

## Statement of Deficiencies

### 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:

1509.8.a.b.i. Based on record review on 7/14/2020, although the center developed and implemented a written behavior management policy describing the methods of behavior guidance and management that shall be used at the center, on 7/9/2020, at approximately 11:30am, S3 used a prohibited method after she checked C1's diaper placing C1 in an uncomfortable position by grabbing and twisting his right arm and forcing it behind his back. S3 then pushes C1 to the restroom with his right arm twisted behind his back. As a result, C1 required medical attention, and sustained a spiral fracture to his right arm, and is currently in a cast. S3 was terminated effective 7/9/2020.

Corrective Action Plan: Effective 7/10/2020, S1 stated she will ensure all staff is properly applying training that was completed on 7/10/2020, in addition to monitoring all staff daily while caring for children at the facility to ensure this deficiency is not recited.

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### 1911.I.&J.: Proper Lifting of a Child

Not Met

- 1911.I.&J.: I. Staff members shall adhere to proper techniques for lifting a child.  
J. Staff members shall not lift a child by one or both arms.

#### Finding:

1911.I.&J.: Based on interview(s)/record review: S3 failed to adhere to proper techniques for lifting when she lifted C1, age 2, by one arm on 7/9/2020. At approximately 11:30am according to video footage, she was observed to grab and twist C1's right arm and force it behind his back. S3 then forcefully lifts C1 off his cot by his right arm that is twisted behind his back. S3 then pushes C1 to the restroom with his right arm twisted behind his back. As a result, C1 required medical attention, sustaining a spiral fracture to his right arm, and is currently in a cast. S3 was terminated effective 7/9/2020.

Corrective Action Plan: Effective 7/10/2020, S1 stated she will ensure all staff is properly applying training that was completed on 7/10/2020, in addition to monitoring all staff daily while caring for children at the facility to ensure this deficiency is not recited.

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