



Andy Beshear
GOVERNOR

CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL

Melissa A. Moore, Director
Division of Regulated Child Care
Southern Branch
116 Commerce Ave
London, KY 40744
Phone: (606) 330-2030 Fax: (606) 330-2056
<https://chfs.ky.gov/agencies/os/oig>

Eric Friedlander
SECRETARY

Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Wendy's Wonderland	Provider Information	CLR No: L383088
Provider Address: 14 Garth Street, Monticello, KY, 42633	Provider Type: LICENSED TYPE I	Capacity: 62
Owner(s): Wendy's Wonderland, Inc.		Director(s): Phillips, Erica Marie

Inspection Type: Renewal Application	Inspection Information	Inspection No: 245617
Date Initiated: 10/25/2018 10:45 AM	Date Concluded: 10/25/2018 1:30 PM	
	No. of Children Present: 32	

Inspection Report	
Background Checks	Not In Compliance
5 - Background check/left alone/dismissed/relocated	Not In Compliance
<p>922 KAR 2:280. Section 3. Implementation and Enforcement.</p> <p>(1) A person who is a child care staff member prior to January 1, 2018, shall submit to and complete background checks in accordance with this administrative regulation no later than September 30, 2018.</p> <p>(2) A child care staff member hired on or after April 1, 2018, shall:</p> <p>(a) Have completed the background checks required in accordance with this administrative regulation and been found to have no disqualifying offense prior to becoming a child care staff member; or</p> <p>(b) 1. Have submitted to the background checks required in accordance with this administrative regulation;</p> <p>2. Not be left unsupervised with a child in care pending the completion of the background checks in accordance with this administrative regulation; and</p> <p>3. Be dismissed or relocated from the residence if the person is found to have a disqualifying background check result.</p> <p>Findings:</p> <p>General: Based on review of documentation, the surveyor found a staff's (DOH: 7/25/16) file did not contain a completed CAN check. The staff is under the age of eighteen (18). A CAN check application was received by the Division of Child Care on 10/3/14; however, when the CAN check was returned to the child care center, the results section on the form was not marked. The director was aware of the issue stating she needs to submit another CAN check on the staff. The director reported the staff has not worked alone with children since the staff is under eighteen (18) years of age.</p>	
Supervision	Not In Compliance
90 - Children Supervised	Not In Compliance
<p>922 KAR 2:120. Section 2. Child Care Services.</p> <p>(3)(a) Each center shall maintain a child-care program that assures each child will be:</p> <p>1. Provided with adequate supervision at all times by a qualified staff person who ensures the child is:</p> <p>a. Within scope of vision and range of voice; or</p> <p>b. For a school-age child, within scope of vision or range of voice;</p> <p>Findings:</p> <p>General: Based on observation, the surveyor found a three-year-old child exit the bathroom and enter the preschool classroom with no staff present. No staff were present in the bathroom, hallway, or inside the preschool classroom. The surveyor observed the child go through an exit door inside the preschool classroom that goes onto the playground with no staff present. The surveyor overheard the staff on the playground tell the child not to go to the restroom without letting the staff know. When the surveyor interviewed the staff regarding the incident, the staff thought the director had taken the child to the bathroom. The surveyor interviewed the director and the director reported she did not take the child to the bathroom.</p>	
Staffing Requirements	In Compliance
General Administration	In Compliance

Inspection Report**Director Requirements****Not In Compliance****335 - Staff Management/Policy Development/Supervision****Not In Compliance****922 KAR 2:090. Section 10. Director Requirements and Responsibilities.****(1) A director shall:**

- (e) Manage the staff in their individual job descriptions;**
- (f) Assure the development, implementation, and monitoring of child-care center plans, policies, and procedures;**
- (g) Supervise staff conduct to ensure implementation of program policies and procedures;**

Findings:

General: Based on review of documentation, the surveyor found the following:

(1.) The child care center has a policy that states the following: All staff are required to take fifteen (15) hours of continuing education. During the renewal inspection, the surveyor found two (2) staff did not obtain the fifteen (15) hours of continuing education; therefore, the director did not ensure the implementation of the child care center's policy.

(2.) The child care center has a policy that states the following: All staff will have to have a TB skin test with negative results or a doctor's statement saying you are free of TB. During the renewal inspection, the surveyor found that two (2) staff did not have a current negative tuberculin result; therefore, the director did not ensure the implementation of the child care center's policy.

