

## Statement of Deficiencies

### 1103-A-E: Critical Incidents and Required Notification

Not Met

1103-A-E: 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 Licensing Division and other appropriate agencies shall be notified via email within 24 hours of the incident.
- D. The Licensing Division 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 Licensing Division's Critical Incidents Report Form and shall contain all information requested on the form.
- E. Reporting deadlines may be adjusted in the event of a natural catastrophe and/or disaster, as determined by the Department.

#### Finding:

1103-A-E Based on record review/interview(s): The provider failed to notify within 24 hours of the incident the Division of Licensing of the following critical incident : On 5/23/2017, the center staff was made aware of a parent's concern regarding S16 allegedly using an inappropriate form of time out with C1. The center staff conducted an internal investigation and placed S16 on administrative leave after coming to the conclusion that S16 did not follow the center's policies. S1 completed the critical incident and required notification form and submitted it to the Division of Licensing on 5/31/2017.

### 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(s): S16 used a prohibited method of discipline as children were subject to threats of a prohibited action and punishment which would place them in an uncomfortable position, as evidenced by, interviews indicating S16 has threatened C1 and C2 by telling them to go to sleep (during nap time) or they would be "put in another room, alone, with the spiders and monsters" as a way to modify their behaviors during nap time. Interviews also indicate C1 has been placed alone in an empty classroom, currently being used for storage, with the door closed. S16 would monitor C1's behavior, away from the other children in the classroom for an estimated 20 seconds, through a window, then allow C1 to return to her nap mat to go to sleep, once she stopped screaming to get out of the classroom. Interviews indicate C2 has been "sent to another classroom during nap time" but it is unable to be confirmed whether C2 was placed in another classroom with a teacher or the empty classroom used as storage.

### 1903-C: Free of Hazards

Not Met

1903-C: Indoor and outdoor areas shall be free of hazards.

#### Finding:

1903-C Based on observations: Licensing Specialist observed the classroom used for storage S16 would bring C1 to, as part of the time out method for behavior modification, and it was observed to have an miniature refrigerator with exposed wiring and a container of loose cords accessible to C1 which can get tangled around C1's neck, legs, or arms, causing injuries.

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### **1915-B.&C: Health Services - Parental Notification**

**Not Met**

1915-B.&C:

B. Reporting. Incidents, injuries, accidents, illnesses, and unusual behavior shall be documented and reported to the parent no later than when the child is released to the parent or authorized representative on the day of the occurrence.

C. Immediate Notification. The parent shall be immediately notified in the following circumstances:

1. blood not contained in an adhesive strip;
2. head or neck or eye injury;
3. human bite that breaks the skin;
4. animal bite;
5. impaled object;
6. broken or dislodged teeth;
7. allergic reaction skin changes (e.g. rash, spots, swelling, etc.);
8. unusual breathing;
9. symptoms of dehydration;
10. temperature reading over 101° oral, 102° rectal, or 100° axillary; or
11. injury or illness requiring professional medical attention.

#### **Finding:**

1915-B.&C: Based on record review: S16 failed to document any unusual behaviors of C1 that would warrant placing C1 in time out, failed to document the notification of the parent of C1 of the unusual behaviors, when C1 is placed in time out, and how long C1 is placed in time out.

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