has been employed since May, 2012.

On July 16, 2012 Children's Services Licensing received disapprovals from both the State Fire Marshal and State Health Inspectors regarding inspections conducted by each.

- State Fire Marshal's report reflects that the facility was disapproved for failure to comply with the written orders from the April, 2012 inspection, and that serious code violations exist.
- State Health Inspection report reflects that the facility was disapproved and violations, including no hot water, are a significant health risk to children and staff.

A copy of the disapprovals is attached and incorporated herein by this reference.

Based on the information above, it is my professional opinion that there is an immediate risk of harm to children in care and this is an emergency situation which requires immediate action to protect the physical well-being and safety of children enrolled in this child care program which operates Monday

through Friday 0600 to 1900. My professional opinion is that an Order be entered prohibiting Cradles to Crayons, Inc. from providing care.

Dawn Kozak
Child Care Inspection Specialist

Dawn Kozak

Child Care Inspection Specialist

Dated this 17th day of July, 2012.

Acknowledgement

State of Nebraska

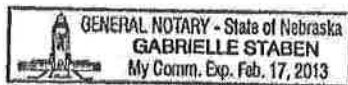
County of Douglas

The foregoing instrument was acknowledged before me this

07/17/2012 by [Signature]

(date)

(name & title of position)



Notary Public Signature

mm

CHILD CARE INSPECTION REFERRAL

Nebraska Department of Health and Human Services



<input checked="" type="checkbox"/> Sanitation Inspection				<input type="checkbox"/> Fire Safety Inspection				Date of Referral							
REFERRED TO:						REFERRED BY/RETURN TO:									
Name Nebr. Dept of HHS - Sanitation Philippo <i>c/o Terry Philippo</i>						Name Children's Service Licensing / Dawn Kozak									
Address P.O. Box 95026						Address 1701 N 73 rd St									
City Lincoln		County Lancaster		Zip 68507		Telephone No. (402) 471-0515		City Omaha		County Douglas		Zip 68114		Telephone No. 595- (402) 3203	

APPLICATION INFORMATION															
<input type="checkbox"/> Family Child Care Home I <input type="checkbox"/> Family Child Care Home II <input checked="" type="checkbox"/> Child Care Center <input type="checkbox"/> Preschool (Months of Operation) _____ To _____										<input type="checkbox"/> New <input type="checkbox"/> Amendment <input checked="" type="checkbox"/> Consultation					
Name of Facility <i>Cradles to Crayons</i>							Contact Person <i>Daemon Stevenson</i>								
Address <i>911 N. Adams</i>							Mailing Address (If Needed) <i>same</i>								
City <i>Phillipion</i>		County <i>Darby</i>		Zip <i>67046</i>		Facility Telephone No. <i>(402) 339-517</i>		City ()		County ()		Zip ()		Facility Telephone No. ()	
Days of Operation <input checked="" type="checkbox"/> Monday <input checked="" type="checkbox"/> Tuesday <input checked="" type="checkbox"/> Wednesday <input checked="" type="checkbox"/> Thursday <input checked="" type="checkbox"/> Friday <input type="checkbox"/> Saturday <input type="checkbox"/> Sunday															
Hours of Operation <i>0600</i> a.m. to <i>1900</i> p.m. and/or _____ p.m. to _____ a.m.															
Requested Number of Children at any ONE Time <i>65</i> Minimum Age <i>6 wks</i> Maximum Age <i>13 yr</i>															
Comments: (Directions to facility if needed, note to inspector etc.) <i>Children's Service Licensing request assistance in inspecting facility for possible sanitation violations. Concerns arose when CCI's Kozak conducted a routine inspection on 7-12-12. Concerns are but not limited to No hot water, no gas services, no toilet paper, soap or paper towels available, Broken window latches, NO sanitary means of hand washing or doing dishes</i>															

THIS SECTION TO BE COMPLETED BY INSPECTOR	
SANITATION <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Disapproved <input checked="" type="checkbox"/> Follow-up Needed <input checked="" type="checkbox"/> Referral for Reinspection Required	FIRE Number of Children _____ <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved Fees to be Charged _____ Areas APPROVED for Child Care: <input type="checkbox"/> Basement <input type="checkbox"/> 1st Level <input type="checkbox"/> 2nd Level <input type="checkbox"/> 3rd Level (Added Note: If any other areas are approved, please list)
Comments/List of Corrections <i>Please see report.</i>	
Signature of Inspector <i>Courage Perry - RCI</i>	Date <i>7/17/12</i>

Fax To Dawn Kozak
 From: Terry Phillips RE: 15
 Fax No: 402 545-1657
 No. Pages: 8

Number of Children at Time of Inspection 9	County L.D.	Firm I.D.	Inspector Code 29
	Facility Codes		Inspection Date 12 07 16

Child Care and Group Home Evaluation

Name of Facility: **Cradles to Crayons CC & PSE**
 Street Address: **911 North Adams** City: **Papillion** State: **NE** Zip Code: **68147**

TYPE OF FACILITY		PURPOSE
Center..... A	Group Home..... D	Regular..... 1
Foster Home..... B	Headstart..... E	Follow-up..... 2
Preschool..... C	Other..... F	Complaint..... 3
		Investigation..... 4

ITEM	FACILITY	ITEM	PLUMBING
1	FLOORS: Constructed, drained, clean, good repair, no carpet in kitchen	11	INSTALLED, MAINTAINED; Cross-Connection, back siphonage, back flow protection
2	WALLS, Ceiling, Attached Equipment: properly constructed, good repair, clean surfaces		SEWAGE
3	VENTILATION: Rooms vented as required	12	Sewage and wastewater treatment
4	ROOM TEMPERATURES: 65-70°F, room thermometers		GARBAGE AND REFUSE
5	LIGHTING: Provided as required (20 foot-candles in all areas) sleeping rooms of foster/group are outside rooms with 1/10 floor space providing natural light	13	CONTAINERS OR RECEPTACLES: Covered, adequate number, insect/rodent proof, frequency, clean, outside areas maintained
6	INSECT, RODENT, ANIMAL CONTROL: Presence of insect/rodents, outer openings protected, proof of vaccination for household pets, physically controlled or restrained		STORAGE
	NAPPING/SLEEPING	14	MEDICATIONS, TOXIC ITEMS: Properly stored, labeled, used. Firearms and other hazardous equipment locked, freezer locked, electrical outlets with safety caps
7	COTS, CRIBS, MATS, OR BEDS: Individual, of approved construction, covers provided, 3 ft. spacing, 35 square ft. (foster/group homes), basement used	15	Containers for storing wet, soiled clothing waterproof and covered
	TOILET AND HANDWASHING FACILITIES	16	Individual items for children properly labeled and stored
8	TOILET: One toilet per 15 children, one toilet per 6 in foster/group home. Enclosed, self-closing doors, fixtures, good repair, clean, tissue and holder accessible to children		GROUNDS
9	LAVATORIES: One lavatory per 15 children and 1 per 6 in foster/group home; soap, single service towels, waste receptacle, clean, in good repair, accessible to children. Diaper changing station located in close proximity to handwashing facilities	17	PLAYGROUND: Fenced if required
	WATER	18	50 square feet provided per child when in use
10	WATER: Water source safe, cold and hot (120°F) under pressure, date of last water sample if private well	19	25% of licensed capacity care be accommodated at one time
		20	GROUNDS: Maintained clean, free of nuisances, hazards
			FOOD SERVICE
		21	FD 2420 Score _____
			RECREATION
		22	SWIMMING POOL: Inspected using form 1510

