

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 interview(s) on 7/18/19 at 12:37 pm, S1 failed to notify Licensing Division within 24 hours of the incident that took place on 7/10/19 as evidenced by O1 called S1 on July 10, 2019 at 8:28pm and was advised that S6 had told her when she arrived to pick C8 up from school earlier that C8 had fell on the playground and possibly hurt her arm during the morning shift. O1 then told S1 that C8 had a bump on the back of her head also and she was going to take her to the hospital to have her checked out. S1 stated that she did not complete a report because she assumed that it was needed only if something was seriously wrong with the child. S1 stated that at 9:10pm O1 texted her and said C8 was okay and should be monitored.

1509.A.1.: Child Abuse and Neglect Policy

Not Met

1509.A.1.: Child Abuse and Neglect Policy

- a. As mandated reporters, all staff and owners shall report any suspected abuse or neglect of a child to the Louisiana Child Protection Statewide Hotline 1-855-4LA-KIDS (1-855-452-5437);
- b. An early learning center shall not delay the reporting of suspected abuse or neglect to the Child Protection Statewide Hotline in order to conduct an internal investigation to verify the abuse or neglect allegations; and
- c. An early learning center shall not require staff to report suspected abuse or neglect to the center or management prior to reporting it to the Child Protection Statewide Hotline.

Finding:

1509.A.1. Based on interview(s) on 7/16/19 at 2:35 pm, although mandated reporters, staff stated that she is familiar with the child abuse and neglect policy however she did not report suspected abuse/neglect of a child to the Child Protection Statewide Hotline or director as staff has observed S5 flicking a child at least on one occasion. S5 could not remember the date or the child.

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.b.i.ii.: Based on observation on 7/16/19 at 12:45pm, specialist reviewed video footage and on 7/2/19 at 8:06 am S5 used a prohibited method of discipline as C6 child was subject to physical punishment as S5 was observed to pick C6 up from the table by one arm and shake the chair from under him. She then tossed him on his cot and placed the cover over his head. S5 then placed both of her hands on his head and pushed it to the cot to make him lay down. On 7/3/19, at 7:40am, specialist observed S5 take both of her hands and place them on C6's shoulders and forcefully push him

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to the floor to make him sit down. At 8:04 am S6 is observed taking the blanket off of C6's head and S5 immediately comes behind her and covers his head with the blanket and holds his head down until he stops moving.

1713.E.&F.: Supervision Participation

Not Met

1713.E.&F.:

E: While supervising a group of children, staff shall devote their time to supervising the children, meeting the needs of the children, and participating with them in their activities.

F: Staff duties that include cooking, housekeeping or administrative functions shall not interfere with the supervision of children.

Finding:

1713.E.&F.: Based on observation on 7/16/19, specialist reviewed video from 7/3/19 from 7:20 am to 14:04 pm while supervising a group of children ages 1 year old, S6 did not devote her time to supervision of the children, meeting the needs of the children, and in participation with the children in their activities; S6 was observed on her cellphone walking around the classroom. S5 was not in the classroom to assist with supervision at the time.

On 7/10/19 at 13:36pm, S5 is observed in the 2 yr old classroom cleaning and straightening the room when C8 bumps her head on the sandbox, C8 starts to cry and at 13:37pm S5 picks her up and consoles her until 13:39pm. At 13:39pm, S5 sits C8 down and C8 follows S5 around crying from 13:39pm until 13:44pm when O1 walks in to pick her up. Specialist observes S5 ignoring C8 and moving her from her path to continue cleaning up the classroom.

1719.A.&B.: Orientation Training

Not Met

1719.A.&B.: A. Within seven calendar days of the first day present at the center, and prior to assuming sole responsibility for any children, each staff member shall receive orientation to the policies and practices of the center that at a minimum shall include:

1. child abuse identification and reporting;
2. emergency preparation;
3. licensing regulations; and
4. safe sleep practices.

B. Within 30 calendar days of date of hire, each staff member shall receive orientation to the additional policies and practices of the center that at a minimum shall include:

1. child development;
2. child guidance;
3. learning activities;
4. health and safety;
5. shaken baby prevention; and
6. CPR and first aid, as applicable.

Finding:

1719.A.: Based on record review on 7/16/19 at 12:45pm, S1 lacked documentation that 1 of 7 staff, S6, received orientation prior to having sole responsibility for any children. S6 was hired on 7/3/19. Specialist reviewed video footage from 7/3/19 from 7:20 am until 14:04 pm and on 3 occasions S6 was left alone with the sole responsibility to care 7 one year old children. After reviewing video footage on 7/10/19, S6 had sole responsibility for 6 two year olds from 3:30pm until 5:30pm.

1911.D.: Awake Children

Not Met

1911.D.: While awake, children shall not remain in a crib, baby bed, swing, high chair, carrier or playpen for more than 30 consecutive minutes.

Finding:

1911.D. Based on observations on 7/16/19 at 12:45pm, specialist reviewed video footage from 7/8/19 from 7:20am until 8:45am and observed C1 a 5 month old child in a bouncer from 7:47am until 8:34am, a total of 47 consecutive minutes.

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 observation on 7/16/19 at 12:45pm, staff did not lift a child using proper lifting techniques, Staff lifted a child using one or both arms as evidenced by specialist reviewed video footage from July 2, 2019, at 8:06am and specialist observed S5 pick C6 up from the table by his arm and

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shake the chair from under him and tossed him on his cot. On July 3, 2019 , at 7:22 am specialist observed S5 grab C3 and C2 by the arm and drag them from the table to a place on the rug. At 7:27 am S5 is observed picking C7 up by his arm and moving him to another spot on the rug. At 7:37am, S5 grabs C5 by one arm and pulls him to her to give him to S6 to clean him up. At 7:38am, S5 is observed pulling C6 by his arm and placing him in another spot. At 8:03am, S5 is observed by specialist picking up C3 by her arm and tossing her on her cot.

1913.B.-D.: Water Activities - Prohibited

Not Met

1913.B.-D.:

B. Children under age 3 shall not engage in water activities due to the risk of contamination and disease.

C. The use of saunas, spas or hot tubs is prohibited.

D. Swimming, wading and boating is prohibited in lakes, ponds and other similar bodies of water.

Finding:

1913.B.-D. Based on an interview with S1 on 7/18/19 at 12:30 pm, 13 children under age 3, including 6 two year olds and 7 one year olds were playing in a small swimming pool and 2 sand/water tables for outside activities on 7/10/19. Specialist advised S1 that swimming pools are prohibited for children under 3. The swimming pool has been removed from the premises. S1 stated that she thought small baby pools were considered water play.