

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.: Critical Incidents and Required Notifications: Based on observation/record review/interview(s) on 4/22/2021 at 3:12pm, S10 failed to notify C5's (age three) parents immediately as well as the Department and Child Welfare within 24 hours of the following Critical Incidents: On unknown dates and times, between S9's date of hire on 2/3/2021, and her last day working in the center on 4/8/2021, staff documented that S9 made the following verbal threats to children:

- "Bite me, Ima bite you back";
- "I'm about to strangle each one of y'all";
- "I will put a stick down your throat C5"; and
- "C5, your mom is leaving you here, she is not coming get you."

Corrective Action Plan: Effective 4/26/2021, S1 stated she will notify appropriate agencies within 24 hours of any incident where inappropriate behavior management is observed, to ensure this deficiency is not recited.

1103.A.C.&D.: Critical Incidents and Required Notifications: Based on observation/record review/interview(s) on 4/22/2021 at 9:26am, S1 failed to notify the Department within 24 hours of the following critical incident: On 4/20/2021 at 8:00am, C2 (age one) flipped and fell head first into a bucket of blocks and sustained an injury to his left brow that required medical attention. O2 (C2's Mother) informed staff that she would take C2 to the doctor when she picked up C2. After lunchtime, O2 notified S1 that C2 received treatment of liquid Band-Aid to the injury. S1 stated she was instructed by management that because O2 refused liability insurance coverage, when it was offered, the critical incident report did not need to be submitted to the Department.

Corrective Action Plan: Effective 4/26/2021, S1 stated she will submit critical incidents reports for all injuries occurring in the center that require medical attention, within 24 hours of the incident, to ensure this deficiency is not recited.

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/interview(s) on 4/22/2021 at 10:30am, although the Center's behavior management policy prohibits actions such as corporal punishment, yelling, yanking, and threats of a prohibited action, S9 has failed to follow the center's policy. Review of S9's Termination Notice signed by S9 on 4/19/2021 documents S9 was terminated on 4/19/2021. The reason for termination was that a parent observed S9 grab and snatch a child (name unknown) by his shirt, his head flung back, and she pulled him angrily to her face and fussed at him. The Critical Incident Report submitted to the Department documented that this incident occurred on 4/8/2021 at 4:11pm. S9 was

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employed in the center from 2/3/2021, and her last day working in the center was 4/8/2021. Staff interviewed also stated and documented that at different dates and times between 2/3/2021 to 4/8/2021, S9 said the following statements to children:

- "We're going to do them tomorrow; can't you not understand English";
- "I'm not doing it, y'all doing it";
- "Bite me, Ima bite you back";
- "I'm about to strangle each one of y'all";
- "Does it look like I care, no I don't care";
- "Get away from me C5, you're so annoying";
- "I will put a stick down your throat C5";
- "C5, your mom is leaving you here, she is not coming get you";
- "Get away from me, you're aggravating me";
- "Get down";
- "Stop it"; and
- threatened children that if they did not behave, they would have to sit during their outside playtime.

Corrective Action Plan: Effective 4/26/2021, S1 stated she will conduct a re-training with all staff to include the center's behavior management policy, by 4/30/2021, to ensure this deficiency is not recited.

1515.A.3.: Releasing of Children

Not Met

1515.A.3.: Written authorization signed and dated by the parent noting the first and last names of individuals to whom the child may be released other than the parents, including any other early learning centers, transportation services, and any person or persons who may remove the child from the center.

- a. The parent may further authorize additional individuals via a text message, fax or email to the center in unplanned situations and follow it with a written authorization.
- b. A child shall never be released to anyone unless authorized in writing by the parent.
- c. Any additions and deletions to the list of authorized individuals shall be signed and dated by the parent.
- d. The center shall verify the identity of the authorized person prior to releasing the child.

Finding:

1515.A.3. Releasing of Children: Based on record review/interview on 4/22/2021 at 1:00pm, S1 failed to have written authorization for C10 (age seven), C13 (age ten), C16, C18, and C19 (age nine), to be released to the elementary school. Attendance records dated 4/6/2021 to 4/9/2021, document the children arrive in the center in the morning, and then are signed out as being released to school, with a departure time between 7:10am to 7:15am. S2 stated the children are walked by staff to and from the elementary school located next to the center. Technical Assistance previously provided on 9/16/2020.

Corrective Action Plan: Effective 4/26/2021, S1 stated she will have all parents update authorization with signature and date to release children to the elementary school next door, to ensure this deficiency is not recited.

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 of this Section 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.A.B.&C.: Supervision: Based on record review/interview(s) on 4/22/2021 at 12:30pm, children were not under supervision at all times. On 3/1/2021, S9 was placed on 90-day probation for a child not being properly supervised, and S9 not following job duties. S2 stated on 2/26/2021, C3 fell from the cabinet shelving under a changing table, and hit his head. S9 failed to supervise C3 (age one) at all times, when she stepped outside from the classroom's front exit door to speak with a child's parent. S9's last day working in the center was 4/8/2021.

Corrective Action Plan: Effective 4/26/2021, S1 stated she will re-train all staff on appropriate supervision of children, to ensure this deficiency is not recited.

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1901.J.&K.: Items That Can be Harmful to Children

Not Met

1901.J.&K.: J. Items that can be harmful to children, such as medications, poisons, cleaning supplies and chemicals, and equipment, tools, knives and other potentially dangerous utensils, shall kept in a locked cabinet or other secure place that ensures they are inaccessible to children.
K. Plastic bags, when not in use, regardless of purpose or use, shall be made inaccessible to children.

Finding:

1901.J.: Items That Can Be Harmful to Children: Based on observations, items that can be harmful to children, such as cleaning supplies and chemicals, and other potentially dangerous items, were not kept in a locked cabinet or other secure place that ensures they are inaccessible to children. On 4/22/2021 at 9:08am, Specialist observed a lighter on a low level shelving unit, and at 3:25pm, a cleaning spray bottle on a low level shelving unit, was accessible to fifteen 3 to 4-year-old-children. S3 corrected. Technical Assistance previously provided on 1/27/2020.

Corrective Action Plan: Effective 4/26/2021, S1 stated she will conduct a re-training with staff on items that can be harmful to children, by 4/30/2021, to ensure this deficiency is not recited.

1901.P.: Staff Personal Belongings

Not Met

1901.P.: The personal belongings of center staff members shall be inaccessible to children.

Finding:

1901.P.: Staff Personal Belongings: Based on observation on 4/22/2021 at 9:08am, S3's keys, Monster energy drink, and lighter were on top of a low level shelving unit and accessible to fifteen 3 to-4-year old children. At 9:18am, S5's purse was accessible to two 1-year-old-children, and at 9:28am, S4's purse was on the floor and accessible to seven 1 to 2-year-old children in S6's classroom. Staff corrected by placing out of reach of children.

Corrective Action Plan: Effective 4/26/2021, S1 stated she will have staff place all personal items, when not in use, in the front office, to ensure this deficiency is not recited.

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, on 4/22/2021 at 9:15am, a pacifier that was attached to a ribbon was attached to the clothing of C20 (age infant). S5 corrected by removing the attached string. Technical assistance previously provided on 9/16/2020.

Corrective Action Plan: Effective 4/26/2021, S1 stated she will ensure all staff receive proper training prior to the care of infants. She will conduct a walk-through of the classroom at arrival to review appropriate care is met, to ensure this deficiency is not recited.