

## 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) on 5/16/2019, On 5/10/2019, at 9:15 am, O1, the mother of C1, reported to S2, that she observed S3 hitting C2 on his bare bottom twice in the center bathroom. According to critical incident and written reports from S2, O1, stated that she was walking C1 to the bathroom where S3 was assisting the children with using the restroom. She got to the bathroom door and heard a child crying and she heard about 4 popping sounds that sounded as if a child was being hit. O1 stated that she opened the door and observed S3 hitting C2 on his bare bottom twice. S1 submitted the incident to the department timely but failed to notify Child Welfare within 24 hours of the incident and failed to notify, O2, the mother of C2 immediately following the incident. Per S2's verbal statement on 5/16/2019 and written statement submitted on 5/11/2019, to the department, O2 was not notified immediately by any staff from the center. Specialist was advised that O1 notified O2 on 5/10/2019. O2, after being advised of the incident by O1, placed a telephone call to S3 to inquire about the incident. S3 returned to the center at approximately 5:30 pm with O2 on speaker phone to discuss the incident along with S2.

### 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.I Based on record review/interviews on 5/16/2019, S3 used a prohibited method of discipline as C2, a 2 year old child was subject to a prohibited method of discipline on 5/10/2019. Per S3, written and verbal statement received on 5/16/2019, on 5/10/2019, while assisting C2 in the restroom, she raised her voice at him and clapped her hand 2 or 3 times after he cried because he could not take his pull-up off. Specialist review the center's behavior management plan and noted that it prohibits staff from yelling at the children.