

## Statement of Deficiencies

### 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:

103-A-E: Critical Incident and Required Notification. Based on record review, 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.

Specialist reviewed critical incident report, narrative from O2 and interviews. For a critical incident involving S1 swatting C1 on the bottom that occurred on 2/9/17 at nap time, approximately 12:00, S1 did not file a critical incident report until 2/15/17 at 1:39 to the licensing office, on 2/15/17 to DCFS and 2/15/17 to the parent O1. As per regulations, the parent should be contacted immediately, and the licensing division and OCS should be contacted within 24 hours.

### 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: Behavior Management Policy. Based on record review, 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. S1 used corporal punishment on C1 as she "swatted" C1 one time on the rear when C1 would not lay still on her mat at nap time.

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### 1509-A.9: Electronic Devices Policy

Not Met

1509-A.9: Electronic Devices Policy that provides that all activities involving electronic devices, including but not limited to television, movies, games, videos, computers and hand held electronic devices, shall adhere to the following limitations:

- a. Electronic device activities for children under age two are prohibited; and
- b. Time allowed for electronic device activities for children ages 2 and above shall not exceed 2 hours per day.

#### Finding:

1509-A.9: Electronic Devices Policy: based on observation, Electronic Devices Policy that provides that all activities involving electronic devices, including but not limited to television, movies, games, videos, computers and hand held electronic devices, shall adhere to the following limitations:

- a. Electronic device activities for children under age two are prohibited; Specialist observed the 1-2 year old classroom watching tv at 8:30 AM with one year olds present. Specialist returned at 9:21 and the television was still on with the children on the rug watching it.

### 1711-A-B-D-G: Child to Staff Ratio

Not Met

1711-A-B-D-G: A. Child to staff ratios are established to ensure the safety of all children.

B. Minimum child to staff ratios shall be met at all times.

1. There shall be a minimum of two staff members present at an early learning center when more than one child is present.
2. Only those staff members directly providing care, supervision or guidance to children shall be counted in the child to staff ratios.

D. Minimum Child to Staff Ratios for Type II and Type III centers:

Ages of Children	Ratio
Infants under 1 year	5:1
1 year	7:1
2 years	11:1
3 years	13:1
4 years	15:1
5 years	19:1
6 years and up	23:1

G. Mixed Age Groups - Minimum Child to Staff Ratios

1. An average of the child to staff ratios may be applied to mixed age groups of children ages 2, 3, 4 and 5
2. Child to staff ratios for children under age two are excluded from averaging.
3. When a mixed age group includes children younger than age two, the age of the youngest child determines the child to staff ratio for the group.
4. An average may be applied to a mixed age group consisting only of children ages 5 and older.

#### Finding:

1711-A-B-D-G: Child to Staff Ratio: Based on observation, Minimum child to staff ratios shall be met at all times. Ratio was not met 2/21/17 at specialist arrived at 8:30 and observed 13 children ages 2-3 years with one staff. Child/Staff ratio for this age group is 12 children per one staff. Also, specialist observed 14 children ages 1-2 years old with one staff. Correct child/staff ratio for this ages group is 7 children to one staff. Two additional staff arrived at 9:00 to make the staff/child ratio correct. At 9:22, after children returned to their rooms from breakfast, specialist observed 13 children ages 2-3 years old with one staff. Correct ration is 13 children to two staff. Specialist also observed 11 children ages 1-2 years with one staff. Correct ratio is 7 children to one staff.

### 1907-A.1-2: High Chairs

Not Met

1907-A.1-2:

1. The high chair manufacturer's restraint device shall be used when children are sitting in a high chair.
2. Children who are either too small or too large to be restrained using the manufacturer's restraint device shall not be placed in a high chair.

#### Finding:

1907-A.1-2: High Chairs. Based on observation and a physical check, The high chair manufacturer's restraint device shall be used when children are sitting in a high chair. Specialist observed two children in high chairs at 8:30 not buckled.

### 1909-D: Infants - Car Seats

Not Met

1909-D: Written authorization from a physician is required for a child to sleep in a car seat or other similar device and shall include the amount of time that the child is allowed to remain in said device.

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**Finding:**

1909-D: Infants-Car Seats. Based on observation, Written authorization from a physician is required for a child to sleep in a car seat or other similar device and shall include the amount of time that the child is allowed to remain in said device. Specialist observed one child asleep in a high chair at 8:30am. When specialist returned, at 8:50, child was still asleep in the same highchair. Specialist also observed a infant asleep in a car seat int he infant room at 8:30 AM.

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**1911-D: Awake Children**

**Not Met**

1911-D: While awake, children shall not remain in a crib, baby bed, swing, high chair, carrier or playpen for more than 30 consecutive minutes.

**Finding:**

1911-D: Awake Children: Based on observation, While awake, children shall not remain in a crib, baby bed, swing, high chair, carrier or playpen for more than 30 consecutive minutes. Specialist arrived at 8:30 AM and observed 3 children in high chairs in the 1-2 year old classroom. When sepcialist returned at 9:04, the children were still in the high chairs. Specialist also observed 3 infants in car seats in one of the infant room at 8:30AM. Specialist asked S 2 for the names of the children and checked their arrival times on the sign in sheet. C2 arrived at 7:13, C3 arrived at 7:41 and C4 arrived at 8:18. Specialist questioned S2 about how long the children had been in the seats and what was their arrival policy with the infants. S2 stated that they stay in the care seats until she arrives and bring them into her room. Based on this, 2 of the children were in the seat longer that 30+ minutes.

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**1911-G: Pacifier Attached**

**Not Met**

1911-G: Pacifiers attached to strings or ribbons shall not be placed around the neck or attached to the clothing of a child.

**Finding:**

1911-G: Pacifier Attached. Based on observation, Pacifiers attached to strings or ribbons shall not be placed around the neck or attached to the clothing of a child. Specialist observed a child with an attached pacifier in the 1-2 year old classroom.

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