

## Statement of Deficiencies

### 1103.A.-D.: Critical Incidents and Required Notifications

Not Met

1103.A.-D.: 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 department and other appropriate agencies shall be notified via email within 24 hours of the incident.
- D. The department 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 department's Critical Incidents Report Form and shall contain all information requested on the form.

#### Finding:

1103.A.C.D. Based on interview(s)/record review: S12, S10 and S2 failed to notify The Department as well as Child Welfare within 24 hours of the following critical incident: On 10/31/18, C1's mother, O1, came into the center upset after she saw S11 handle C1 on the video system. S10 stated O1 had viewed S11 grabbing C1 by the wrists. S10 stated she viewed the video and saw S11 grab C1 by the wrists and put her on the cot for nap tie then observed her throw a blanket over C1. S12, S10 and S2 reviewed the video and terminated S11 after discussing the incident with her. S12 stated that Licensing and Child Welfare was not contacted because the incident did not seem like it was that serious.

### 1507.A.: Daily Attendance Records - Children

Not Met

1507.A.: A daily attendance record for children shall be maintained that shall:

1. include the child's first and last name, arrival and departure times, and first and last name of person or entity to whom the child is released;
2. accurately reflect children on the center premises at any given time; and
3. be used to sign in and out if a child leaves and returns to the center during the day.

#### Finding:

1507.A. Based on observations/record review: On 1/29/19, the center's daily attendance record for children did not accurately reflect the children on the child care premises at any given time as 48 children were present and 45 children were signed in on the log.

### 1507.B.: Daily Attendance Records - Staff and Owners

Not Met

1507.B.: A daily attendance record for all staff members and owners shall be maintained that shall:

1. include the first and last name of the staff member or owner and arrival and departure times;
2. accurately reflect the staff members and owners on the center premises at any given time; and
3. be used to document staff members and owners who leave and return to the center during the day

#### Finding:

1507.B. Based on observations/record review: The center's staff and owner's daily attendance record did not accurately reflect persons on the child care premises at any given time as evidenced by on 1/29/19, S2 was present in the center and not signed into the Staff Daily attendance.

### 1507.E.: Daily Attendance Records - Visitors

Not Met

1507.E.: A daily attendance record for all visitors to include the name, date of visit, arrival and departure times, and the purpose of the visit.

#### Finding:

1507.E. Based on observations/record review: On 1/29/19, the center's visitor's daily attendance record did not accurately reflect when a Visitor was on the child care premises. Upon arrival to the center at 10:30am on 1/29/19, Specialist observed 4 adults doing two separate tours of the facility. 4 of the 4 visitors failed to sign into the centers visitor log.

## Statement of Deficiencies

### 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/record review: S11 used a prohibited method of discipline as a child was subject to physical punishment, which includes but is not limited to yelling, slapping, spanking, yanking. S12 stated that she reviewed the video footage when O1 brought it to the center directors attention. S12 stated that in the video, S11 is seen pulling C1 down onto her mat by her wrist and then a blanket was tossed on to C1 covering her face. Specialists reviewed S11's termination documentation which stated that S11 "roughly placed her (C1) on mat" and "blanket over her (C1) head". Termination documentation also showed Appletree Kids, Inc policy procedure where "Causes for dismissal - using prohibited disciplinary action - disregard of the welfare of a child" was highlighted. Video was not available for Specialists to review.

### 1915.B.&C.: Health Services - Parental Notification

Not Met

#### 1915.B.&C.:

B. Reporting. Incidents, injuries, accidents, illnesses, and unusual behavior shall be documented and reported to the parent no later than when the child is released to the parent or authorized representative on the day of the occurrence.

C. Immediate Notification. The parent shall be immediately notified in the following circumstances:

1. blood not contained in an adhesive strip;
2. head or neck or eye injury;
3. human bite that breaks the skin;
4. animal bite;
5. impaled object;
6. broken or dislodged teeth;
7. allergic reaction skin changes (e.g. rash, spots, swelling, etc.);
8. unusual breathing;
9. symptoms of dehydration;
10. temperature reading over 101° oral, 102° rectal, or 100° axillary; or
11. injury or illness requiring professional medical attention.

#### Finding:

1915.B.&C.2 Based on record review/interview: Center failed to report to the parent immediately following a head injury. Specialist was informed by S10 and S12 that C1 banged her head almost daily, sometimes several times a day. Review of incident/accident reports documented for C1 shows that only one incident of C1 banging her head was documented on 11/14/18. O1 should have been called and should have signed a incident/accident report for each time C1 banged her head while in the center's care.