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GOVERNOR

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

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Inspection Report

Provider Information		CLR No: L383088
Provider Name: Wendy's Wonderland		Capacity: 62
Provider Address: 14 Garth Street, Monticello, KY, 42633		Director(s): Davis, Tiffany
Owner(s): Wendy's Wonderland, Inc.		

Inspection Information		Inspection No: 318059
Inspection Type: Renewal Application		
Date Initiated: 10/11/2021 9:30 AM		Date Concluded: 10/11/2021 1:30 PM
No. of Children Present: 9		

Inspection Report		
Background Checks		In Compliance
Supervision		In Compliance
Staffing Requirements		In Compliance

Inspection Report**General Administration****Not In Compliance****225 - Licensee Responsibility****Not In Compliance****922 KAR 2:090. Section 8. General.****(1) A licensee shall:**

- (a) Be responsible for the operation of the child-care center pursuant to this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280; and**
(b) Protect and assure the health, safety, and comfort of each child.

Findings:

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

1. A dust pan placed on the sink in the School Age Classroom located in a separate building.
2. A small refrigerator located on a small table that was shaky and did not appear secure in the School Age Classroom that was located in a separate building.
3. Several items stored on a small shelf in the restroom in the School Age Classroom that was located in a separate building. The shelf was observed to be shaky and did not appear to be secure.
4. Two (2) totes stacked on top of each other on a brown kid sized shelf with bolts/screws placed on top of the totes in the School Age Classroom located inside a separate building.
5. One (1) large maroon outdoor umbrella placed on a brown shelf with the pole extending out from the shelf in the School Age Classroom located inside a separate building.
6. A piece of white wood with an exposed nail placed on top of a tote on a table in the School Age Classroom located inside a separate building.
7. A loose exposed cord plugged into an outlet by a stationary toy in the Infant Classroom.
8. A loose cord dangling down the wall from a wall mounted television in the One Year Old Classroom.
9. A loose cord dangling down the wall from a wall mounted television and plugged into a power strip that was placed on a brown shelf in the Two Year Old Classroom.
10. An electrical outlet that was missing one (1) outlet cover located beside a rocking chair in the Two Year Old Classroom.
11. The exposed flat ends of nails sticking out from the side a cabinet in the restroom located in the Two Year Old Classroom.
12. A white small refrigerator placed on top of a red child sized table that appeared to not be secured in the Two Year Old Classroom.
13. Toys stored on a white shelf that was shaky and appeared not secured in the Two Year Old Classroom.
14. A white piece of board that was chipped and placed underneath the diaper changing pad table in a cabinet that was unlocked in the Toddler Classroom.
15. A loose cord dangling down from a television in the Preschool Classroom.
16. A sharp end of a nail sticking through the side of the sink cabinet located beside the diaper changing pad table in the Preschool Classroom.
17. A tall black mini refrigerator placed on top of a small white table and appeared to not be secured in the Preschool Classroom.
18. An exposed power strip placed on the wall above a small brown shelf/table in the Preschool Classroom.
19. An electrical outlet missing one (1) outlet cover located near child sized tables in the Preschool Classroom.
20. An unlocked gray cabinet in the Preschool Classroom that contained bottles of hand sanitizer and disinfectant spray.
21. An umbrella placed beside the toilet in the restroom located beside the entrance door.

Director Requirements**Not In Compliance****360 - 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 that the following staff (DOH: 04/17/19, 05/10/19, 04/05/18 and 06/13/19) files contained a written performance evaluation that was dated for 08/10/20; therefore, the evaluations were not completed annually.

Through interview with staff-in-charge, the surveyor learned that up-to-date annual written performance evaluations were not available for review for the staff mentioned.

