

## 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. Based on record review/interview(s): S1 and S10 did not notify the Licensing Section via email/written report within 24 hours or the next business day that Child Welfare went to the center on 04/26/2019 and 04/29/2019 on an allegation that S1 grabbed C1 by the back of the shirt and slammed him into a wooden chair, roughly picked him up again and slammed him into a wooden chair making his bottom hit the back of the chair on 04/23/2019.

### 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. Based on interview: S1 used a prohibited method of discipline as S1 grabbed and picked C1 up by the back of the shirt, taking him to the time out chair after he ran out of the time out chair. S1 indicated she also picked C1 up and placed him in a chair roughly because he was running around the room jumping on the cots, causing his buttocks and back thighs to land on the back of the chair instead of the seat of the chair on 04/23/2019. S1 was given a documented warning by S10 for the way C1 was placed in the chair.

### 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 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 Based on interview: Children were not under supervision at all times. S1 indicated on 04/23/2019, she left the children in her classroom unattended for short periods of time to help S8 with a child that had just transitioned from her room into S8's class. S1 did not have an exact time children were left unsupervised but did indicate she returned to her classroom after.

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### 1723.A.&B.: CPR Certification

Not Met

1723.A.&B.: A. Infant and child CPR. Fifty percent of staff members on the premises of a center and accessible to children, or at least four staff on the premises and accessible to children, whichever is less, shall have current certification in infant and child CPR through training approved by the department.

B. Adult CPR. Fifty percent of staff members on the premises of a center and accessible to children, or at least four staff on the premises and accessible to children, whichever is less, shall have current certification in adult CPR through training approved by the department.

#### Finding:

1723 A & B Based on record review/observation:

There was no documentation that at least fifty percent (50%) of all staff on the premises and accessible to the children or at least four staff on the premises and accessible to children, whichever is less, have current certification in infant and child CPR through training approved by the department. Upon Specialist arrival on 05/08/2019, 2 of 5 staff had documentation of this certification. S3 came in at 12:23pm to satisfy the requirement. S1 stated S2, S4 and S6 are scheduled to have the certification completed on 05/09/2019.

### 1723.C.: Pediatric First Aid

Not Met

1723.C.: Pediatric First Aid. Fifty percent of staff members on the premises of a center and accessible to children, or at least four staff on the premises and accessible to children, whichever is less, shall have current certification in pediatric first aid through training approved by the department.

#### Finding:

1723.C. Based on record review/observations:

There was no documentation that at least fifty percent (50%) of all staff on the premises and accessible to the children or at least four staff on the premises and accessible to children, whichever is less, have current certification in Pediatric First Aid through training approved by the department. Upon Specialist arrival on 05/08/2019, 2 of 5 staff had documentation of this certification. S3 came in at 12:23pm to satisfy the requirement. S1 stated S2, S4 and S6 are scheduled to have the certification completed on 05/09/2019.

### 1811-D.2.&3.: Provisional Employment for Staff Members of Early Learning Centers

Not Met

1811-D.2.&3.: 2. A provisionally-employed staff member may be counted in child to staff ratios, but must be monitored at all times in accordance with the following.

- a. A monitor of a provisionally-employed staff member must be an adult staff member for whom the center has a CCCBC-based determination of eligibility for child care purposes, (or prior to October 1, 2018, a satisfactory CBC), who is designated by the center to monitor a specific provisionally-employed staff member.
  - b. The center must designate a monitor for each provisionally-employed staff member present at the center.
  - c. The monitor shall be physically present at the center at all times when the provisionally-employed staff member is present at the center.
  - d. Monitors must remain within close enough physical proximity of their designated provisionally-employed staff members to be able intervene at any time if intervention is needed.
  - e. A monitor shall perform at least one visual observation of each designated provisionally-employed staff member every 30 minutes.
  - f. The center may designate one monitor for up to a maximum of five provisionally-employed staff members at any given time.
  - g. At least one monitor must be physically present at all times in any room during naptimes if a provisionally-employed staff member is present.
3. The center shall have a log or other written documentation of the monitoring of provisionally-employed staff members that identifies each provisionally-employed staff member, the designated monitor for each, and the times of the visual observations.

#### Finding:

1811 D 2 & 3 Based on record review/interview: According to documentation, S2 was hired 04/01/2019. S1 stated there was no designated monitor for S2, present at the center on 04/01/2019, 04/02/2019 and 04/04/2019. It was not documented that S2 was monitored on 04/01/2019, 04/02/2019 and 04/03/2019. S2's CCCBC-based eligible determination was completed on 04/05/2019.