



Andy Beshear
GOVERNOR

CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF INSPECTOR GENERAL

Eric Friedlander
SECRETARY

Melissa A. Moore, Director
Division of Regulated Child Care
Eastern Branch
455 Park Place, Suite 120A
Lexington, KY 40511
Phone: (859) 246-2301 Fax: (859) 246-2307
<https://chfs.ky.gov/agencies/os/oig>

Adam Mather
INSPECTOR GENERAL

Inspection Report

Provider Name: Tots Landing Learning Center	Provider Information	CLR No: L354221
Provider Address: 3501 Beaver Place Road, Lexington, KY, 40503	Provider Type: LICENSED TYPE I	Capacity: 93
Owner(s): Tots' Landing Early Childhood Center, Inc		Director(s): Stephenson, Ciara

Inspection Type: Renewal Application	Inspection Information	Inspection No: 320596
Date Initiated: 04/27/2022 9:25 AM	Date Concluded: 04/27/2022 12:30 PM	
	No. of Children Present: 76	

Inspection Report	
Background Checks	In Compliance
Supervision	In Compliance
Staffing Requirements	In Compliance
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, in the Sailboat bathroom a mop was being stored by hanging on a shelf. The bottom of the mop was touching the toilet bowl that children use. This method of storage promotes the spread of germs and bacteria.	
290 - Abuse/Neglect Report Procedure	Not In Compliance
922 KAR 2:120. Section 2. Child Care Services. (3)(b) The program shall include: 1. A procedure to ensure compliance with and inform child care staff of the laws of the Commonwealth pertaining to child abuse or neglect set forth in KRS 620.030;	
Findings: General: Based on review of documentation, this regulatory requirement was not met. The surveyor reviewed the Employee Handbook and found that the Abuse/Neglect Reporting Procedure states that any suspected abuse "must be immediately reported to the Director". KRS 620.030 requires anyone who suspects child abuse or neglect to report these allegations to the cabinet or law enforcement.	
Director Requirements	In Compliance
Employee Records	Not In Compliance
415 - CPR/First Aid Required Training	Not In Compliance
922 KAR 2:120. Section 7. First Aid and Medicine. (8) Each center shall ensure that every staff member has received training on first aid and cardiopulmonary resuscitation (CPR).	
Findings: General: Based on review of documentation, eight staff members (hire dates: 12/15/2019, 11/10/2020, 8/29/2002, 9/25/2021, 11/22/2019, 6/23/2021, 7/31/2020, and 4/18/2019) did not have evidence of completing the required CPR/First Aid training on file at the facility. A review of ECE-TRIS records supports the information found during the survey.	

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, the following was found:

- 1.) A staff member hired on 10/13/2005, completed PAHT training on 10/12/2014; however, did not renew the training due 10/12/2019. Also, another staff member hired on 8/29/2002, completed PAHT training on 3/27/2017; however, did not renew the training due 3/27/2022.
 - 2.) A staff member hired on 9/25/2021, did not complete the required Orientation training. This staff member has been employed for more than three months.
 - 3.) Two staff members (hire dates: 2/5/2010 and 12/15/2019) did not have evidence of completing 15 hours of annual early care and education training.
- A review of ECE-TRIS records supports the information found during the survey.

Programming

In Compliance

Premises

Not In Compliance

605 - Building Requirements

Not In Compliance

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

- (5) The building shall be constructed to ensure the:
- (a) Building is:
 - 1. Dry;
 - 2. Ventilated; and
 - 3. Well lit, including clean light fixtures that are:
 - a. In good repair in all areas; and
 - b. Shielded or have shatter-proof bulbs installed; and
 - (b) Following are protected:
 - 1. Windows;
 - 2. Doors;
 - 3. Stoves;
 - 4. Heaters;
 - 5. Furnaces;
 - 6. Pipes; and
 - 7. Stairs.

Findings:

Based on observation, two ceiling light fixtures were in disrepair in the Sailboats room. One light fixture was broken in the corner of the fixture and the other one had a metal bar hanging down from the side of the fixture.

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 following was found:

- 1.) There were walls with chipped paint in the Sailboat, Dolphin, Sunfish, Starfish, and Tugboats rooms.
- 2.) The ceiling vent was very dusty in the Tugboats room.
- 3.) The plastic carpet boarder was broken and exposing metal wires that hold the boarder in place within Dolphin room.