(3.) The child care center has a policy that states the following: All staff will take orientation worth six (6) hours within the first ninety (90) days of hiring. During the renewal inspection, the surveyor found that two (2) staff did not obtain the six (6) hours of orientation training within their first ninety (90) days of employment; therefore, the director did not ensure the implementation of the child care center's policy.

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, the surveyor found the following:

(1.) Staff's (DOH: 7/25/16) file contained an annual written performance evaluation that was dated 7/21/17; therefore, the evaluation needs to be updated.

(2.) Staff's (DOH: 8/10/16) file contained an annual written performance evaluation that was dated 8/10/17; therefore, the evaluation needs to be updated.

(3.) Staff's (DOH: 6/1/13) file contained an annual written performance evaluation that was dated 6/1/17; therefore, the evaluation needs to be updated.

350 - Health, Safety, Comfort**Not In Compliance****922 KAR 2:090. Section 10. Director Requirements and Responsibilities.****(1) A director shall:**

- (l) Assure the health, safety, and comfort of each child;**

Findings:

General: Based on observation, the surveyor found the following:

(1.) One (1) infant was asleep in a crib with a pacifier in the infant's mouth. The pacifier's end had a stuffed animal attached. The stuffed animal attached to the end of the pacifier creates a safety risk for the sleeping infant child.

(2.) A small gathering of water was found in the hallway just outside the toddler room door. Staff reported water may have leaked from a small refrigerator that was moved out of the center earlier in the day.

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, the surveyor found the following:

(1.) Staff's (DOH: 8/10/16) file contained a copy of a negative tuberculin result dated 8/22/16; therefore, the result is no longer current.

(2.) Staff's (DOH: 8/15/18) file contained a copy of a negative tuberculin result dated 9/29/16; therefore, the result is no longer current.

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 ECE – TRIS, the surveyor found the following:

- (1.) Staff (DOH: 11/11/15) obtained nine and one-half (9 ½) of the required fifteen (15) hours of cabinet–approved early care and education training.
- (2.) Staff (DOH: 11/11/15) completed the one and one-half (1 ½) hours of pediatric abusive head trauma training on 9/27/13; therefore, the staff needs to update their training as the training is required once every five (5) years.
- (3.) Staff (DOH: 8/10/16) obtained none of the required fifteen (15) hours of cabinet–approved early care and education training.
- (4.) Staff (DOH: 6/1/13) obtained fourteen and one-half (14 ½) of the required fifteen (15) hours of cabinet–approved early care and education training.
- (5.) Staff (DOH: 7/9/18) did not obtain the required six (6) hours of cabinet–approved orientation within their first three (3) months of employment.
- (6.) Staff (DOH: 4/17/18) did not obtain the required six (6) hours of cabinet–approved orientation within their first three (3) months of employment.

Programming

In Compliance

Premises

Not In Compliance

540 - Premises Requirements

Not In Compliance

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

- (1) The premises shall be:**
- (a) Suitable for the purpose intended;**
 - (b) Kept clean and in good repair;**

Findings:

General: Based on observation, the surveyor found the following:

- (1.) A dark blue round rug inside the toddler room contained multiple areas of dirt and debris.
- (2.) A blue square rug inside the infant room contained multiple areas of dirt and debris.
- (3.) A square black rug around the handwashing sink inside the nursery contained large areas of dirt and debris.
- (4.) A black rug at the exit door to the playground in the hallway contained areas of dirt and debris.
- (5.) A large area of food crumbs was located on the floor near the fish tank inside the school age classroom.
- (6.) A blue rectangular table inside the school age classroom contained dirt, debris, and dried food particles.
- (7.) A thick coating of dust was found on an air vent in the ceiling of the school age classroom.
- (8.) The walls and baseboards inside the school age classroom were found to be dirty.

570 - Pest Control

Not In Compliance

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

- (7) Measures shall be utilized to control the presence of:**
- (a) Rodents;**
 - (b) Flies;**
 - (c) Roaches; and**
 - (d) Other vermin.**

Findings:

General: Based on observation, the surveyor found several flies in the kitchen and the school age classroom.