FOLLOW UP (1) YES (2) NO APPROVED (1) YES (2) NO

Remarks: This inspection due to request from Licensing to substantiate violations and potential health risks to children and staff. Enclosed are details of items found in non-compliance. These items are a significant health risk. It appears gas service to building has been shut off for several weeks; hence no hot water for handwashing, dish washing as well as hot water for staff doing diaper changes. Children cannot wash hands properly after using bathroom.

Received by: [Signature] Inspected by: Terry Phillips

Number of Children at Time of Inspection 9	County I.D. 04	Firm I.D.	Inspector Code 29
	Facility Codes		Inspection Date 12 07 16 Y M M D D

Child Care and Group Home Evaluation

Name of Facility Craddles to Crayons Child Care Preschool	TYPE OF FACILITY <input type="checkbox"/> A Group Home <input type="checkbox"/> B Foster Home <input type="checkbox"/> C Preschool <input type="checkbox"/> D Group Home <input type="checkbox"/> E Headstart <input type="checkbox"/> F Other	PURPOSE <input type="checkbox"/> Regular <input type="checkbox"/> Follow-up <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Investigator
Street Address 911 N 4th Adams	City Repton	State GA
Zip Code 30754		

ITEM	FACILITY	ITEM	PLUMBING
1	FLOORS: Constructed, drained, clean, good repair, no carpet in kitchen	11	INSTALLED, MAINTAINED: Cross-Connection, back siphonage, back flow protection
2	WALLS, Ceiling, Attached Equipment: properly constructed, good repair, clean surfaces		SEWAGE <i>City</i>
3	VENTILATION: Rooms vented as required	12	Sewage and wastewater treatment
4	ROOM TEMPERATURES: 65-70°F, room thermometers		GARBAGE AND REFUSE
5	LIGHTING: Provided as required (20 foot-candles in all areas) sleeping rooms of foster/group are outside rooms with 1/10 floor space providing natural light	13	CONTAINERS OR RECEPTACLES: Covered, adequate number, insect/rodent proof, frequency, clean, outside areas maintained
6	INSECT, RODENT, ANIMAL CONTROL: Presence of insect/rodents, outer openings protected, proof of vaccination for household pets, physically controlled or restrained		STORAGE
	NAPPING/SLEEPING	14	MEDICATIONS, TOXIC ITEMS: Properly stored, labeled, used. Firearms and other hazardous equipment locked, freezer locked, electrical outlets with safety caps
7	COTS, CRIBS, MATS, OR BEDS: Individual, of approved construction, covers provided, 3 ft. spacing, 35 square ft. (foster/group homes), basement used	15	Containers for storing wet, soiled clothing waterproof and covered
	TOILET AND HANDWASHING FACILITIES	16	Individual items for children properly labeled and stored
8	TOILET: One toilet per 15 children, one toilet per 6 in foster/group home. Enclosed, self-closing doors, fixtures, good repair, clean, tissue and holder accessible to children		GROUND
9	LAVATORIES: One lavatory per 15 children and 1 per 6 in foster/group home; soap, single service towels, waste receptacle, clean, in good repair, accessible to children. Diaper changing station located in close proximity to handwashing facilities	17	PLAYGROUND: Fenced if required
	WATER <i>City</i>	18	50 square feet provided per child when in use
10	WATER: Water source safe, cold and hot (120°F) under pressure, date of last water sample if private well	19	25% of licensed capacity care be accommodated at one time
		20	FOUNDATIONS: Maintained clean, free of nuisances, hazards
			FOOD SERVICE
		21	FD 2420 Score <i>See 6000601m</i>
			RECREATION <i>NA</i>
		22	SWIMMING POOL: Inspected using form 1510

FOLLOW UP (1) YES (2) NO APPROVED (1) YES (2) NO

Remarks
1 Stain on carpet near front of building **2** Holes in wall where paper towel dispensers were removed as well as where soap dispensers were need repaired **3** Several fixtures appear to have burnt fluorescent tubes or bad ballasts. Need to be replaced **4** Insects need to be removed from fluorescent fixtures **5** Several toilet, especially in boys rest room need cleaned floor tile - several need replace in boys rest room. No toilet paper available - no dispenser available **6** No hot H2O available at hand sink.

Received by: *[Signature]* Inspected by: *[Signature]* **RETD**

Number of Children at Time of Inspection 9	County I.D.	Firm I.D.	Inspector Code 29
	Facility Code 04	Inspection Date 12 07 16 Y M D	

Child Care and Group Home Evaluation

Name of Facility: **Cradles to Crayons CC & F.S.**
 Street Address: **911 North Adams** City: **Peppin** State: **Mo** Zip Code: **64654**

TYPE OF FACILITY	
Daycare..... A	Group Home..... D
Foster Home..... B	Headstart..... E
Preschool..... C	Other..... F

PURPOSE	
Regular..... 1	
Follow-up..... 2	
Complaint..... 3	
Investigation..... 4	

