

## Statement of Deficiencies

### 705.A.B.C.D.: Access

Not Met

- 705.A.B.C.D.: A. An early learning center shall allow the Licensing Division staff access to the center, the children, and all files and records at any time during any hours of operation or any time a child is present.
- B. Licensing Division staff shall be allowed to interview any center staff person deemed necessary by the Licensing Division.
- C. Licensing Division staff shall be admitted into a center immediately and without delay and shall be given free access to all areas of a center, including its grounds.
- D. If any portion of a center is set aside for private use by an owner of the center, Licensing Division staff shall be permitted to verify that no children are present in that portion of the center and that such private areas are inaccessible to children.

#### Finding:

705.A. Based on interviews: Licensing Specialist was denied access to video footage of the incidents that occurred on 01/09/2018 involving C1 as well as C1 and C2. S4 informed Specialist that the legal department told her that if "anyone wanted to see the video, they would have to go through court to see it".

### 1103-A-E: Critical Incidents and Required Notification

Not Met

1103-A-E: An early learning center shall make immediate notification to emergency personnel, law enforcement as applicable, and other appropriate agencies for the following types of critical incidents involving children in care:

1. death;
  2. serious injury or illness that required medical attention;
  3. reportable infectious diseases and conditions listed in LAC 51.II.105; and
  4. any other significant event relating to the health, safety, or well-being of any child, including but not limited to a lost child, an emergency situation, fire or other structural damage, or closure of the center.
- B. The parent shall be contacted immediately following any immediate notifications made under Subsection A.
- C. The Licensing Division and other appropriate agencies shall be notified via email within 24 hours of the incident.
- D. The Licensing Division shall be notified by written report within 24 hours of the incident or the next business day. This written notification shall be made on the Licensing Division's Critical Incidents Report Form and shall contain all information requested on the form.
- E. Reporting deadlines may be adjusted in the event of a natural catastrophe and/or disaster, as determined by the Department.

#### Finding:

1103-A-B Based on record review/interview(s): Center staff failed to immediately notify O1 as well as Child Welfare, within 24 hours via email of the following critical incident:

- On 01/09/2018 at 9:30am, S6 thought she observed S5 use inappropriate discipline on C1 and reported it to S4. O1 was not informed immediately of the alleged inappropriate discipline. On 01/10/2018, S4 and S6 viewed video footage for 01/09/2018 and observed S5 take C1 by the arm and forcibly place C1 to the floor. According to interview, O1 was never notified about this incident. The center's report to Child Welfare on 01/10/2018 did not include S4 and S6's observations of S5's inappropriate use of discipline.

### 1509-A.8. a-b: Behavior Management Policy

Not Met

1509-A.8. a-b: Behavior Management Policy

Each center shall develop and implement a written behavior management policy describing the methods of behavior guidance and management that shall be used at the center.

The behavior management policy shall prohibit children from being subject to any of the following:

- i. physical or corporal punishment which includes but is not limited to yelling, slapping, spanking, yanking, shaking, pinching, exposure to extreme temperatures or other measures producing physical pain, putting anything in the mouth of a child, requiring a child to exercise, or placing a child in an uncomfortable position.
- ii. verbal abuse, which includes but is not limited to using offensive or profane language, telling a child to "shut up", or making derogatory remarks about children or family members of children in the presence of children;
- iii. the threat of a prohibited action even if there is no intent to follow through with the threat;
- iv. being disciplined by another child;
- v. being bullied by another child;
- vi. being deprived of food or beverages;
- vii. being restrained by devices such as high chairs or feeding tables for disciplinary purposes; and
- viii. having active play time withheld for disciplinary purposes, except timeout may be used during active play time for an infraction incurred during the playtime.

#### Finding:

1509-A.8. a-b Based on interview(s):

S5 used a prohibited method of discipline as C1 was subject to physical punishment. According to S4 and S6's statements, S5 was observed pulling C1

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out of a chair and and forcing C1 to the floor on 01/09/2018. S4 observed this on the video she reviewed 01/10/2018. S6 observed this on 01/09/2018, reported it to S4 immediately and also reviewed video on 01/10/2018.

### 1713-A&B&C: Supervision

**Not Met**

1713-A&B&C:

A: Children shall be supervised at all times in the center, on the playground, on field trips, on non-vehicular excursions, and during all water activities and water play activities.

B: Children shall not be left alone in any room, (except the restroom as indicated in Subsection G), outdoors, or in vehicles, even momentarily, without staff present.

C: A staff person shall be assigned to supervise specific children whose names and whereabouts that staff person shall know and with whom the staff person shall be physically present. Staff shall be able to state how many children are in their care at all times.

#### Finding:

1713 A Based on interview: Children were not under supervision at all times. S4 stated while reviewing video footage of 01/09/2018 on 01/10/2018, she observed that C1 and C2 were not supervised at all times. S4 stated C1 and C2 were seen in the opposite corner of the classroom engaging in inappropriate actions while S5 was with the remaining 11 children in circle time. S4 stated the video showed that C1 and C2 were not supervised for approximately 6 minutes. S5 was terminated on 01/10/2018.

### 1715-A.5: State Central Registry

**Not Met**

1715-A.5: Personnel files for each staff member shall be maintained at the center and shall include the following: documentation of a current, completed state central registry disclosure form indicating no justified (valid) finding of abuse or neglect by the DCFS, or a current determination from the DCFS indicating that the individual does not pose a risk to children.

#### Finding:

1715-A.5 Based on record review: The center failed to have documentation of a completed state central registry disclosure form (SCR 1) on site and available for review at the center prior to a previously completed form expiring (1705.B). S1, S2 and S3 did not have documentation of the a completed annual form.

- S1 indicated her name was on the registry on the signed and dated form completed on 08/11/2017. S1 stated during the licensing visit that she is not included on the registry.

- S2 and S3 did not indicate if their names were or were not on the registry on the forms signed and dated on 08/09/2017 (S3) and 08/11/2017 (S2). Staff corrected during the licensing visit.