

Statement of Deficiencies

7302-F: State Central Registry

Not Met

7302-F: Conditions for Owners, Operators, Employees and Volunteers. Any owner, operator, current or prospective employee, or volunteer of a child care facility requesting licensure by the department and/or a child care facility licensed by the Department of Social Services is prohibited from working in a child care facility if the individual discloses, or as the result of information known or received by the Department of Social Services, that individual's name is recorded on the state central registry (SCR) as a perpetrator for a justified (valid) finding of abuse or neglect of a child, unless there is a finding by the Risk Evaluation Panel or a ruling by the Division of Administrative Law that the individual does not pose a risk to children.

1. An individual owning, operating, employed by or volunteering in a child care facility prior to January 1, 2010, licensed by the department shall be required to complete a state central registry disclosure form on or before February 1, 2010. This information shall be reported at the time of application, annually, at any time upon the request of the department, and within three working days of any such individual receiving notice of a justified (valid) determination of child abuse or neglect.

a. The owner, operator, and current employee/volunteer of the licensed child care facility shall complete, sign and date the state central registry disclosure form. The current or prospective employee/volunteer shall submit the disclosure form to the owner or operator of the facility. The owner or operator shall also be required to provide documentation of his or her state central registry disclosure form.

b. Any current employee/volunteer hired before January 1, 2010, who discloses that their name is recorded on the state central registry with a justified (valid) finding of abuse or neglect, or through reasonable suspicion, or as the result of information known or received by the Department of Social Services will have 10 calendar days from completion of the state central registry disclosure form to request a risk assessment evaluation in accordance with LAC 67:1.305 or shall be terminated immediately. As a condition of continued employment the employee/volunteer shall be directly supervised by another paid employee of the facility, who has not disclosed that their name appears with a justified (valid) finding on the state central registry. Under no circumstances may the staff person with the justified finding be left alone and unsupervised with the children pending the disposition of the Risk Evaluation Panel that they do not pose a risk to children. When these conditions are met, the employee/volunteer may be counted in child staff ratio. If the Risk Evaluation Panel finds the individual does pose a risk to children and the individual chooses not to appeal the finding, the employee/volunteer shall be terminated immediately. If the Risk Evaluation Panel finds the individual does pose a risk to children and the individual appeals the finding within the required timeframe, the employee/volunteer shall continue to have direct supervision at all times by another paid employee of the facility who has not disclosed that they have a justified finding on the state central registry until a ruling by the Division of Administrative Law that they do not pose a risk to children. Supervision may end effective with such a ruling from the Division of Administrative Law. If the Division of Administrative Law upholds the Risk Evaluation Panel finding that they do pose a risk to children, they shall be terminated immediately.

2. After January 1, 2010, any prospective owner, operator, or prospective employee/volunteer of a child care facility requesting licensure by the department and/or the child care facility requesting licensure by the department shall be required to complete a state central registry disclosure form. This information shall be reported at the time of application, annually, at any time upon the request of the department, and within three working days of any such individual receiving notice of a justified (valid) determination of child abuse or neglect.

a. The prospective employee/volunteer of a child care facility requesting licensure by the department and/or licensed child care facility shall complete, sign and date the state central registry disclosure form. The prospective employee/volunteer shall submit the disclosure form to the owner or operator of the facility. The owner or operator shall also be required to provide documentation of his or her state central registry disclosure form.

b. If a prospective operator, employee/volunteer discloses that his or her name is currently recorded as a perpetrator on the state central registry, the child care facility representative/prospective employer shall inform the applicant they will not be considered for employment or volunteer duties at the time due to the state central registry disclosure and the child care facility representative/prospective employer will provide the prospective employee/volunteer with the request for risk panel evaluation form.

3. SCR disclosure forms, documentation of any disposition of the Risk Evaluation Panel and, when applicable, the Division of Administrative Law ruling shall be maintained in accordance with current department licensing requirements and be available for review by Child Care Licensing and Regulatory personnel during the facility's hours of operation. They shall be kept on file a minimum of one year from termination of the employee or volunteer from the center.

4. Any information received or knowledge acquired that a current or prospective owner, operator, volunteer, employee or prospective employee or volunteer has falsified a state central registry disclosure form stating that they are not currently recorded as a perpetrator with a justified (valid) determination of abuse or neglect shall be reported in writing to a Child Care Licensing manager at the Department of Social Services, Office of Family Support, Child Care Licensing and Regulatory Section as soon as possible, but no later than the close of business on the next working day.

5. Any state central registry disclosure form, Risk Evaluation Panel finding and Division of Administrative Law ruling that is maintained in a child care facility licensing file shall be confidential and subject to the confidentiality provisions of R.S. 46:56(F) pertaining to the investigations of abuse and neglect.