ITEM	FACILITY	ITEM	PLUMBING
1	FLOORS: Constructed, drained, clean, good repair, no carpet in kitchen	11	INSTALLED, MAINTAINED: Cross-Connection, back siphonage, back flow protection
2	WALLS, Ceiling, Attached Equipment: properly constructed, good repair, clean surfaces	12	SEWAGE C/S Sewage and wastewater treatment
3	VENTILATION: Rooms vented as required		GARBAGE AND REFUSE
4	ROOM TEMPERATURES: 65-70°F, room thermometers	13	CONTAINERS OR RECEPTACLES: Covered, adequate number, insect/rodent proof, frequently clean, outside areas maintained
5	LIGHTING: Provided as required (20 foot-candles in all areas) sleeping rooms of foster/group are outside rooms with 1/10 floor space providing natural light		STORAGE
6	INSECT, RODENT, ANIMAL CONTROL: Presence of insect/rodents, outer openings protected, proof of vaccination for household pets, physically controlled or restrained	14	MEDICATIONS, TOXIC ITEMS: Properly stored, labeled, used. Firearms and other hazardous equipment locked, freezer locked, electrical outlets with safety caps
	NAPPING/SLEEPING	15	Containers for storing wet, soiled clothing waterproof and covered
7	COTS, CRIBS, MATS, OR BEDS: Individual, of approved construction, covers provided, 3 ft. spacing, 35 square ft. (foster/group homes), basement used	16	Individual items for children properly labeled and stored
	TOILET AND HANDWASHING FACILITIES		GROUNDS
8	TOILET: One toilet per 15 children, one toilet per 6 in foster/group home. Enclosed, self-closing doors, fixtures, good repair, clean, tissue and holder accessible to children	17	PLAYGROUND: Fenced if required
9	LAVATORIES: One lavatory per 15 children and 1 per 6 in foster/group home; soap, single service towels, waste receptacle, clean, in good repair, accessible to children. Diaper changing station located in close proximity to handwashing facilities	18	50 square feet provided per child when in use
	WATER C/S	19	25% of licensed capacity care be accommodated at one time
10	WATER: Water source safe, cold and hot (120°F) under pressure, date of last water sample if private well	20	GROUNDS: Maintained clean, free of nuisances, hazards
			FOOD SERVICE
		21	FD 2420 Score See food form
			RECREATION N/A
		22	SWIMMING POOL: Inspected using form 1510

FOLLOW UP (1) YES (2) NO APPROVED (1) YES (2) NO

Remarks:
 (9) No paper towels provided in kitchen when soap dispensers were removed need patches (9) No hot water available for washing hands after changing diapers (13) tight-fitting ties needed for refuse containers both inside & outside (14) store toxic cleaners in separate locked cabinet away from storage of medications (14) Electrical outlets not in use need safety caps (17) Several areas of fence need repair. 2x4's sticking out which are low to the ground are safety hazard. Large wooden plan structure has splintered wood
 Received by: [Signature] Inspected by: [Signature]

Number of Children at Time of Inspection 9	County I.D.	Firm I.D.	Inspector Code 27
	Facility Codes	Inspection Date 12-07-14 T T A M D D	

Child Care and Group Home Evaluation

Name of Facility: Cradles to Crayons C.C.P.S.
 Street Address: 911 North Adams City: Peapack State: NJ Zip Code: 07655

TYPE OF FACILITY		PURPOSE
Daycare..... A	Group Home..... D	Regular..... 1
Foster Home..... B	Headstart..... E	Follow-up..... 2
Preschool..... C	Other..... F	Complaint..... 3
		Investigation..... 4

ITEM	FACILITY	ITEM	PLUMBING
1	FLOORS: Constructed, drained, clean, good repair, no carpet in kitchen	11	INSTALLED, MAINTAINED: Cross-Connection, back siphonage, back flow protection
2	WALLS, Ceiling, Attached Equipment: properly constructed, good repair, clean surfaces		SEWAGE <u>CF</u>
3	VENTILATION: Rooms vented as required	12	Sewage and wastewater treatment
4	ROOM TEMPERATURES: 65-70°F, room thermometers		GARBAGE AND REFUSE
5	LIGHTING: Provided as required (20 foot-candles in all areas) sleeping rooms of foster/group are outside rooms with 1/10 floor space providing natural light	13	CONTAINERS OR RECEPTACLES: Covered, adequate number, insect/rodent proof, frequency, clean, outside areas maintained
6	INSECT, RODENT, ANIMAL CONTROL: Presence of insect/rodents, outer openings protected, proof of vaccination for household pets, physically controlled or restrained		STORAGE
	NAPPING/SLEEPING	14	MEDICATIONS, TOXIC ITEMS: Properly stored, labeled, used. Firearms and other hazardous equipment locked, freezer locked, electrical outlets with safety caps
7	COTS, CRIBS, MATS, OR BEDS: Individual, of approved construction, covers provided, 3 ft. spacing, 35 square ft. (foster/group homes), basement used	15	Containers for storing wet, soiled clothing waterproof and covered
	TOILET AND HANDWASHING FACILITIES	16	Individual items for children properly labeled and stored
8	TOILET: One toilet per 15 children, one toilet per 6 in foster/group home. Enclosed, self-closing doors, fixtures, good repair, clean, tissue and holder accessible to children	17	PLAYGROUND: Fenced if required
9	LAVATORIES: One lavatory per 15 children and 1 per 6 in foster/group home; soap, single service towels, waste receptacle, clean, in good repair, accessible to children. Diaper changing station located in close proximity to handwashing facilities	18	50 square feet provided per child when in use
	WATER <u>CF</u>	19	25% of licensed capacity care be accommodated at one time
10	WATER: Water source safe, cold and hot (120°F) under pressure, date of last water sample if private well	20	FOUNDATIONS: Maintained clean, free of nuisances, <u>hazards</u>
			FOOD SERVICE
		21	FD 2420 Score <u>See Food Log</u>
			RECREATION
		22	SWIMMING POOL: Inspected using form 1510

FOLLOW UP (1) YES (2) NO APPROVED (1) YES (2) NO

Remarks:
 (1) Several nails protruding from facing wooden play structure
 "stairing" wheel on wooden play structure missing some bolts. Patch several playground toys. Astro turf (green) needs patching. Seats to teeter-totter type structure need replaced.
 (2) Chain hanging from soft: it needs to be removed.
 (2) Pull all weeds in playground area.
 (2) Soft: it needs reattached on north of bldg.
 Entry door from playground need painting (corroded).
 (2) Items on south side of bldg. to be patched.

