

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.: Critical Incidents and Required Notifications: Based on interviews/record review, S1 failed to notify within 24 hours of the incident the Department and Child Welfare of a critical incident. Based on interviews conducted by the Specialist on 3/11/2019 with O1, S1 was initially notified by O1 on 2/26/2019 at 7:00 PM via phone that she was going to call the police regarding the injuries of C1. S1 indicated on her critical/reportable incident that the incident date and time was 2/27/2019 @ 1:20 PM when O1 and O2 came to the center to show S1 scratches and bruising on C1. S1 did not notify the department of the incident until 2/28/2019 via fax at 11:53 AM. Specialist interviewed S1 again on 3/27/2019 and verified that O1 contacted her regarding the bruises and scratches on C1 during the evening hours on 2/26/2019. S1 also reported that O1 texted her pictures of the injuries to C1 during the evening hours of 2/26/2019. S1 stated that she told O1 and O2 that she would look into it and made arrangements to meet with O1 and O2 on 2/27/2019 after she reviewed the video.

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 a. Child Abuse and Neglect Policy: Based on interview, although mandated reporters, staff did not report suspected abuse/neglect of a child to the Child Protection Statewide Hotline as evidenced by Specialist interviews with S10 on 3/7/2019 and 3/27/2019. S10 reported seeing S3 pop C1 on the hand in the classroom in July or August 2018. S10 stated that she told S3, "I would not do that because we aren't supposed to do that." S10 stated that she was a new employee at the time and did not tell the director that she witnessed S3 pop C1 on her hand. S10 stated that she did not recall making a report to Child Protection regarding the incident.

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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.i.: Behavior Management Policy: Based on observation, S3 used a prohibited method of discipline as C1 and C4 were both subjected to corporal punishment. On 3/7/2019, Specialist reviewed video from 2/26/19 of S3's classroom and observed S3 slapping the hand of C4 at 9:48 AM. Specialist also observed S3 push C1 down into a chair 3 times and then holding C1 down on the chair while implementing a timeout at 2:45 PM.

1509.A.8.c.: Behavior Management Policy - Time Out

Not Met

1509.A.8.c.: Time Out Policy

- i. Time out shall not be used for children under age 2.
- ii. A time out shall take place within sight of staff.
- iii. The length of each time out shall be based on the age of the child and shall not exceed 1 minute per year of age.
- iv. For children over age six, a time out may be extended beyond 1 minute per year of age, if a signed and dated statement, including a maximum time limit, from the parent granting such permission, is on file at the center.

Finding:

1509.A.8.c.iii: Behavior Management Policy - Time Out: Based on observation, S3 used a prohibited method of Time Out as the length of time C3, years old, was in time out and exceeded 1 minute per year of the child's age. On 3/7/2019, Specialist reviewed video from 2/26/2019 of S3's classroom. Specialist observed that C3 remained in timeout from 9:58 AM until 10:19 AM.

1713.A.&B.&C.: Supervision

Not Met

1713.A.&B.&C.: A: Children shall be supervised at all times in the center, on the playground, on field trips, on non-vehicular excursions, and during all water activities and water play activities.

B: Children shall not be left alone in any room, (except the restroom as indicated in Subsection G or when being provided services by therapeutic professionals as defined in 103), outdoors, or in vehicles, even momentarily, without staff present.

C: A staff person shall be assigned to supervise specific children whose names and whereabouts that staff person shall know and with whom the staff person shall be physically present. Staff shall be able to state how many children are in their care at all times.

Finding:

1713.B Supervision: Based on observation, children were not under supervision at all times as on 3/7/2019, Specialist reviewed video from 2/26/2019 and observed S3 leaving the 2 - 3 year old children alone in the classroom from 9:51 AM to 9:52 AM without additional staff present.

1911.I.&J.: Proper Lifting of a Child

Not Met

1911.I.&J.: I. Staff members shall adhere to proper techniques for lifting a child.

J. Staff members shall not lift a child by one or both arms.

Finding:

1911.I.&J.: Proper Lifting of a Child: Based on observations, S3 did not adhere to proper techniques for lifting a child and lifted a child by one or both arms. On 3/7/2019, Specialist reviewed video from S3's classroom recorded on 2/26/2019. Specialist observed S3 lifting C4 by the left arm as he was

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falling to the floor at 9:48 AM. Specialist also observed S3 lifting C1 from the floor by the right arm at 2:39 PM.
