

Statement of Deficiencies

713.A.: Office of Public Health, State Fire, City Fire Approval

Not Met

713.A.: Annual licensing inspections by the department, current approvals by the Office of Public Health, Office of State Fire Marshal, and city fire (if applicable), and academic approval by the department (if type III center) shall be required before the expiration of an existing license. However, if a center has documentation establishing that the center requested an inspection by the Office of Public Health or the Office of State Fire Marshal prior to the expiration of the existing license, these approvals may be submitted to the department within 90 calendar days of the date of the license renewal.

Finding:

713.A. Based on record review at 1:56 p.m., S1 failed to have documentation of a current documentation of a current annual inspection and approval from Office of Public Health. The date of the last approval is 3/2/2022.

CORRECTIVE ACTION PLAN: Effective 7/19/2023, S1 will contact the Office of Public Health one month prior to the expiration of the current inspection to ensure compliance with the regulation.

1501.A.: Operations

Not Met

1501.A.: A center shall operate within the licensed capacity, age range, hours of operation and other specific services designated on its license.

Finding:

1501.A. Based on observation/interview at 9:35 a.m., S1 failed notify the department prior to making changes that had an effect on the license as the provider is utilizing indoor space that has not been approved for use. The space, which is part of the current floor plan, had not been in use since August 2020. S1 resumed use of the classroom in June 2023 without prior approval from the department.

CORRECTIVE ACTION PLAN: Effective 7/19/2023, S1 will communicate with her consultant prior to re-opening classrooms for use to ensure compliance with this regulation.

1507.A.: Daily Attendance Records - Children

Not Met

1507.A.: A daily attendance record for children shall be maintained that shall:

1. include the child's first and last name, arrival and departure times, and first and last name of person or entity to whom the child is released;
2. accurately reflect children on the center premises at any given time; and
3. be used to sign in and out if a child leaves and returns to the center during the day.

Finding:

1507.A. Based on review of records, the daily attendance log for children failed to include the time departure of each child and the name of the person to whom the child was released. Specialist reviewed records from 7/10/2023, until present, and verified that the departure times were not documented 5 times and the name of the person to whom the child was released was not documented 1 time.

Corrective Action Plan: Effective 7/19/2023, S1 stated she will review with review documentation of attendance with all staff and also physically review the attendance logs daily to ensure compliance with this regulation.

1507.C.: Daily Attendance Records - Independent Contractors

Not Met

1507.C.: Independent Contractors. A daily attendance record for all extracurricular personnel, therapeutic professionals and other independent contractors, to include the first and last name of the contractor, date of visit, arrival and departure times, name of staff member that accompanied contractor, if required, and purpose of the visit.

Finding:

1507.C. Based on record review at 9:45 a.m., S1 failed to have independent contractors' daily attendance records. Specialist observed O2, O3, O4 present at the center, but not signed in on an attendance log.

CORRECTIVE ACTION PLAN: Effective 7/19/2023, S1 will have all independent contractors sign in on an attendance log 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 9:45 a.m., the visitor daily attendance record failed to include the time of departure and the name of the staff that accompanied the visitor. Specialist reviewed records from 5/11/2023, until present, and verified that the departure times were not documented 2 times

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and the name of the staff that accompanied the visitor was not documented 6 times.

CORRECTIVE ACTION PLAN: Effective 7/19/2023, S1 will have all independent contractors sign in on an attendance log 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 12:25 p.m., although the center has a behavior management policy, C1 (1-year-old) was subjected to corporal punishment. Specialist determined the following occurred:

. On 3/8/2023 at approximately 10:50 a.m., C1 threw her milk cup on the floor. S25 (DOH on 3/13/2020) picked up the cup of milk, swatted C1 on the foot, and gave the cup back to her. C1 threw the cup a second time. S25 pushed C1's high chair back roughly and swatted her twice on the foot.

S25 is no longer employed at the center as of 3/9/2023.

CORRECTIVE ACTION PLAN: Effective 7/19/2023, S1 stated that she re-trained all staff on behavior management policy on 3/9/2023 to ensure compliance with this regulation.

1717.A.: Independent Contractors Records

Not Met

1717.A.: Independent Contractors. The following information shall be maintained for all independent contractors, including but not limited to therapeutic professionals, extracurricular personnel, contracted transportation drivers, local school district staff, and departmental staff other than those responsible for inspecting centers:

1. an information form that includes the person's name, address and phone number
2. a list of duties performed while present at the center; and
3. documentation CCCBC-based determination of eligibility for child care purposes from the department or documentation of the adult staff member not otherwise counted in child to staff ratios that accompanied the contractor at all times while the contractor was at the center when children were present, to include the date, contractor arrival and departure time, language stating that the contractor was accompanied by the staff member at all times while at the center when children were present, and the signature of both the contractor and the accompanying staff member.

Finding:

1717.A. Based on observations/record review at 9:45 a.m., S1 failed to have documentation on file for Independent Contractors that included person's name, address, phone number, list of duties performed while at the center. Specialist observed O2, O3, and O4 present and working at the center. S1 also failed to have documentation of the adult staff member not otherwise counted in child to staff ratios that accompanied the contractor at all times while the contractor was at the center when children were present to include the date, contractor arrival and departure time, language stating that the contractor was accompanied by the staff member at all times while at the center when children were present, and the signature of both the contractor and the accompanying staff member for 7/19/2023.

CORRECTIVE ACTION PLAN: Effective 7/19/2023, S1 will have all independent contractors complete an information form to ensure compliance with this regulation.

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1807.C.: CCCBC-Based Determinations of Eligibility for Visitors and Contractors

Not Met

1807.C.: C. An early learning center shall obtain a CCCBC-based determination of eligibility for child care purposes from the department for each visitor or independent contractor of any kind, and shall have documentation of said determination available at all times for inspection upon request by the licensing division, unless the visitor or independent contractor, other than therapeutic professionals as defined in §103, will be accompanied at all times while at the center when children are present, by an adult staff member who is not being counted in child-to-staff ratios. The center shall have documentation of said determination of eligibility, or documentation of the accompanying staff member, available at all times for inspection upon request by the Licensing Division.

Finding:

1807.C. Based on record review at 10:00 a.m., S1 failed to obtain a CCCBC-based determination of eligibility for child care purposes from the department for each independent contractor prior to the person being present at the center or performing services. Specialist observed O2, O3, O4 present in the center without a CCCBC-based determination of eligibility or being accompanied by an adult staff member not otherwise counted in child to staff ratios.

CORRECTIVE ACTIVE PLAN: Effective 7/19/2023, S1 will ensure all church staff obtain a CCCBC-based determination of eligibility to ensure compliance with this regulation. She will also designate an adult staff member not otherwise counted in child to staff ratios to accompany independent contractors who do not have a CCCBC-based determination of eligibility.

1901.M.: Strings and Cords

Not Met

1901.M.: Strings and cords, including but not limited to those found on equipment, window coverings, televisions and radios, shall be inaccessible to children under age 4.

Finding:

1901.M. Based on observation at 10:15 a.m., strings and cords, including but not limited to those found on equipment failed to be inaccessible to children under age 4. Specialist observed two fan cords accessible to 6 children, age 3, in S13's classroom.

CORRECTIVE ACTIVE PLAN: Effective 7/19/2023, S1 will instruct all staff to complete a walk-through inspection of their classrooms to look for strings and cords to ensure compliance with this regulation.