Received by: name [Signature]

Inspected by: name [Signature]

Number of Children at Time of Inspection 9	County I.D.	Firm I.D.	Inspector Code 29
	Facility Code 04	Inspection Date 12 07 14 Y M M O D	

Child Care and Group Home Evaluation

Name of Facility: **Cradles to Crayons; CC & P.S.**
 Street Address: **911 North Adams** City: **Pepperton** State: **Ne** Zip Code: **Ne**

TYPE OF FACILITY	
Center..... A	Group Home..... D
Foster Home..... B	Headstart..... E
Preschool..... C	Other..... F

PURPOSE	
Regular..... 1	
Follow-up..... 2	
Complaint..... 3	
Investigation..... 4	

ITEM	FACILITY	ITEM	PLUMBING
1	FLOORS: Constructed, drained, clean, good repair, no carpet in kitchen	11	INSTALLED, MAINTAINED: Cross-Connection, back siphonage, back flow protection
2	WALLS, Ceiling, Attached Equipment: properly constructed, good repair, clean surfaces	12	SEWAGE City Sewage and wastewater treatment
3	VENTILATION: Rooms vented as required		GARBAGE AND REFUSE
4	ROOM TEMPERATURES: 65-70°F, room thermometers	13	CONTAINERS OR RECEPTACLES: Covered, adequate number, insect/rodent proof, frequency, clean, outside areas maintained
5	LIGHTING: Provided as required (20 foot-candles in all areas) sleeping rooms of foster/group are outside rooms with 1/10 floor space providing natural light		STORAGE
6	INSECT, RODENT, ANIMAL CONTROL: Presence of insect/rodents, outer openings protected, proof of vaccination for household pets, physically controlled or restrained	14	MEDICATIONS, TOXIC ITEMS: Properly stored, labeled, used. Firearms and other hazardous equipment locked, freezer locked, electrical outlets with safety caps
	NAPPING/SLEEPING	15	Containers for storing wet, soiled clothing waterproof and covered
7	COTS, CRIBS, MATS, OR BEDS: Individual, of approved construction, covers provided, 3 ft. spacing, 35 square ft. (foster/group homes), basement used	16	Individual items for children properly labeled and stored
	TOILET AND HANDWASHING FACILITIES		GROUNDS
8	TOILET: One toilet per 15 children, one toilet per 6 in foster/group home. Enclosed, self-closing doors, fixtures, good repair, clean, tissue and holder accessible to children	17	PLAYGROUND: Fenced if required
9	LAVATORIES: One lavatory per 15 children and 1 per 6 in foster/group home; soap, single service towels, waste receptacle, clean, in good repair, accessible to children. Diaper changing station located in close proximity to handwashing facilities	18	50 square feet provided per child when in use
	WATER City	19	25% of licensed capacity care be accommodated, at one time
10	WATER: Water source safe, cold and hot (120°F) under pressure, date of last water sample if private well	20	GROUNDS: Maintained clean, free of nuisances, hazards
			FOOD SERVICE
		21	FD 2420 Score
			RECREATION
		22	SWIMMING POOL: Inspected using form 1510

FOLLOW UP (1) YES (2) NO APPROVED (1) YES (2) NO

Remarks
 (20) Exterior outlet cover needed on electrical outlet on playground side of building.
 (22) Store air compressors and water/air slides in an area away from children when not in use.

Received by: _____ Inspected by: **ALLTB**



FOOD ESTABLISHMENT INSPECTION REPORT

Firm: <u>Crables to Crayons</u>	Firm ID	Inspector Code <u>29</u>
Address: <u>911 W. 49th Ave</u>	Facility Codes	Inspection Date <u>7/16/12</u>
City: <u>Repton, Ne</u>		

Unless otherwise stated, violations cited in this report shall be corrected within a period not to exceed 10 calendar days for critical items (§8-406.11) or 90 days for noncritical items (§8-406.11).

VIOLATIONS: CRITICAL: _____ NONCRITICAL: _____

Regular 1	Purpose: <u>Investigation</u>
Follow-up 2	Other 3
Complaint 3	

Temperature Observations					
Food Product	Product Temp.	Location	Food Product	Product Temp.	Location

Foodborne Illness Risk Factors and Public Health Interventions

Circle designated compliance status (IN, OUT, N/O, N/A) for each numbered item IN=In compliance OUT=not in compliance N/O=not observed N/A=not applicable				Mark "X" in appropriate box for C and/or R C=corrected on site during inspection R=repeat violation					
Item #	Compliance Status	Description	C	R	Item #	Compliance Status	Description	C	R
Demonstration of Knowledge				Potentially Hazardous Food Time/Temperature					
1	IN OUT	Certification by accredited program, compliance with code, or correct responses			16	IN OUT N/A <u>N/O</u>	Proper cooking time & temperature		
Employee Health				Consumer Advisory					
2	<u>IN</u> <u>OUT</u>	Management awareness; policy present			17	IN OUT N/A <u>N/O</u>	Proper reheating procedures for hot holding		
3	<u>IN</u> <u>OUT</u>	Proper use of reporting, restriction & exclusion			18	IN OUT N/A <u>N/O</u>	Proper cooling time and temperatures		
Good Hygienic Practices				Highly Susceptible Populations					
4	IN OUT <u>N/O</u>	Proper eating, tasting, drinking, or tobacco use			19	<u>IN</u> <u>OUT</u> N/A <u>N/O</u>	Proper hot holding temperatures		
5	IN OUT <u>N/O</u>	No discharge from eyes, nose & mouth			20	<u>IN</u> <u>OUT</u> N/A	Proper cold holding temperatures		
Preventing Contamination by Hands				Chemical					
6	<u>IN</u> <u>OUT</u> <u>N/A</u> <u>N/O</u>	Hands clean & properly washed			21	<u>IN</u> <u>OUT</u> N/A <u>N/O</u>	Proper date marking and disposition		
7	IN OUT N/A <u>N/O</u>	No bare hand contact with RTE foods			22	IN OUT N/A <u>N/O</u>	Time as a public health control; procedures & record		
8	<u>IN</u> <u>OUT</u>	Adequate handwashing facilities supplied <u>80%</u> <u>possible</u>			Conformance with Approved Procedures				
Approved Source				Compliance with variance, specialized process, & HACCP plan					
9	IN OUT	Food obtained from approved source			23	IN OUT <u>N/A</u>	Consumer advisory provided for raw or under cooked foods		
10	IN OUT N/A <u>N/O</u>	Food received at proper temperature			Highly Susceptible Populations				
11	IN OUT	Food in good condition, safe & unadulterated			24	IN OUT <u>N/A</u>	Pasteurized foods used; prohibited foods not offered		
12	IN OUT N/A <u>N/O</u>	Required records available; shellstock tags, parasite destruction			Chemical				
Protection from Contamination				Food additives; approved & properly used					
13	IN OUT N/A	Food separated & protected			25	IN OUT <u>N/A</u>	Food additives; approved & properly used		
14	IN OUT N/A	Food-contact surfaces: cleaned & sanitized			26	IN OUT	Toxic substances properly identified, stored & used		
15	IN OUT	Proper disposition of returned, previously served, recondition, unsafe food			Conformance with Approved Procedures				
					27	IN OUT N/A	Compliance with variance, specialized process, & HACCP plan		
						IN OUT N/A	Ventilation adequate in dry storage to maintain ideal temperatures		
						IN OUT N/A	Thermometer in dry storage areas		
						IN OUT N/A	Locks on all storage areas to prevent pilferage		