6. Violations of any of the provisions of this Section shall result in licensing enforcement actions up to and including revocation of the license to operate.

Finding:

7302-F Based on record review: Provider failed to have documentation of a completed renewal state central registry disclosure form (SCR 1) on site and available for review at the center as required by ACT 388 of the 2009 regular legislative session. 3 of 6 staff, S2, S6 and S5, failed to have documentation of the completed renewal form. S2's SCR1 expired on 1/20/10. The new SCR1 was completed on 1/26/12. S5's SCR1 expired on 1/26/11. The new form was completed on 1/30/12. S6's SCR1 expired on 1/28/11. The new form was completed on 1/30/12.

Statement of Deficiencies

7305-E: State Fire Marshal

Not Met

7305-E: The provider shall have documentation of yearly safety inspection and current approval from the Office of State Fire Marshal.

Finding:

7305-E Based on record review: The Provider lacked documentation of a current annual fire safety inspection and approval from the Office of State Fire Marshal.

7305-I: Staff Attendance

Not Met

7305-I: A daily attendance record for staff, including the director/owner, to include the time of arrival and departure shall be maintained. Staff shall document in/out when not on the child care premises. This record shall accurately reflect persons on the child care premises at any given time.

Finding:

7305-I Based on record review:

The Provider did not maintain documentation of a daily attendance record for staff, including the director/owner, to include the time of arrival and departure as evidence by: S4 signed in her daily attendance log for 2/14/12, however S4 failed to sign out for the day on 2/14/12. S4 was not present in the center upon specialist arrival on 2/15/12 at 8:30am.

7312-B: Quarterly Training

Not Met

7312-B: The director shall conduct, at a minimum, one staff training session/meeting every three months. Documentation shall consist of the date of the training session, training topics, and signatures (not initials) of all staff in attendance.

Finding:

7312-B Based on record review: Provider lacked documentation that the director conducted one staff training session each three month quarter consisting of dated minutes of the training sessions including training topics and signatures (not initials) of staff in attendance for the survey year. Provider failed to have a quarterly meeting for the 2nd, 3rd and 4th quarters of 2011.

Statement of Deficiencies

7315-A: Child-to-Staff Ratio

Not Met

7315-A: Child/staff ratios are established to ensure the safety of all children. Only those staff members directly involved in child care and supervision shall be considered in assessing child/staff ratio. Child/staff ratios shall be met at all times as the number of children supervised by one staff person shall not exceed the ratios as indicated below; however, there shall always be a minimum of two child care staff present during hours of operation when children are present:

Ages of Children	Child/Staff Ratio
Infants under 12 months	5:1
One year old	7:1
Two year old	11:1
Three year old	13:1
Four year old	15:1
Five year old	19:1
Six year old and up	23:1

An average of the child/staff ratio may be applied to mixed groups of children ages two, three, four, and five. Ratios for children under two or over five years old are excluded from averaging. When a mixed group includes children less than two years of age, the age of the youngest child determines the ratio for the group to which the youngest child is assigned. When a mixed group includes children both older and younger than six years old and older, the ages of the children less than six determine the ratio for the group. During naptime, required staffing shall be present in the center to satisfy child/staff ratios.

Finding:

7315-A Based on observations/record review:

The Provider did not meet the required child to staff ratio for children of the following age:

Upon specialist arrival in the center at 8:30am on 2/15/12, it was observed that 13 children, ages 1-3, (2 @ age 1, 4 @ age 2 and 7 @ age 3) were in the dining area with S1 and S2. Specialist observed S2 leave the dining area and enter into the kitchen area to obtain food/return dishes/ obtain towel to wipe table for children on 4 separate occasions between 8:30am-8:41am, leaving S1 to provide care for all 13 children. The child/staff ratio for a group of children in which 1 year olds are included is 7 children per 1 staff. 1 additional staff needed to remain in the dining area with S1. Specialist review of children/staff sign in logs for 2/15/12 verified that S1, S2 and S3 were the staff present in the center upon specialist arrival. S3 was located in another classroom with 2 additional children age 0.

7328.G.1: Fire Drills

Not Met

7328.G.1: Fire drills shall be conducted at least once per month. Drills shall be conducted at various times of the day to include all children (children attending on certain days only and/or at certain times only) and shall be documented. Documentation shall include:

date and time of drill;

number of children present;

amount of time to evacuate the center;

problems noted during drill and corrections noted; and

signatures (not initials) of staff present.

The Licensing Section recommends that at least one fire drill every six months be held at rest time.

Finding:

7328.G.1 Based on review of center documents: Center failed to have documentation of monthly fire drills for September 2011, October 2011, November 2011 and December 2011. A monthly fire drill was completed and the document reviewed dated 1/4/12.