

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. a child left unsupervised for any amount of time;
 4. use of prohibited behavior management as described in § 1509.A.8.b;
 5. allegations or suspicion of child abuse or neglect by center staff;
 6. an accident involving the transportation of children; or
 7. 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 LDE and other appropriate agencies, such as DCFS, LDH and the Office of State Fire Marshal, as applicable, 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 at 11:30 a.m., S1 failed to notify the department and DCFS within 24 hours of the following critical incident: On 5/3/2022 at approximately 8:45 p.m., O1 sent a picture via text message to S12 of C1's upper arms with bruises and asked if the bruises happened at daycare. S12 called and texted S2 to notify her of the bruises. S2 immediately contacted O1 via phone at approximately 8:45 p.m. on 5/3/2022. O1 stated that C1 said someone at the daycare left the bruises on her arm. The Department was notified of the incident on 5/6/2022 at 2:01 p.m. via fax.

CORRECTIVE ACTION PLAN: Effective 5/16/2022, S1 will ensure that all allegations of any abuse or neglect will immediately be reported to the department and the appropriate agencies. She will also complete one on one training with each staff member by 5/17/2022 to review critical incidents to ensure compliance with this regulation.

1507.E.: Daily Attendance Records - Visitors

Not Met

1507.E.: A daily attendance record for all visitors to include the name, date of visit, arrival and departure times, and the purpose of the visit.

Finding:

1507.E. Based on record review at 1:55 p.m., the daily attendance record failed to document the date of visit, arrival and departure time of DCFS on 5/6/2022 and of Law Enforcement on 5/11/2022.

CORRECTIVE ACTION PLAN: Effective 5/16/2022, S1 will review the visitor log each time a visitor arrives to the center to make sure all visitors are signed in and out to ensure compliance with this regulation.

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 interviews at 12:05 p.m., although the center has a behavior management policy, C1 (age 3) was subjected to corporal

Statement of Deficiencies

punishment by S17 (Date of Hire 9/7/2021). On 5/06/2022, S1 observed video footage of S17 grabbing C1 by the upper arms causing bruising on 5/3/2022. S17 was terminated on 5/6/2022.

CORRECTIVE ACTION PLAN: Effective 5/16/2022, S1 instructed all staff to review Behavior Management Policy by 5/10/2022. She will meet with all staff in person to review the policy on 5/17/2022 to ensure compliance with this regulation.