Critical X	Item #	Code Reference	Violation Description/Remarks/Corrections
	6		Employees cannot adequately wash hands due to hot hot water in building
	2		Apparent management not aware of all rules & reqs needed to be complied with as far as food safety and food preparation

Follow-up: Yes No

Received by: [Signature] Inspected by: [Signature]

REPT

Nebraska Department of Health and Human Services • Drinking Water and Environmental Health • P.O. Box 99026 • Lincoln, NE 68509-5026 • (402) 471-0903



FOOD ESTABLISHMENT INSPECTION REPORT

Firm: <u>Cradles to Crayons LLC</u>	Firm ID	Inspector Code <u>29</u>
Address: <u>911 North Adams</u>	Facility Codes	Inspection Date <u>7/16/12</u>
City: <u>Papillion, Ne</u>		

Unless otherwise stated, violations cited in this report shall be corrected within a period not to exceed 10 calendar days for critical items (§8-405.11) or 90 days for noncritical items (§8-406.11).

Regular 1	Investigation 4
Follow-up 2	Other 5
Complaint 3	

VIOLATIONS: CRITICAL: _____ NONCRITICAL: _____

Temperature Observations					
Food Product	Product Temp.	Location	Food Product	Product Temp.	Location

Foodborne Illness Risk Factors and Public Health Interventions

Circle designated compliance status (IN, OUT, N/O, N/A) for each numbered item IN=in compliance OUT=not in compliance N/O=not observed N/A=not applicable				Mark "X" in appropriate box for C and/or R C=corrected on site during inspection R=repeat violation											
Compliance Status				C	R	Compliance Status				C	R				
Demonstration of Knowledge						Potentially Hazardous Food Time/Temperature									
1	IN	OUT	Certification by accredited program, compliance with code, or correct responses			16	IN	OUT	N/A	N/O	Proper cooking time & temperature				
Employee Health						Consumer Advisory									
2	IN	OUT	Management awareness; policy present			17	IN	OUT	N/A	N/O	Proper reheating procedures for hot holding				
3	IN	OUT	Proper use of reporting, restriction & exclusion			18	IN	OUT	N/A	N/O	Proper cooling time and temperatures				
Good Hygienic Practices						Highly Susceptible Populations									
4	IN	OUT	N/O	Proper eating, tasting, drinking, or tobacco use			19	IN	OUT	N/A	N/O	Proper hot holding temperatures			
5	IN	OUT	N/O	No discharge from eyes, nose & mouth			20	IN	OUT	N/A	Proper cold holding temperatures				
Preventing Contamination by Hands						Chemical									
6	IN	OUT	N/O	Hands clean & properly washed			21	IN	OUT	N/A	N/O	Proper date marking and disposition			
7	IN	OUT	N/A	N/O	No bare hand contact with RTE foods			22	IN	OUT	N/A	N/O	Time as a public health control; procedures & record		
8	IN	OUT	N/A	N/O	Adequate handwashing facilities supplied & accessible			23	IN	OUT	N/A	Consumer advisory provided for raw or under cooked foods			
Approved Source						Conformance with Approved Procedures									
9	IN	OUT	Food obtained from approved source			24	IN	OUT	N/A	Pasteurized foods used; prohibited foods not offered					
10	IN	OUT	N/A	N/O	Food received at proper temperature			25	IN	OUT	N/A	Food additives; approved & properly used			
11	IN	OUT	Food in good condition, safe & unadulterated			26	IN	OUT	Toxic substances properly identified, stored & used						
12	IN	OUT	N/A	N/O	Required records available; shellstock tags, parasite destruction			27	IN	OUT	N/A	Compliance with variance, specialized process, & HACCP plan			
Protection from Contamination						Other									
13	IN	OUT	N/A	Food separated & protected				IN	OUT	N/A	Ventilation adequate in dry storage to maintain ideal temperatures				
14	IN	OUT	N/A	Food-contact surfaces; cleaned & sanitized				IN	OUT	N/A	Thermometer in dry storage areas				
15	IN	OUT	Proper disposition of returned, previously served, recondition, unsafe food				IN	OUT	N/A	Locks on all storage areas to prevent pilferage					

Critical X	Item #	Code Reference	Violation Description/Remarks/Corrections
	8		Handwashing sink does not have hot water to it, nor does any of the building have hot water. This is paramount to reducing bacteria and the spread of germs and ensuring the health and safety of children and staff.

Follow-up: Yes No

Received by: _____ Inspected by: Gregg Holman, RS

Nebraska Department of Health and Human Services - Drinking Water and Environmental Health - P.O. Box 95026 - Lincoln, NE 68509-5026 - (402) 471-0803



FOOD ESTABLISHMENT INSPECTION REPORT

Firm: <u>Cradles to Crayons Child Care</u>	Firm ID: _____	Inspector Code: <u>29</u>
Address: <u>911 North Adams</u>	Facility Code: _____	Inspection Date: _____
City: <u>Popillion, Ne</u>		

Good Retail Practices
 Good Retail Practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into foods.

Safe Food and Water		C	R	Proper Use of Utensils		C	R
26	Pasteurized eggs used where required			41	In-use utensils; properly stored		
28	Water & ice from approved source			42	Utensils, equipment, & linens; properly stored, dried & handled		
30	Varieties obtained for specialized processing methods			43	Single-use & single-service articles; properly stored & used		
Food Temperature Control				Utensils, Equipment, and Vending			
31	Proper cooling methods used; adequate equipment for temperature control			44	Gloves used properly		
32	Plant food properly cooked for hot holding			45	Food & non-food contact surfaces cleanable, properly designed, constructed & used		
33	Approved thawing methods used			46	Handwashing facilities; installed, maintained, & used; test strips		
34	Thermometers provided & accurate			47	Non-food contact surfaces clean		
Food Identification				Physical Facilities			
35	Food properly labeled; original container			48	Hot & cold water available; adequate pressure		
Prevention of Food Contamination				49	Plumbing installed, proper backflow devices		
36	Insects, rodents, & animals not present; no unauthorized persons			50	Sewage & waste water properly disposed		
37	Contamination prevented during food preparation, storage, & display			51	Toilet facilities; properly constructed, supplied & cleaned		
38	Personal cleanliness; hair restraints			52	Garbage & refuse properly disposed, facilities maintained		
39	Wiping cloths; stored in sanitizing solution and properly used			53	Physical facilities installed, maintained, & clean		
40	Washing fruits & vegetables washed prior to use			54	Adequate ventilation & lighting; designated areas used		