Employee Records**Not In Compliance****405 - TB Verification****Not In Compliance****922 KAR 2:090. Section 11. Staff Requirements.****(1) Child-care center staff:**

- (b) Shall provide, prior to employment and every two (2) years thereafter:**

- 1. A statement from a health professional that the individual is free of active tuberculosis; or**
- 2. A copy of negative tuberculin results.**

Findings:

General: Based on review of documentation, the surveyor found that a staff's (DOH: 04/17/19) file did not contain documentation of a current TB skin test or a statement from a health professional stating that the adult was free from active tuberculosis. During interview, staff-in-charge stated that the staff person has not had an up-to-date TB skin test.

435 - Training

Not In Compliance

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

- (16) In accordance with KRS 199.896(15) and (16), a staff person with supervisory authority over a child shall complete the following:
- (a) Six (6) hours of cabinet-approved orientation completed within the first three (3) months of employment in a child-care program;
 - (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment in a child care program, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training; and
 - (c) Fifteen (15) hours of cabinet-approved early care and education training completed between July 1 and the following June 30 of each subsequent year of employment in a child care program, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years.
- (17) A staff person's compliance with training requirements of this section shall be verified through the cabinet-designated database maintained pursuant to 922 KAR 2:240.

Findings:

General: Based on review of documentation and ECE-TRIS, the surveyor found the following:

1. A staff (DOH: 06/01/13) completed one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training on 03/29/16; therefore, the training was not completed within the last five years.
2. A staff (DOH: 05/16/15) completed one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training on 02/25/16; therefore, the training was not completed within the last five years.
3. A staff's (DOH: 05/10/19) file did not contain documentation of one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training; therefore, the training was not completed within one (1) year of employment.
4. A staff's (DOH: 06/13/19) file did not contain documentation of one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training; therefore, the training was not completed within one (1) year of employment.
5. The following staff (DOH: 05/16/15, 04/17/19, and 04/05/18) obtained zero (0) hours of the required fifteen (15) hours of cabinet-approved early care and education training for the review period 07/01/20 – 06/30/21.
6. A staff (DOH: 05/10/19) obtained thirteen (13) hours of the required fifteen (15) hours of cabinet-approved early care and education training for the review period 07/01/20 – 06/30/21.

Programming

Not In Compliance

525 - Infant/Toddler Combined with Older Children

Not In Compliance

922 KAR 2:120. Section 5. Infant and Toddler Play Requirements.

- (3) Except in accordance with subsection (4) of this section or Section 2(2)(c) of this administrative regulation, an infant or toddler under twenty-four (24) months of age shall not participate in an activity with an older child for no more than one (1) hour per day.
- (4) If a toddler is developmentally appropriate for a transition to a preschool age group, a toddler may participate in an activity with an older child for more than one (1) hour per day if:
- (a) Space for the toddler is available in the preschool-age group;
 - (b) The staff-to-child ratios and group sizes are maintained based on the age of the youngest child;
 - (c) The center has a procedure for listing a transitioning toddler on attendance records, including a specific day and time the toddler is with either age group; and
 - (d) The child care center has obtained the signature and approval of the toddler's parent on the toddler's transition plan.

Findings:

General: Based on observation, the surveyor found one (1) two-year-old child to be in the Preschool Classroom with three-year-old through five-year-old children. During interview, staff-in-charge stated that the two-year-old child had been in quarantine due to COVID and just came back to the child-care center. Staff-in-charge stated that the two-year-old child did not have a transition plan on file. The surveyor observed the children to be grouped together for the duration of the survey which was from approximately 9:30 a.m. to 1:30 p.m.

Inspection Report

Premises

Not In Compliance

585 - Premises Requirements

Not In Compliance

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

(1) The premises shall be:

- (a) Suitable for the purpose intended;
- (b) Kept clean and in good repair;

Findings:

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

1. What appeared to be a gray foam circle that contained stains in the Infant Classroom; therefore, the foam was not kept clean.
2. A black rug that contained debris located by the sink in the Infant Classroom; therefore, the rug was not kept clean.
3. An exposed hole in the drywall around a white line extending from the toilet in the restroom located in the hallway.
4. What appeared to be paint inside the sink in the restroom located in the hallway; therefore, the sink was not kept clean.
5. An odor observed in the restroom located in the hallway. Staff-in-charge stated that the odor was due to the galvanized pipes within the child-care center.
6. A garbage can that contained rust in the One Year Old Classroom; therefore, the garbage can was not kept clean or in good repair.
7. The sink and faucet contained what appeared to be paint stains in the One Year Old Classroom; therefore, the sink was not kept clean.
8. A round blue rug that contained debris in the Toddler Classroom; therefore, the rug was not kept clean.
9. A rocking chair with blue cushions that contained stains and tears located in the Toddler Classroom; therefore, the rocking chair was not kept clean or in good repair.
10. A garbage can that contained rust in the Toddler Classroom; therefore, the garbage can was not kept clean or good repair.
11. Stuffed animals placed on what appeared to be gray carpet that contained stains in the Preschool Classroom; therefore, the carpet was not kept clean.
12. A black/white rug that contained stains and debris in the Preschool Classroom; therefore, the rug was not kept clean.
13. A blue round rug that contained debris in the Preschool Classroom; therefore, the rug was not kept clean.
14. What appeared to be paint stains inside the sink in the restroom located beside the front entrance door; therefore, the sink was not kept clean.
15. A gray square rug that contained stains in the School Age Classroom located inside the main building; therefore, the rug was not kept clean.
16. A purple rug that contained debris in the School Age Classroom located inside the main building; therefore, the rug was not kept clean.
17. A brown mat on a gray rug with stuff animals placed on top of it that appeared to contain stains in the School Age Classroom located inside the main building; therefore, the mat was not kept clean.

625 - Floors, Walls, Ceilings

Not In Compliance

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

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

Findings:

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

1. What appeared to be drywall chipping around and above a pipe located on the floor beside the toilet in the restroom in the hallway exposing a brown color underneath; therefore, the drywall was not kept in good repair. Staff-in-charge stated that the pipe was a galvanized pipe and they have had the lines/pipes checked. Staff-in-charge stated that she would have the drywall repaired.
2. Small holes in the drywall going up the wall to the ceiling in the restroom in the School Age Classroom that was located inside a separate building; therefore, the drywall was not kept in good repair.

695 - Toilet

Not In Compliance

922 KAR 2:120. Section 12. 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 following:

1. The toilet seat moved easily and was not tightly secured to the toilet in the restroom located in the Two Year Old Classroom; therefore, the toilet was not kept in good repair.
2. The toilet seat moved easily and was not tightly secured to the toilet in the restroom in the School Age Classroom located inside a separate building; therefore, the toilet was not kept in good repair.
3. The toilet bowl contained stains in the restroom located beside the front entrance; therefore, the toilet was not kept in clean condition.

Inspection Report**Hygienic Practices****Not In Compliance****730 - Diaper Changing Area/Surface****Not In Compliance****922 KAR 2:120. Section 12. Toilet, Diapering, and Toiletry Requirements.****(10) When a child is diapered, the child shall:****(b) Be placed on a surface that is:**

- 1. Clean;**
- 2. Padded;**
- 3. Free of holes, rips, tears, or other damage;**
- 4. Nonabsorbent;**
- 5. Easily cleaned; and**
- 6. Free of any items not used for diaper changing.**

Findings:

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

1. Debris on the diaper changing table underneath the diaper changing pad in the One Year Old Classroom; therefore, the diaper changing surface was not kept clean.
2. What appeared to be blue paint stains in the diaper changing pad in the Toddler Classroom; therefore, the diaper changing surface was not kept clean.
3. Debris on the diaper changing pad and table underneath the diaper changing pad in the Preschool Classroom; therefore, the diaper changing surface was not kept clean.

