

## 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 interview(s) on 5/6/19 the center failed to notify within 24 hours of the incident the Licensing Section and other appropriate agencies of the following critical incident; S1 and S2 stated that O1 came into the center on 3/21/19 complaining that C1 said that S8 had scratched him on his wrist. S2 stated that when O1 arrived at the center on 3/21/19 at approximately 6:00PM he asked to speak with she and S1 alone. S2 stated that they went into S1's office and O1 stated that he was waiting to receive a photo of the injury from his fiancée who picked C1 up from the center that day. S2 stated that when O1 received the photo that he looked at it surprisingly, said that it was a small scratch and that it could have occurred anywhere. S2 stated that at that time O1 recanted the allegation and left the center. Specialist interviewed O1 on 5/6/19 via phone, O1 stated that he came to the center on 3/21/19 to complain about C1 being scratched by S8. O1 stated that he talked to S1 and S2 about the situation, his fiancée sent him the photo and it was not as bad as described. O1 stated that he asked S1 and S2 to further look into the alleged incident and never recanted the allegation that C1 said that it was done by S8. The center failed to contact the Department and Child Welfare about the alleged incident within a 24 hour time frame. The Department and Child Welfare should have received a report of the alleged incident on or by the end of the business day on 3/22/19.

O2 stated during interview with Specialist on 5/6/19, via phone, that she made a complaint to S1 about a bruise found on C1's upper arm on 12/20/18. O2 stated that she specifically told S1 that C1 alleged that S8 had pinched him. O2 stated that S1 told her that she would view the video recording and let her know what she saw. S1 stated that in December of 2018 she recalls O2 asking her to review the cameras to see how C1 got a pinch mark on him. S1 stated that she does not recall O2 accusing any teacher. S1 stated that she reviewed the cameras in S8's room where C1 is assigned and did not see anything. S1 stated that she communicated her findings to O2. S1 failed to contact the Department and Child Welfare about the alleged incident within a 24 hour time frame. The alleged incident should have been sent to the Department and Child Welfare on or by the end of the business day on 12/21/18.

### 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.: Child Abuse and Neglect Policy: Based on interview(s) on 5/6/19 although mandated reporters, staff did not report suspected abuse/neglect of a child to the Child Protection Statewide Hotline as evidenced by two center staff stating during interview that they have witnessed S8 being verbally and physically aggressive with C1. One staff stated that she witnessed S8 yelling at her entire class but identified that S8 specifically targeted C1. Another staff stated that on 3/21/19 she witnessed S8 on the play yard yelling at C1, grabbing C1 by his arm aggressively and pulling him towards her. The center staff failed to contact the Louisiana Child Protection Statewide Hotline after witnessing the incident between S8 and C1 because they were afraid that they would lose their jobs.

## 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.: Behavior Management Policy: Based on interview(s) on 5/6/19 S8 used a prohibited method of discipline as evidenced by a child (C1) being subject to physical punishment and verbal abuse. Two center staff stated during interview that they have witnessed S8 being verbally and physically aggressive with C1. One staff stated that she has witnessed S8 yelling at her entire class but identified that S8 specifically targeted C1. Another staff stated that on 3/21/19 she witnessed S8 on the play yard yelling at C1, grabbing C1 by his arm aggressively and pulling him towards her. S8 stated that she had raised her voice at C1 to prevent him from scratching a child while playing the dinosaur game.

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