Critical X	Item #	Code Reference	Violation Description/Remarks/Corrections
	48		Handwashing sink inaccessible due to bleach stored in it, faucet may be faulty as to handle.
	32		Refuse container in kitchen too have tight-fitting lid
	46		Dishwashing machine must have hot water supplied to it at a minimum of 140°F to enable booster heater to get to proper sanitizing temps.
	48		Dining room hood sink draining slow and needs maintenance
	34		digital thermometer needed for monitoring safe hot & cold foods
	35		Label rib meat and date made in place
	53		Top part of half-wall between kitchen and dining rooms need repaired

Unless otherwise stated, violations cited in this report shall be corrected within a period not to exceed 10 calendar days for critical items (58-405.11) or 90 days for noncritical items (58-406.11).

Received by: [Signature] Inspected by: [Signature] **REBY**

Nebraska Department of Health and Human Services - Drinking Water and Environmental Health - P.O. Box 85026 - Lincoln, NE 68509-5026 • (402) 471-0903

Page 3 of 3 Food Form

STATE OF NEBRASKA – STATE FIRE MARSHAL
246 South 14th Street
Lincoln, NE 68508-1804

ORDER FORM

V-010106

ORDER NUMBER..... 10773
DATE OF INSPECTION..... 7/16/2012
OWNER.....
OCCUPANT..... Cradles to Crayons Child Care
ADDRESS..... 911 North Adams
CITY/TOWN..... Papillion
COUNTY..... Sarpy
HOW OCCUPIED..... Preschool

FEE CARD YES NO REVISIT DATE
ORDER

Facility is being disapproved at this time for failure to comply with the written orders from the inspection in April, 2012.
Serious code violations do exist and need to be corrected as soon as possible.

If you have questions on this Order, contact the District A State Fire Marshal Office at 402.471.2590.
Or mail at: State Fire Marshal Office, District A Office, 246 South 14th Street, Lincoln, NE, 68508-1804
All items must be corrected to comply with the laws of the State of Nebraska and with rules and regulations adopted by the Nebraska State Fire Marshal as mandated by Sections 81-502 to 81-541.01
It is the duty of the owner or person in charge of the above-named facility or location to immediately take measures to bring the facility into compliance with state regulations.

ALL CORRECTIONS SHALL BE MADE AND ALL ITEMS CORRECTED ON OR BEFORE:

Any damage proximately caused by a failure to remedy the above listed deficiencies shall be deemed to be the sole responsibility of the owner or person in charge by virtue of this notification and order.

Witness my electronically typed name at Louisville, Nebraska, this day of July 16, 2012.

By: Jason McClun
DEPUTY STATE FIRE MARSHAL

Phone Number: 949-0190

**STATE OF NEBRASKA*STATE FIRE MARSHAL
246 SOUTH 14TH STREET
LINCOLN, NE 68508-1804**

Page 1 of 3

		Order Number: 10773	
Facility Name Cradles to Crayons Child Care-Preschool		Occupant Street Address 911 North Adams	
Occupant Day Care Center / Preschool		City / Town Papillion, NE. 68046	
Owner / Address Same		County Sarpy	
		How Occupied Day Care Center / Preschool	
Type of Construction	Date of Inspection 4/18/12	Fee Card YES X NO <input type="checkbox"/> N/A	
ORDER			

On April 18, 2012 a licenser inspection was conducted at the above noted location. Below are the findings of that inspection.

1. No documentation was on location that the Fire Extinguishers were being inspected monthly and or the yearly inspection was conducted. - Fire Extinguishers shall be inspected and service as needed yearly by company knowledgeable in inspecting and servicing fire extinguishers. Monthly inspections can be done in house listed below give information regarding the monthly inspection.

10-4.1.2

Monthly inspection - Periodic inspection of fire extinguishers shall include a check of at least the following items:

- (a) Location in designated place
- (b) No obstruction to access or visibility
- (c) Operating instructions on nameplate legible and facing outward
- (d) * Safety seals and tamper indicators not broken or missing
- (e) Fullness determined by weighing or "hefting"
- (f) Examination for obvious physical damage, corrosion, leakage, or clogged nozzle
- (g) Pressure gauge reading or indicator in the operable range or position

2. Fire extinguishers shall be installed at or near front and rear exits and the kitchen area.

10-3.2.1

STATE OF NEBRASKA*STATE FIRE MARSHAL
246 SOUTH 14TH STREET
LINCOLN, NE 68508-1804

Page 2 of 3

3. No documentation was on location regarding the testing and maintenance of Emergency Lighting and lighted Exit Signs both shall be tested continuously for 90 minutes once yearly and for 30 second monthly. Documentation shall be kept. 7.9.3

4. Fire Alarm system smoke detector shall be installed in office do to the location of fire alarm panel. 17-3.4

5. It was observed that a microwave oven was plugged into a non-approved strip. Non-approved electrical strips or extension cords can be used as permanent wiring. 70-400-8

6. The laundry room was observed to have added vents or louvers to the door. – Laundry room door shall at least smoke tight with no louvers or vents. 17-3.2.1

7. The furnace room, door, frame and hardware assembly shall be constructed or listed for one hour construction with a 45 minute fire rated door. 17-3.2.1

8. It was observed that there were a large number of wooden cubicle uses for storage of children's belongings. Documentation shall be provided that the finish of the cubicles meets a class A or B interior finish rating. 17.3.2.2

9. East wall that separates the kitchen and the dining area from the general use areas shall have its interior finish verified that it meets class A or B. interior finish rating. 17.3.2.2

Note – This wall has wood exterior siding and wood shake shingles.

