

## 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-D: Based on interviews and Record Review: S1 and S2 failed to notify within 24 hours of the incident the Department and Child Welfare: S1 hit C1 after he slapped her on the face at approximately 2:00 PM on 2/3/2020. S1 initially stated there was no significant incident between herself and a child on 2/3/2020. After a second interview, S1 stated that C1 slapped her in the face when she attempted to buckle his seat belt at 2:00 PM on this date. S4 reported that she observed S1 hit C1 across the chest in response to C1 hitting her. S4 reported that she notified S2 of this incident on 2/3/2020 as well as on 2/11/2020.

Corrective Action Plan: S1, S2, and S6 deny knowledge of this allegation. S6 stated she will take steps to investigate as well as report it to Child Welfare immediately.

### 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 and record review: Although the center had a behavior management policy, S1 used a prohibited method of discipline as a child was subject to physical punishment. On 2/3/2020 at approximately 2:00 PM, S1 stated that while attempting to buckle C1 into his seat belt, C1 was combative. C1 slapped S1 in the face during this time. S4 stated that in response, she witnessed S1 hit C1 in the chest.

Corrective Action Plan: S2 stated she will reiterate that mandated reporter requirements as well as remind staff that there is a zero tolerance for hitting a child. Hitting a child will result in termination.

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### 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: Based on observations and interviews: The Provider failed to have documentation of immediate notification to the parent when the following occurred to a child: at 10:30 AM C2 pushed C4 causing him to fall and flip backwards over a black barrier around the play yard. The fall caused C4 to hit his head on the ground as he landed. At 11:15 am, Specialist requested to review the incident report and was informed by S2 that she had not yet completed the report or notified C1's parent. S2 initially stated that C1 had not hit his head. Specialist pointed out dried mud was still visible on C1's head from when he hit his head on the ground. At 12:30 PM, Specialist reviewed the incident report completed by S2 and found the report inaccurately documented the time of the incident as having occurred at 11:00 AM when Specialist observed the incident occur at 10:30 AM on 2/14/2020. The parent was notified at 11:10 AM.

Corrective Action Plan:

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