First Aid/Medication**In Compliance****Outdoor Play Area****Not In Compliance****795 - 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. A large nail protruding out from the side of a wooden border that borders the playground equipment on the School Age Playground by a blue dome shaped structure.
2. A picnic table that was broken on top and contained a sharp edge on the Infant Playground.
3. A stationary riding toy that contained a broken/chipped piece located by the swings on the Infant Playground.
4. A screw protruding out from a metal pole on the Infant Playground.
5. What appeared to be green stepping cups that had long strings attached to them placed on the ground on the Infant Playground.
6. A small umbrella with a pole stuck in the fence roll on the Two Year Old Playground.
7. A pink picnic table that contained a broken/cracked piece on the Two Year Old Playground.
8. A large piece of concrete with a metal pole placed in the center of the concrete located on the Two Year Old Playground.
9. Five (5) plastic kitchen playsets filled with water and debris on the Preschool Playground.
10. A stainless steel garbage can that contained a broken lid on the Preschool Playground.
11. An open and exposed vent hole located on the side of the building beside a red picnic table on the Preschool Playground.
12. A small tricycle missing one (1) black rubber handle bar grip on the Preschool Playground.
13. What appeared to be a sand box on the Preschool Playground that was filled with water.

800 - Protective Surface**Not In Compliance****922 KAR 2:120. Section 4. Premises Requirements.****(21) A protective surface shall:****(a) Be provided for outdoor play equipment used to:**

- 1. Climb;**
- 2. Swing; and**
- 3. Slide; and**

(b) Have a fall zone equal to the height of the equipment.**Findings:**

General: Based on observation, the surveyor found mats placed underneath four (4) swings on the Preschool Playground located beside the parking lot that did not have an adequate fall zone.

805 - Fence Construction

Not In Compliance

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

(24) Fences shall be:

- (a) Constructed of safe material;**
- (b) Stable; and**
- (c) In good condition.**

Findings:

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

1. Weeds and brush in the fence roll along part of the back and sides of the School Age Playground.
2. Weeds in the corner and side fence roll on the Infant Playground.
3. A gap where the fence meets the building on the Infant Playground. The surveyor observed a wooden board wrapped in what appeared to be wire placed in the gap that contained sharp edges.

Equipment

In Compliance

Transportation

In Compliance

Kitchen Requirements

In Compliance

Food Service

In Compliance

Meal Planning/Center Provides Meals

In Compliance

Meal Planning/Center Does Not Provide Meals

In Compliance

Children's Records

Not In Compliance

1250 - Enrollment Information

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

(b) A written record for each child:

- 1. Completed and signed by the child's parent;**
- 2. Retained on file on the first day the child attends the child-care center; and**
- 3. To contain:**
 - a. Identifying information about the child, which includes, at a minimum, the child's name, address, and date of birth;**
 - b. Contact information to enable a person in charge to contact the child's:**
 - (i) Parent at the parent's home or place of employment;**
 - (ii) Family physician; and**
 - (iii) Preferred hospital;**
 - c. The name of each person who is designated in writing to pick-up the child;**
 - d. The child's general health status and medical history including, if applicable:**
 - (i) Allergies;**
 - (ii) Restriction on the child's participation in activities with specific instructions from the child's parent or health professional; and**
 - (iii) Permission from the parent for third-party professional services in the child-care center;**
 - e. The name and phone number of each person to be contacted in an emergency involving or impacting the child;**
 - f. Authorization by the parent for the child-care center to seek emergency medical care for the child in the parent's absence;**

Findings:

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

1. A child's (DOE: 04/05/12) file did not contain the contact telephone number for the child's preferred hospital or family physician.
2. A child's (DOE: 09/20/20) file did not contain the name of the child's preferred hospital or contact telephone number.

Written Documentation

Not In Compliance

1280 - Professional Development

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

(f) A written annual plan for child-care staff professional development;

Findings:

General: Based on review of documentation, the surveyor found that the following staff (DOH: 05/16/15, 04/17/19, 05/10/19, 04/05/18 and 06/13/19) files contained a professional development plan that was dated for 08/10/20; therefore, the plans were not completed annually.

Through interview with staff-in-charge, the surveyor learned that up-to-date annual written professional development plans were not available for review for the staff mentioned.

Posted Documentation

In Compliance

Animals

In Compliance

Signature of Provider/Representative

Title

Date