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 surveyor found the following:

- (1.) The drywall contained several scuff marks inside the preschool classroom. Staff reported the drywall was not in good repair due to staff taping things to the wall. The marks were located on the wall where the exit door is to the playground.
- (2.) The floor in the preschool classroom was torn underneath a child's table near the storage closet.

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 surveyor found the restroom across the hall from the preschool room contained a strong odor of urine. The director is not sure why the restroom has a strong odor of urine stating the restroom is cleaned often.

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 surveyor found the following:

- (1.) The handwashing sink inside the preschool room contained a brown grime that needs cleaned.
- (2.) The handwashing sink inside the toddler room contained a brown substance and grime that needs cleaned.

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 surveyor found the toilet inside the restroom located in the toddler room was not flushed; therefore, the toilet was not kept in a clean condition.

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 surveyor found the following:

- (1.) The diaper changing pad located in the toddler room was dirty with stains.
- (2.) The diaper changing table in the infant room is hard with no padded surface. During interview, staff admitted using the diaper changing table with no padded surface.
- (3.) The diaper changing pad located in the one to two year old room was dirty with stains.
- (4.) The diaper changing table located in the one to two year old room contained dirty and debris underneath the diaper changing pad.

First Aid/Medication

In Compliance

Inspection Report**Outdoor Play Area****Not In Compliance****745 - Playground Clean****Not In Compliance****922 KAR 2:120. Section 4. Premises Requirements.****(20) An outdoor play area shall be:****(c) Free from:**

- 1. Litter;**
- 2. Glass;**
- 3. Rubbish; and**
- 4. Flammable materials;**

Findings:

General: Based on observation, the surveyor found the toddler and school age playgrounds contained garbage, including several empty candy wrappers on the ground; therefore, the playgrounds are not free from litter.

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, the surveyor found the following:

(1.) The toddler playground and the school age playground contained several areas of large weeds exposed through the mulch; therefore, the grounds of the playgrounds are not well maintained.

(2.) The school age playground contained multiple areas where the plastic was exposed from underneath the mulch creating a fall risk for the children.

Equipment**In Compliance****Transportation****Not Applicable****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 surveyor found the refrigerator in the toddler room had a temperature of fifty (50) degrees Fahrenheit instead of the recommended temperature reading of forty (40) degrees or below.

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 surveyor found the following:

(1.) The interior of the oven contained large areas of grime; therefore, the oven is not clean and sanitary.

(2.) The ice / water dispenser in the door of the refrigerator located inside the kitchen contained debris that needed to be cleaned.

Inspection Report

1070 - Food Protected From Contamination

Not In Compliance

922 KAR 2:120. Section 9. Food and Meal Requirements.

(1) Food shall be:

(h) Protected against contamination from:

1. Dust;
2. Flies;
3. Rodents and other vermin;
4. Unclean utensils and work surfaces;
5. Unnecessary handling;
6. Coughs and sneezes;
7. Cuts in skin;
8. Communicable disease;
9. Flooding;
10. Drainage; and
11. Overhead leakage.

Findings:

General: Based on observation, the surveyor found several flies in the kitchen where food was being prepared.

Children's Records

In Compliance

Written Documentation

Not In Compliance

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 observation, the surveyor found thirty-two (32) children were present at the child care center on 10/25/18. The arrival times for thirty (30) children were documented on the daily attendance record with thirty-two (32) children present; therefore, the daily attendance records were not being maintained. The director reported parents sometimes forget to sign the children in when they are dropped off at the center.

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, the surveyor found the following:

- (1.) Staff's (DOH: 7/25/16) file contained a written annual plan for professional development that was dated 7/21/17; therefore, the professional development plan needs to be updated.
- (2.) Staff's (DOH: 8/10/16) file contained a written annual plan for professional development that was dated 8/1/17; therefore, the professional development plan needs to be updated.
- (3.) Staff's (DOH: 6/1/13) file contained a written annual plan for professional development that was dated 6/1/17; therefore, the professional development plan needs to be updated.

1175 - Earthquake/Tornado/Fire Drills

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

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

Findings:

General: Based on review of documentation, the surveyor found there were no participants documented for any of the earthquake, tornado, or fire drills for the year of 2018.

Posted Documentation

In Compliance

Animals

In Compliance

Signature of Provider/Representative

Title

Date