

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.B.C.D. Based on record review/interview on 1/31/2019, S1 failed to notify the Department and Child Welfare within 24 hours of an incident involving C1. S1 also failed to notify C1's parents immediately of the incident. C1 is non-verbal, paralyzed from the neck down, and wheel chair bound. According to S1, S27 reported that she observed S3, while they were in the cafeteria on 11/7/2018, take her hand, place it on C1's head, and repeatedly slam her head back onto the head rest of her wheel chair when she would drop her head down onto her chest. S27 also reported that S3 used C1's ponytail to pull her head up and wrapped her ponytail around the pole of her wheel chair to keep her from dropping her head down.

1509.A.1.: Child Abuse and Neglect Policy

Not Met

1509.A.1.: Child Abuse and Neglect Policy

- a. As mandated reporters, all staff and owners shall report any suspected abuse or neglect of a child to the Louisiana Child Protection Statewide Hotline 1-855-4LA-KIDS (1-855-452-5437);
- b. An early learning center shall not delay the reporting of suspected abuse or neglect to the Child Protection Statewide Hotline in order to conduct an internal investigation to verify the abuse or neglect allegations; and
- c. An early learning center shall not require staff to report suspected abuse or neglect to the center or management prior to reporting it to the Child Protection Statewide Hotline.

Finding:

1509.A.1. Based on record review/interview(s) on 1/31/2019, S1 and S2 failed to report suspected abuse/neglect of C1, who is non-verbal, paralyzed from the neck down and wheel chair bound. According to both S1 and S2, S27 reported that she observed S3, while they were in the cafeteria on 11/7/2018, take her hand, place it on her head, and repeatedly slam her head back onto the head rest of her wheel chair, when she would drop her head down onto her chest. S27 also reported that S3 used C1's ponytail to pull her head up and wrapped her ponytail around the pole of her wheel chair to keep her from dropping her head down.

The early learning center also delayed the reporting of suspected abuse or neglect in order to conduct an internal investigation to verify the abuse allegation. According to an Investigative report dated 11/9/2018 and O1 who was one of the individuals who conducted the internal investigation, an investigation was conducted regarding the allegation of physical abuse to C1 by S3 on 11/9/2018. Child Welfare was notified by S2 on 1/31/2019, while the Specialist was present.

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.

Statement of Deficiencies

Finding:

1509.A.8.B.i Based on record review/interviews on 1/31/2019, S3 subjected C1, who is non-verbal, paralyzed from the neck down, and wheel chair bound to physical punishment, which placed C1 in an uncomfortable position. S3 admitted to Specialist on 1/31/2019 and in written statement provided on 11/9/2018, that she used C1's ponytail to pull her head to position it back into an upright position onto her wheelchair headrest. S3 stated that this happened on 11/7/2018 in the cafeteria.

1901.J.&K.: Items That Can be Harmful to Children

Not Met

1901.J.&K.: J. Items that can be harmful to children, such as medications, poisons, cleaning supplies and chemicals, and equipment, tools, knives and other potentially dangerous utensils, shall kept in a locked cabinet or other secure place that ensures they are inaccessible to children.
K. Plastic bags, when not in use, regardless of purpose or use, shall be made inaccessible to children.

Finding:

1901.J.&K. Based on observation on 1/31/2019, items that can be harmful to children were not kept in a locked cabinet or other secure place that ensured they would be inaccessible to children. Specialist observed in S5 and S6's classroom, 1 can of Febreze air freshner on the counter, and 9 containers of disinfectant wipes and a small clear container with 9 roll of trash bags that where not in use in the bathroom under the cabinet. In S11 and S12's classroom, Specialist observed, on the counter, 1 packet of medication that contained 325mg of Acetaminophen and a black cup that contained two pair of adult scissors. In S13 and S15's classroom, Specialist observed an unlocked drawer that contained 2 packaging tape dispensers that had a sharp cutting edge. In S16 and S17's classroom, Specialist observed an unlocked drawer that contained 1 pair of adult scissors. In S22 and S23's classroom, Specialist observed 1 can of Lysol on the counter, 2 can of febreze under the counter in the bathroom, and 1 swifter cleaning mop with cleaning solution in the bathroom. All items were removed and made inaccessible to the children prior to the Specialist departure from the classrooms.

1909.G.: Infant - Bibs

Not Met

1909.G.: Bibs shall not be worn by any child while asleep.

Finding:

1909.G. Based on observations on 1/31/2019, the provider allowed a bib to be worn by a child while asleep. Specialist observed 3 infants asleep with bibs on in S19 and S20's class. Specialist observed 1 infant in S24 and S25's classroom asleep with a bib on. All bibs were removed prior to Specialist departure.
