

Statement of Deficiencies

1509.A.8.a.&b.: Behavior Management Policy

Not Met

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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 record review and interviews on 4/3/2023 at 12:39 p.m., although the center has a behavior management policy, S10 (DOH 8/29/2022) subjected C1 (3-years-old) to corporal punishment on 3/1/2023. On video footage reviewed for 3/1/2023, Specialist observed the following:

- 5:21:57 p.m., S10 spanked C1 once on the upper left thigh.
- 5:24:45 p.m., S10 picked C1 up by the outside of both upper arms, carried her approximately 16 feet, shook her once, and then placed her in timeout.

S10 (Date of Hire 8/29/2022) was terminated on 3/2/2023.

CORRECTIVE ACTION PLAN: Effective 4/3/2023, S2 stated that she re-trained all staff on behavior management 3/2/2023 to ensure compliance with this regulation.