

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-B-D: Critical Incidents and Required Notification: Based on record review on 5/2/18, the Specialist observed that the center failed to notify the Division of Licensing by written report within 24 hours of the two incidents on the Licensing Division's Critical Incidents Report Form which is to contain ALL information requested on the form. The center failed to document the following on the critical incident report:

On 5/2/18, the Specialist viewed the center's video recording of S22 on 4/12/18, around 9am, force feeding and jerking on C1 during breakfast time because he did not want to eat his food. S22 was also observed removing food from C1's plate, wrapping it in a paper towel and traveling from the classroom to a secluded bathroom in the cafeteria area of the center where she was there with C1 for approximately 8 minutes.

Specialist viewed another incident on the center's video record of S22 on 4/12/18, around 11am, restraining C2 to prevent him from going toward other toys for a twenty minute time frame. It was also observed by O1 on 4/12/18, that S22 was hitting both of his hands with her hand and then later began to hit C2 with an ink pen on the hand.

Center staff, S25, contacted C1's mother, O3, on 4/12/18, which O3 verified. O3 states that she was informed that a staff person, S25, told her that another staff person (S22) twisted the wrist of C1 and that was all the information that was given to her in regards to the incident.

S25 also contacted C2's mother, O4 on 4/12/18 which O4 verified. O4 states that she was informed that a staff person, S22, had whipped C2 and that was all the information that was given to her in regards to the incident.

The Provider failed to make additional contact to C1 and C2's parents and the Division of Licensing and other appropriate agencies after viewing the center video which identified that additional violations of the behavior management policy had been committed by S22 with C1 and C2 on 4/12/18.

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/record review although a mandated reporter, staff (S10) did not report to the Child Protection Statewide Hotline on 4/12/18, when she observed S22 in class force feeding C1, jerking on his arms, removing food from his plate at breakfast, placing the food in a napkin overhearing S22 telling C1 that he is going to eat the food or she is going to take him to the restroom and make him eat it. S10 also failed to make a report to the center's administrative staff. When S10 was asked why she did not make a report she stated that she was a new staff person and she was not aware of what to do in situations like that.

Statement of Deficiencies

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,ii, iii.: Behavior Management Policy: Based on interviews/observations/record review on 5/2/18, the Specialist observed that the center developed and implemented a written behavior management policy. However video record from 4/12/18 showed, center staff, S22, used a prohibited method of discipline as a C1 and C2 was subjected to physical punishment, corporal punishment, verbal abuse, threats of a prohibited action as evidence by:

On 5/2/18, the Specialist viewed the center's video record of S22 on 4/12/18, force feeding and jerking on C1 during breakfast time because he did not want eat his food. S22 was also observed removing food from C1's plate, wrapping it in a paper towel and traveling from the classroom to a secluded bathroom in the cafeteria area of the center where she was there with C1 for approximately 8 minutes.

Specialist viewed another incident on the center's video record of S22 on 4/12/18, around 11am, restraining C2 to prevent him from going towards other toys for a twenty minute time frame. It was also observed by O1 on 4/22/18, that S22 was hitting both of his hands with her hand and then later began to hit C2 with an ink pen on the hand.

S22 was suspended from her duties on 4/13/18 due to this incidents involving C1 and C2.

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 on 5/2/18 the Specialist observed video recording of S22's class on 4/12/18 and staff did not lift a child using proper lifting techniques. Staff lifted a child using one or both arms as evidenced by S22 grabbing the left arm of C2 while he was at the fish tank and throwing him to the ground on the alphabet mat. S22 also lifted C1 from his seat, guided him to the trash can and put his back down into his seat all while holding his right arm. S22 also lifted C2 by his legs to pull him towards her so that she can put him in a seated position on the rug as he was trying to remove himself from her restraints.