Inspection Report	
Hygienic Practices	Not In Compliance
730 - Diaper Changing Area/Surface	Not In Compliance
<p>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.</p>	
<p>Findings: General: Based on observation, a diaper changing pad in the Sunfish and Starfish rooms were dirty and contained several tears.</p>	
First Aid/Medication	In Compliance
Outdoor Play Area	Not In Compliance
795 - Playground Conditions	Not In Compliance
<p>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.</p>	
<p>Findings: General: Based on observation, this regulatory requirement was not met. During the inspection of the outdoor play area the surveyor found that grass was not maintained and growing tall by the fence and the children's play area. Also, large plants were protruding through the fence.</p>	
800 - Protective Surface	Not In Compliance
<p>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.</p>	
<p>Findings: General: Based on observation, this regulatory requirement was not met. The area around the big blue slide and under the swings did not have a sufficient amount of protective surfacing. The mulch was sparse and grass/dirt was visible.</p>	
Equipment	Not In Compliance
860 - Toys/Furniture	Not In Compliance
<p>922 KAR 2:120. Section 13. Toys and Furnishings. (1) All toys and furniture contacted by a child shall be: (a) Kept clean and in good repair; and (b) Free of peeling, flaking, or chalking paint.</p>	
<p>Findings: General: Based on observation, the following was found: 1.) Shelves contained peeled paint in the Sailboat, Starfish, and Dolphin rooms. 2.) The storage cabinets contained peeled paint in the Sunfish and Tugboat rooms. 3.) There was a dirty cabinet and closet door in the Tugboat room. 4.) A shelf contained tape residue that is accumulating dirt in the Sunfish room. 5.) The window frames in the Sunfish room were dirty and had peeling paint.</p>	

865 - Indoor/Outdoor Equipment

Not In Compliance

922 KAR 2:120. Section 13. Toys and Furnishings.

(2) Indoor and outdoor equipment shall:

- (a) Be clean, safe, and in good repair;**
- (b) Meet the physical, developmental needs, and interests of children of different age groups;**
- (c) Be free from sharp points or corners, splinters, protruding nails or bolts, loose or rusty parts, hazardous small parts, lead-based paint, poisonous material, and flaking or chalking paint; and**
- (d) Be designed to guard against entrapment or situations that may cause strangulation.**

Findings:

General: Based on observation, the following was found:

- 1.) The sink in the Sailboats room was dirty and leaking.
- 2.) The bathroom sink in the Dolphin room was tilted and the broken seal on the wall around the sink.
- 3.) The bathroom sink in the Sunfish room was dirty.

Transportation

Not Applicable

Kitchen Requirements

Not In Compliance

1040 - 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 refrigerator being used to store children's items in the Sunfish room did not contain an indicating thermometer. It could not be determined that the interior temperature of the refrigerator was 40 degrees or below.

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

1245 - Immunization

Not In Compliance

922 KAR 2:090. Section 9. Records.

(1) A child-care center shall maintain:

- (a) A current immunization certificate for each child in care within thirty (30) days of the child's enrollment, unless an attending physician or the child's parent objects to the immunization of the child pursuant to KRS 214.036;**

Findings:

General: Based on review of documentation, it was found that a child enrolled at the center on 8/22/2021, did not have a current immunization certificate on file at the facility.

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, it was found that a child enrolled at the center on 8/22/2021, did not have physician contact information on file at the facility.

Inspection Report	
Written Documentation	Not In Compliance
1260 - Evacuation Plan	Not In Compliance
<div>922 KAR 2:090. Section 5. Evacuation Plan. (1) A licensed child-care center shall have a written evacuation plan in the event of a fire, natural disaster, or other threatening situation that may pose a health or safety hazard for a child in care in accordance with KRS 199.895 and 42 U.S.C. 9858c(c)(2)(U).</div>	
Findings: General: Based on interview and review of documentation, it was found that last emergency preparedness plan was written on 04/10/2021, but not submitted to the local Emergency Management organization. The director was unable to provide documentation at the time of the survey for a 2022 emergency preparedness plan plan nor to verify submission date to the local Emergency Management organization.	
1285 - Earthquake/Tornado/Fire Drills	Not In Compliance
<div>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;</div>	
Findings: General: Based on interview and review of documentation, there was no written evidence of completed tornado or lockdown drills in 2022.	
Posted Documentation	Not In Compliance
1310 - Posting Requirements	Not In Compliance
<div>922 KAR 2:090. Section 8. General. (6) In addition to the posting requirement of KRS 199.898(3), a child-care center shall post the following in a conspicuous place and make available for public inspection: (a) The provider's preliminary or regular license; (b) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year; (c) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year; (d) Information on the Kentucky Consumer Product Safety Program and the program's Web site as specified in KRS 199.897; (e) A description of services provided by the child-care center, including: 1. Current rates for child care; and 2. Each service charged separately and in addition to the basic rate for child care; (f) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and (g) Daily planned program.</div>	
Findings: General: Based on review of documentation, the following was found: 1.) The provider's license was not posted nor it could been found anywhere in the facility. 2.) The daily planned program of activities (lesson plan) posted in the Minnows room was no longer current. The posted daily planned program of activities was dated for previous week.	
Animals	Not Applicable