

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 2:08 p.m., S1 failed to immediately notify the parent of the following critical incident: S1 was informed of an allegation that on 5/10/2022 at 10:55 a.m., S12 popped C1 (a one-year-old) in the head for biting. S12 told S1 that she tapped C1 on the head for biting another child. Though S1 notified DCFS and the Department timely on 5/10/2022, she failed to notify the parent immediately as, S1 notified O1 on 5/10/2022 at 2:50 p.m. S1 stated she didn't realize she needed to call O1 immediately, as she wanted to investigate and get all the details before contacting O1.

Corrective Action Plan: Effective 5/20/2022, S1 stated she will ensure to contact the parent within 30 minutes of the being informed of a critical incident or allegation, to ensure compliance with the 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 record review/interviews at 2:15 p.m., though the center has a behavior management policy, S12 used a prohibited method of discipline as C1, a one-year-old, was subject to corporal punishment on 5/10/2022. S1 was informed of an allegation that on 5/10/2022 at 10:55 a.m., S12 popped C1 in the head for biting. S12 stated C1 was biting another child, and she tapped C1 on the head. S12 was terminated immediately on 5/10/2022 for failing to follow the center's policy. S1 stated she verbally re-trained all staff on 5/10/2022 regarding proper handling of children.

Corrective Action Plan: Effective 5/20/2022, S1 stated she will add additional training for new hires regarding proper handling of children and the behavior management policy. S1 also stated she will do additional training with all staff annually, to ensure compliance with the regulation.