10. Exterior gate area shall be cleared of all items obstructing the gate from opening. 7.1.10.1

11. Gate shall not be paddle locked to impede exiting in and emergency condition. 7.1.10.1

STATE OF NEBRASKA*STATE FIRE MARSHAL
246 SOUTH 14TH STREET
LINCOLN, NE 68508-1804

Page 3 of 3

12. Approved weather tight box shall be installed to cover outside receptacle by rear door.

17-5.1.1

13. Keyed dead bolt shall not be installed on the rear door; this impedes egress in an emergency.

7.1.9

All items must be corrected to comply with the laws of the State of Nebraska and with rules and regulations adopted by the State Fire Marshal as mandated by section 81-502 to 81-541.01

It is the duty of the owner or person in charge of the above-named facility to immediately take measures to bring the facility into compliance with state regulations. ALL CORRECTIONS SHALL BE MADE AND ALL ITEMS CORRECTED ON OR BEFORE. 6/25/2012

Any damage proximately caused by failure to remedy the above-listed deficiencies shall be deemed to be the sole responsibility of the owner or person in charge by virtue of this notification and order.

Witness my signature at York Nebraska this 18th day of April

By:

Bob Sleight

Chief Deputy State Fire Marshal Bob Sleight #8724

NSFM-02.2001

P001/001

JUL 16 2012 09:30

FAX: 42-339-1553

Craddles to Crayons

Y

03-16-12

District A
10773



if fees have not been received within 30 days of approval,
an order of DISAPPROVAL will be issued. If an order of disapproval is issued,
another inspection will be required and a second fee will be charged.

Please send Yellow Fee Sheet and payment, by Check or Money Order,
in the provided envelope to: **State Fire Marshal Office**
246 South 14th Street
Lincoln, Ne 68508-1804

Facility Type: **Child Day Care**

Facility Name: **CRADLES TO CRAYONS CHILD CARE-PRESCHOOL-12**

Street Address: **911 N Adams**

Mailing Address:

City: **Papillion, 68046**

E-Mail Address:

Inspection Fee: \$60

Revisit Fee:

Total Due: \$60

Upon receipt of this signed form, payment of the fee in accordance with the Nebraska State Statute 81-505.01, and an Order of Approval; a Certificate of Occupancy will be issued.

Please enter your E-Mail address on this form when submitting.

Signature of inspecting official: 8747 Jason McClun

7/16/12
Date

1st Inspection: 4/18/12 1400

Contact: Staff

2nd Inspection: 7/16/12

Contact:

3rd Inspection:

Contact:

4th Inspection:

Contact:

SFM 204 (1/08)

**THE DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF PUBLIC HEALTH
STATE OF NEBRASKA**

**IN THE MATTER OF
CRADLES TO CRAYONS, INC.)
d/b/a)
Cradles to Crayons Child Care -)
Preschool)
A Child Care Center**

AFFIDAVIT

STATE OF NEBRASKA)
) ss
COUNTY OF LANCASTER)

Comes now Affiant, Patricia Urzedowski, being first duly sworn, and states as follows:

1. I am employed as the Administrator of the Office of Children's Services Licensing with the Nebraska Department of Health and Human Services Division of Public Health (hereinafter "Department").
2. The records of the Department show that Cradles to Crayons Inc. holds a Child Care Center license at 911 North Adams, Papillion, NE 68046. Its licensed capacity is 64 and its operating hours are Monday through Friday, 0600 to 1900.
3. In my capacity as Administrator of the Office of Children's Services Licensing, I am the custodian of all licensing records for licensed Child Care Programs.
4. NEB. REV. STAT. §71-1915 provides "(1) Whenever the department finds that an emergency exists requiring immediate action to protect the physical well-being and safety of a child in a program, the department may, without notice or hearing, issue an order declaring the existence of such an emergency and requiring that such action be taken as the department deems necessary to meet the emergency. The order may include an immediate prohibition on the care of children by the licensee other than children of the licensee. An order under this subsection shall be effective immediately. Any person to whom the order is directed shall comply immediately, and upon application to the department, the person shall be afforded a hearing as soon as possible and not later than ten days after his or her application for the hearing. On the basis of such hearing the department shall continue to enforce such order or rescind or modify it...."

5. 391 NAC 4-001.06 provides "Whenever the Director finds that an emergency exists requiring immediate action to protect the physical well being and safety of a child in a child care/preschool program, the Director may, without notice or hearing, issue an order declaring the existence of such an emergency and requiring that action be taken as the Director deems necessary to meet the emergency. Any person to whom the order is directed shall comply immediately, except that upon application to the Director, the person must be given an opportunity for a hearing as soon as possible, but not later than ten days after filing for a hearing. On the basis of this hearing, the Director shall continue to enforce the order or revoke, or modify it. Hearings regarding Emergency Closing Orders will be conducted in accordance with the hearing provisions contained in the suspension or revocation appeal process."
6. 391 NAC 4-001.04 provides "The Department may initiate suspension or revocation proceedings under any of the following circumstances: 2. When a licensee has violated a regulation(s) so as to create a situation which places children at substantial risk;...9. When there is a fire safety (inspection) disapproval; 10. When there is a sanitation (inspection) disapproval;... 17. When a licensee has violated any regulation;..."
7. Based on the information contained in the Affidavit signed by Dawn Kozak, Child Care Inspection Specialist with the Department of Health and Human Services, Division of Public Health, the Sanitation Inspection Report completed by Terry Philippi, Environmental Health Scientist III with the Department of Health and Human Services, Division of Public Health, and the Fire Safety Inspection Report signed by Jason McClune, Deputy Fire Marshal with the State Fire Marshal, Cradles to Crayons Inc. has violated the following Child Care Licensing Regulations:

391 NAC 8-001 Administration:

391 NAC 8-001.01 Staff Records: Staff records must include, but are not limited to -

1. The name, address, and telephone number of each staff member;
2. "Health Information Report" (Form DSS-0915), or a report containing the same information for all persons having contact with the children and/or food service;
3. A statement from the director certifying that s/he has verified staff qualifications;

4. Dates of employment and separation...

391 NAC 8-002 Staff Qualifications: The Director shall make available to the Department of Health and Human Services written verification of meeting staff qualifications (i.e., copy of transcript, letter of verification, grade reports, reference letters, certificates).

Within 30 days of hiring, each staff member shall provide a "Health Information Report" (Form DSS- 0915) current within six months of hiring or a report containing the same information. Form DSS- 0915 is due annually.

391 NAC 8-003 Registry Checks: The Department of Health and Human Services shall clear the names of all staff employed by the center, as indicated on the application, with the Nebraska Central Registry and Child Abuse and Neglect and the Nebraska Adult Protective Services Registry before issuing a license.

