

## 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.A.8.a.&b: Based on observations at 10:00 AM on 8/11/2020, though the center has a policy regarding behavior management, S2 used prohibited methods of discipline as a child was subjected to physical punishment, corporal punishment, and verbal abuse. Specialist entered the center and could hear S2 reprimanding a child, C3 (three-years-old), regarding a cup of water. Specialist entered the adjoining classroom to S2's and heard S2 yelling at the child about spilling water. Specialist observed S2 quickly grab C3 by his upper left arm and snatch him from his feet to a sitting position along the wall nearby. S2 quickly drew her hand back and hit the child on the top of his head with an open hand using a downward motion twice with much force resulting in blows that were heard loudly. Specialist intervened to end these actions and immediately notified S1. S2 remained present and working at the time of Specialist departure.

Corrective Action Plan: Effective 8/11/2020, S1 stated she plans a re-training on this regulation with all staff by the end of the week to ensure this deficiency is not cited again.

### 1711.A.&B.&D.&G.: Child to Staff Ratio

Not Met

1711.A.&B.&D.&G.: A. Child to staff ratios are established to ensure the safety of all children.

B. Minimum child to staff ratios shall be met at all times.

1. There shall be a minimum of two staff members present at an early learning center when more than one child is present.
  2. Only those staff members directly providing care, supervision or guidance to children shall be counted in the child to staff ratios.
- D. Minimum Child to Staff Ratios for Type II and Type III centers:

Ages of Children	Ratio
Infants under 1 year	5:1
1 year	7:1
2 years	11:1
3 years	13:1
4 years	15:1
5 years	19:1
6 years and up	23:1

G. Mixed Age Groups - Minimum Child to Staff Ratios

1. An average of the child to staff ratios may be applied to mixed age groups of children ages 2, 3, 4 and 5
2. Child to staff ratios for children under age two are excluded from averaging.
3. When a mixed age group includes children younger than age two, the age of the youngest child determines the child to staff ratio for the group.
4. An average may be applied to a mixed age group consisting only of children ages 5 and older.

#### Finding:

1711.A&B&D&G: Based on observations and interview at 10:00 AM on 8/11/2020, S1 failed to meet the required child to staff ratio for children of the following ages: 2 children ages eleven and twelve-years old with no staff present. In order to meet child to staff ratio, there should have been at least one staff present with these children. S1 stated these were her grandchildren and corrected prior to Specialist departure.

Corrective Action Plan: Effective 8/11/2020, S1 stated she plans a re-training on this regulation with all staff by the end of the week to ensure this deficiency is not cited again.

## Statement of Deficiencies

### 1713.A.&B.&C.: Supervision

Not Met

1713.A.&B.&C.: A: Children shall be supervised at all times in the center, on the playground, on field trips, on non-vehicular excursions, and during all water activities and water play activities.

B: Children shall not be left alone in any room, (except the restroom as indicated in Subsection G of this Section or when being provided services by therapeutic professionals, as defined in §103), outdoors, or in vehicles, even momentarily, without staff present.

C: A staff person shall be assigned to supervise specific children whose names and whereabouts that staff person shall know and with whom the staff person shall be physically present. Staff shall be able to state how many children are in their care at all times.

#### Finding:

1713.A&B&C: Based on observations and interview at 10:00 AM on 8/11/2020, children were not under supervision at all times as Specialist observed two children, ages eleven and twelve-years-old, unsupervised in the first classroom on the left side after the office. There was neither a staff member in the classroom, nor one in a position to observe the children. S1 stated they were in this room as they would be working on the virtual classroom; however, Specialist did not observe either child working on the virtual classroom at that time. S1 stated these were her grandchildren and corrected prior to Specialist departure.

Corrective Action Plan: Effective 8/11/2020, S1 stated she plans a re-training on this regulation with all staff by the end of the week to ensure this deficiency is not cited again.

### 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&B: Based on observations, interviews and record review, S1 lacked documentation that S4 received orientation within seven days of the first day present at the center and prior to having sole responsibility for any children. There was also no documentation that S4 received additional orientation within thirty days of date of hire. S1 stated she recalls completing it; however, she cannot locate it.

Corrective Action Plan: Effective 8/11/2020, S1 stated she plans a re-training on this regulation with all staff by the end of the week to ensure this deficiency is not cited again.