

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 interviews and record review on 7/27/2020 at 10:15am, S1 failed to submit a critical incident within 24 hours to the Department and Child Welfare after being notified on 7/11/2020 by O1. S15 forcefully placed C3 (2-year-old child) in a chair and pushed his head down hard trying to get him to lay his head down in the dining area. The Department was notified on 7/27/20 and Child Welfare was never notified.

On or around 7/20/2020, S7 failed to make a report to the Department and Child Welfare within 24 hours of the incident as she observed S15 pick C3 up by 1 arm and threw him into time out. The Department was notified on 7/27/2020 and Child Welfare was never notified.

On or around the week of July 13, 2020, S9 failed to make a report to the Department and Child Welfare within 24 hours after she heard S15 make comments that she "was tired of C2's (2-year-old) Nigger ways". S9 also observed S15 pluck C2 in the mouth because he was playing and yelling loudly. Date and time of incident was unknown. The Department and Child Welfare was notified of the derogatory remarks on 7/23/2020. The Department was notified of the pluck on 7/27/2020 and Child Welfare was never notified.

According to the critical incident report dated 7/23/2020, submitted to the Department, S12 failed to immediately notify the parents of C1 and C2 of the following critical incident: S10 observed S15 hit C1 (2-year-old) on his bottom twice for throwing toys in the classroom. S12 was made aware at 4:00pm however C1's parent was not notified until 6:00pm and C2's parent was notified at 5:45pm.

Corrective Action Plan: Effective 8/4/2020, S1 will ensure that all critical incidents will be reported to appropriate agencies within the immediate time frames given by the department.

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 7/27/2020, although mandated reporters, staff did not report suspected abuse/neglect of a child to the Child Protection Statewide Hotline.

On 7/11/2020, S1 failed to make a report after receiving a call by O1 that S15 forcefully placed C3 (2-year-old child) in a chair and pushed his head down hard trying to get him to lay his head down in the dining area.

On or around 7/20/2020, S7 failed to make a report of the incident as she observed S15 pick C3 up by 1 arm and threw him into time out. S7 stated she failed to make a report because she was afraid and S1 was not at the center.

On or around the week of July 13, 2020, S9 failed to make a report to the department and child welfare within 24 hours after she heard S15 make comments that she "was tired of C2's (2-year-old) Nigger ways". S9 stated she did not have a reason why she did not report.

On an unknown date and time, S9 also observed S15 pluck C2 in the mouth because he was playing and yelling loudly. S9 stated she just did not make a report.

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On 7/22/2020, S10 failed to make a report when she observed S15 spank C1 (2-year-old) on the bottom two times. S10 stated she was unaware of the policy that she needed to make a report.

Corrective Action Plan: Effective 8/4/2020, S1 will ensure that all staff are properly trained on the obligations and responsibilities of being a mandated reporter.

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 interviews/record review on 7/27/2020, although the center had a written behavior management policy describing the methods of behavior guidance and management, S15 used a prohibited method of discipline as 3 children (2-years-old) was subject to physical punishment, and verbal abuse on the following days:

- On 7/11/2020, S15 was observed forcefully pushing C3 in a chair and forcing his head on the table to lay down.
- On date unknown, S15 was observed by S9 plucking C2 in the mouth and stating "she's tired of his Nigger ways".
- On or around 7/20/2020, S15 was observed picking C3 up by 1 arm and throwing him into time out.
- On 7/22/2020, S15 was observed by S10 spanking C1 on the bottom two times.

Corrective Action Plan: Effective 8/4/2020, S1 will ensure that all staff are following and maintaining the appropriate behavior management policy set by the Department.