391 NAC 8-004 Director Qualifications:

Centers Licensed for More Than 22 Children: For centers licensed for more than 22 children, the Director shall meet one of the following requirements:

1. Have the minimum of a high school diploma or general education diploma and two years of verifiable experience in organized group activities for young children, as indicated by a positive reference from a former employer(s)/supervisor(s);
2. Verify that s/he has successfully completed six credit hours or 36 clock hours of Department-approved in-service in the area of child development, early childhood education, or child care administration. Business courses may be included, not to exceed 50 percent of the credit or clock hour requirements;
3. Have a Child Development Associate Credential;
4. Have an associate degree in child development, early childhood education, or child care administration;

5. Hold a bachelor degree from an accredited college or university and at least six credit hours in child development or early childhood education;
- or
6. Hold a bachelor degree in child development or early childhood education from an accredited college or university.

391 NAC 8-005 Teacher/Assistant Teacher Qualifications: The teacher/assistant teacher must have reached the legal age of majority. S/he shall meet one of the following:

1. Obtain a written Department-approved plan to acquire at least three credit hours or 15 clock hours of Department-approved in-service in the area of child development, early childhood education, or child care administration in a period not to exceed 12 months;
2. Verify that s/he has one year of experience in organized group activities for young children as indicated by a positive reference from a former employer(s)/supervisor(s);
3. Have a Child Development Associate Credential; or
4. Hold a bachelor or associate degree in fields related to the care/education of children ages 0 to 12 years (i.e., early childhood education, child development, elementary education, or special education).

The Director shall insure that any person having responsibility for children has read and is familiar with the "Child Care Center Regulations." (DSS-PB-365)

391 NAC 8-006 Prior to Hire:

Candidates being considered for employment as a director, teacher, assistant teacher, and all support staff must be checked against the Nebraska Central Registry of Child Abuse and Neglect and the Nebraska Adult Protective Services Central Registry before being hired.

Candidates being considered for employment as a director, teacher, assistant teacher, and/or support staff shall submit a signed "Felony/Misdemeanor Statement"

to the licensee or director. The licensee or director shall request additional information from the appropriate law enforcement agency as needed to comply with Department regulations.

391 NAC 8-007 Felony/Misdemeanor Statement: The licensee is responsible for reporting any arrests, misdemeanor tickets other than traffic violations, pending criminal charges, and/or any felony/misdemeanor convictions on themselves, the director and staff which includes teachers/assistant teachers and all support staff. The licensee of a child care center shall submit a Felony/Misdemeanor Statement, signed and dated by the licensee, director, and staff, which includes teachers, assistant teachers, and all support staff, age 19 and older, which includes the following information:

1. Felony and/or misdemeanor arrests related to crimes against children;
2. Misdemeanor tickets, other than minor traffic violations;
3. Felony and/or misdemeanor convictions;
4. Any pending criminal charge(s); and
5. Current parole or probation status.

This statement must include all law enforcement contacts, regardless of prosecution.

391 NAC 8-008 In-Service Requirements: Each center staff person shall participate in in-service annually as provided below:

- ...2. The staff person responsible for menu planning shall obtain at least four clock hours of training in the area of nutrition and food service during the first year of employment. If not the same, this person is responsible to train the cook in food handling and preparation;...

391 NAC 8-010 Program: A written daily schedule, which provides for the following, must be posted:

1. Physical care routines including -
 - a. Regular snack and meal times;
 - b. Nap or rest period; and
 - c. Toileting and washing; and

2. Activities including -

- a. Outdoor play, weather permitting;
- b. Individual and group play; and
- c. Active and quiet play.

391 NAC 8-015 Infant Care:

...The center shall obtain and keep on file a written statement signed and dated by the parent, giving formula and feeding schedule.

...Staff shall wash their hands thoroughly with soap and water after changing a diaper.

391 NAC 8-017 Facility:

...The licensee shall develop a written fire evacuation plan and a tornado safety plan to be posted in a conspicuous place...

391 NAC 8-020.01 Facility: To be licensed, all centers must have -

- ...5. Walls and ceilings which are clean and in good repair.
- ...7. Effective screening on all openings into the outer air when flies or other flying insects are prevalent.
- ...9. Measures to prevent the entrance and harborage of rodents.
- ...13. Safety caps on all electrical outlets within the reach of children under six years of age.

391 NAC 8-020.02 Toilet and Lavatory Facilities: The licensee shall ensure that:

- ...2. Toilet rooms are kept clean, in good repair, well-lighted, well-ventilated, and fully enclosed.
- ...7. Hot and cold running water and soap are provided.
- 8. Water temperature at the lavatory is at least 100 degrees Fahrenheit, but no greater than 120 degrees Fahrenheit.

9. Single service towels and individual washcloths, and facilities for storing them are provided; the use of a common towel and washcloth is prohibited.

10. Sanitary dispensing and disposal units are provided for paper towels and are installed at heights convenient for the children's use.

... 12. No adult or child resumes work or play after using the bathroom without first washing his/her hands.

391 NAC 8-020.03 Water Supply: The licensee shall ensure that -

... 3. Adequate water heating facilities are provided so that a sufficient amount of hot water for general cleaning as well as washing and sanitizing utensils is available at proper temperatures.

... 5. Drinking water is provided by sanitary drinking fountains or individual cups; the use of common drinking containers is prohibited.

6. Sanitary dispensing and disposal units are provided for paper cups.

391 NAC 8-020.05 Sewage and Garbage: The licensee shall ensure that -

... 2. All garbage and refuse is collected, stored, and disposed of in a manner which will not create a nuisance, provide a breeding place for flies, or provide food or harborage for rodents.

3. All containers, both indoor and outdoor, for garbage and refuse are watertight, have tight fitting covers and are fly and rodent proof. Garbage containers must be kept clean.

391 NAC 8-020.06 Storage: The licensee shall ensure that -

1. Locked storage is provided solely for drugs.

2. Separate locked storage is provided for insecticides, cleaning, polishing, and sanitizing agents, and any other poisons; these poisons must be kept separate from food items and inaccessible to children.

391 NAC 8-020.08 Grounds: The licensee shall ensure that -

...6. The grounds are kept neat and clean and free from rodent harborages and accident hazards; the grounds must be properly sloped or drained to prevent stagnant water collection.

391 NAC 8-020.09 Food Service: Standards governing food service sanitation are found in the Food Service Sanitation Manual; 1995; Recommendations of the U.S. Public Health Service, as they are amended from time to time.

Further affiant saith not.

Patricia Urzedowski
Patricia Urzedowski, Administrator
Office of Children's Services Licensing

Subscribed and sworn before me this 17th day of July, 2012.

Kathryn J. Parham

Notary Public

