

Statement of Deficiencies

1103-A.-D.: Critical Incidents and Required Notification

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 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.

Finding:

1103-A.-D. Critical Incidents and Required Notification: Based on record review/interviews:

Center staff failed to notify the Licensing Section and Child Welfare within 24 hours of the following critical incidents: According to staff interviewed and the Critical Incident Report, on 4/24/18, S1 viewed the video of S32's class for 4/24/18. According to S1, S32 was handling C1 very roughly and pushing C1's head down on her mat during nap time. According to S1, S32 was terminated as a result of her handling of C1. This was reported to the Licensing Section on 4/27/18 at 9:40 am, and to DCFS on 4/26/18 at 8:35 pm. According to staff interviewed, S21 was alleged to have stuffed a paper napkin in C4's mouth (date unknown). S1 stated that about 2 ½ weeks ago, C4 was crying and S21 said out loud she was going to put a sock in it. S1 stated she reviewed video and S21 did not stuff a napkin in C4's mouth. The incident was not reported to Licensing, the parent, or Child Welfare.

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 Based on interviews/review of records, the center's Abuse/Neglect policy requires All employees to report all actual and suspected child abuse of any child attending the Center as soon as possible to the Director. The policy then includes that LA law requires caregivers to report suspected abuse or neglect to the Louisiana Department of Children and Family Services and the phone number is given. Based on staff interviews, LS was advised by some staff interviewed that they would report suspected abuse to the owner, S1.

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.

Statement of Deficiencies

Finding:

1509.A.8.b.i. Behavior Management: Based on observations, the center did have a behavior management policy that prohibited children being subjected to physical punishment. However, based upon interviews/written statement per S1, S32 used unnecessary force when she forcefully laid C1, an 11 month old, down on a mat and push C1's head down several times on 4/24/18. S1 documented "4/24/18 @ 1:53pm, S32 returns to her classroom from lunch and C1 was crawling off her kinder mat, S32 grabs C1 and lays her on the mat. Approximately 10-15 minutes straight S32 forcefully tried to make C1 lay down and keep quiet. S32 was terminated on 04/24/18, as a result of her actions. According to documentation of S32's termination, S1 documented "S32 was terminated for mishandling a student in her classroom during naptime. S32 attempted to lay C1 down during naptime using unnecessary force. C1, 11 months old, was forcefully being made to lay down and keep quiet during naptime by shoving her pacifier into her mouth by S32." According to video footage (no date/time) provided and reviewed, LS observed C1 crawling across the floor, S32 picked up C1 under the arms, held child away from her body (child hanging) and brought C1 across the classroom and placed C1 on the mat, then placed both hands on child's head and turned head to one side and placed blanket over the C1's head. C1 was observed laying on the mat with her head covered however S32 kept going back to C1 (approximately 9 more times) appearing to be putting a pacifier in C1's mouth and pushing/moving C1's head roughly to the side and placing the blanket over C1's head. One of these times, S32 picked C1 off the mat, placed child back on mat, placed hands on head moving head and placed blanket back over C1's head. Another time, S32 is observed using C1's blanket to roughly wipe C1's whole face. S32 appeared to also be scolding C1 during this time leaning over child one time, and from the middle of the classroom another time.

Based on interviews, S21 threatened a prohibited action even if there was no intent to follow through with the threat (date unknown/approximately 2 ½ weeks ago) when C4 was crying and S21 said out loud she was going to put a sock in C1's mouth.

1707-A.1&2: Required Staffing - Director/ Director Designee

Not Met

1707-A.1&2: Each center shall have a qualified director or qualified director designee.

1. The director or director designee shall be an on-site, full-time staff person at the center during the day time hours of operation (prior to 9:00 p.m.).
2. The director or director designee shall be responsible for planning, managing, and controlling the center's daily activities, as well as responding to parental concerns and ensuring that minimum licensing requirements are met.

Finding:

1707 A 2- The center did not have a full time director or director designee that is responsible for planning, managing and controlling the center's daily activities as well as responding to parental concerns and ensuring that minimum licensing requirements are met. The Director, S9, is a full time classroom teacher of 4-5 year old children. According to S9 she does not perform any duties as Director.
