

## 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.B. Based on record review and interview at 10:00 AM on 7/27/2020, S1 failed to immediately notify the parents of C1, C2, and C3 of a critical incident that occurred in the center involving these children. Specialist reviewed the Critical Incident Report Form submitted on 7/10/2020. This form documented S1 was notified at 10:30 AM on 7/10/2020 that on prior occasions while on Face-time calls with an inmate, S23 showed children in care to an inmate. On one occasion, S23 showed and identified C1, C2, and C3 (infants) to the inmate. S23 also stated during the call she hated C2 and C3 and told the inmate she yells in the face of C2 as well as calls the children names. S1 stated she was advised the inmate asked S23 if she drops the babies on their head. S23 stated yes; and, they both laughed. S23 was also observed vaping in the classroom on recordings of the Face-time calls. S1 stated she checked each of the children in S23's care immediately and there was no evidence that any infants were harmed in this situation. S1 stated S24 was usually in the classroom with S23 and reported never seeing S23 yell at or drop an infant. Parents were notified between 3:30 and 4:00 PM. S1 stated she was notifying the Department and calling O4 back for information which led to the delay. S23 was terminated immediately.

Corrective Action Plan: Effective 7/27/2020, S1 stated she will complete a training on this requirement with her office staff as soon as possible so they can assist her in handling these types of incidents to ensure this is not recited again.

### 1515.B.: Consent to Release

Not Met

1515.B.: Consent to Release. The center shall obtain written consent from the parent prior to releasing any information, recordings, or photographs from which the child might be identified, except to authorized state and federal agencies. This one time written consent shall be obtained from the parent and updated as changes occur.

#### Finding:

1515.B. Based on interview(s) and record review at 10:00 AM on 7/27/2020: S23 did not obtain written permission prior to releasing, information and recordings from which children might be identified, except to authorized state and federal agencies. Specialist reviewed the Critical Incident Report Form submitted on 7/10/2020. This form documented S1 was notified at 10:30 AM on 7/10/2020 that while on Face-time calls with an inmate on various occasions prior, S23 displayed children in care to the inmate. One occasion, S23 showed and identified C1, C2, and C3 (infants) to the inmate. S1 immediately terminated S23.

Corrective Action Plan: Effective 7/27/2020, S1 stated she will have a training with all staff as soon as possible regarding consent to release to ensure this is not cited again.

### 1901.O.: Alcohol, Tobacco, etc. Prohibited

Not Met

1901.O.: The center shall prohibit the use of alcohol and tobacco and the use or possession of illegal substances, unauthorized potentially toxic substances, fireworks and firearms, and pellet and BB guns on the center premises and notice to this effect shall be posted.

#### Finding:

1901.O. Based on interview(s) and record review at 10:00 AM on 7/27/2020: Though the center has a policy that prohibits the use of alcohol or tobacco, S23 used these products on the childcare premises. Specialist reviewed the Critical Incident Report Form submitted on 7/10/2020. This form documented S1 received a call from O4 at 10:30 AM on 7/10/2020 and was notified that while on a Face-time call with an inmate, S23 was observed vaping in a classroom. S23 was immediately terminated.

Corrective Action Plan: Effective 7/27/2020, S1 stated she will have another meeting regarding this regulation with all staff as soon as possible to ensure this regulation is not cited again.