

## Statement of Deficiencies

### 1103-A-D: Critical Incidents and Required Notification

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 Licensing Division and other appropriate agencies shall be notified via email within 24 hours of the incident.
- D. The Licensing Division 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 Licensing Division's Critical Incidents Report Form and shall contain all information requested on the form.

#### Finding:

1103-B-D Based on record review/interview(s): S1 failed to immediately notify the Parent of C1 of the following critical incident: On 7/26/18, at 4:15pm, S1 stated she was informed by O1 that S7 was overheard denying a child their clothing until they used the toilet, then instructing a child to get on their knees. S1 stated that O1 informed her that when the bathroom door was opened, O1 observed C1, naked, and kneeling on the floor. S1 stated that she confirmed the incident with S7. S7 is no longer employed at the center. Review of time cards showed that S7's last day working was 8/3/18. S1 failed to notify, within 24 hours of the incident, the Licensing Section and DCFS of the critical incident. S1 failed to notify the Division of Licensing by written report within 24 hours of the incident or by the next business day. The written notification shall be made on the Licensing Division's Critical Incidents Report Form and shall contain all information requested on the form. As of 8/13/18, at 8:45am, S1 had not notified O2 (C1's mother), the Licensing Division, or DCFS.

### 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 record review/interview(s): S7 used prohibited methods of discipline as C1 was subjected to physical punishment and threats of a prohibited action. On 7/26/18, at 4:15pm, S1 stated she was informed by O1 that S7 was overheard denying a child their clothing until they used the toilet, then instructing a child to get on their knees. S1 stated that O1 informed her that when the bathroom door was opened, O1 observed C1, naked, and kneeling on the floor. S1 stated that she confirmed the incident with S7. S7 is no longer employed at the center. Review of time cards showed that S7's last day working was 8/3/18.

### 1715-A.1.3.: Staff Records and Personnel Files

Not Met

1715-A.1.3.: A. Staff Members. Personnel files for each staff member shall be maintained at the center and shall include the following:

1. An application or staff information form containing the following information: name, date of birth, home address and phone number, training, work experience, educational background and hire date;
  3. Upon termination or resignation of employment, the last date of employment and reason for leaving; and
- Staff Members. Personnel files for each staff member shall be maintained at the center and shall include the following:

An application or staff information form containing the following information: name, date of birth, home address and phone number, training, work experience, educational background and hire date;

Upon termination or resignation of employment, the last date of employment and reason for leaving;

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### Finding:

1715-A. 3. Based on record review/interview(s): S1 did not have, upon termination or resignation of employment, the last date of employment and reason for leaving, for staff: S7. S1 stated that employees date of hire and last date employed are typically notated on the outside of personnel files. Specialist reviewed S7's personnel file, and was unable to locate the last day of employment on the outside of the personnel file or on any document located on the inside of the personnel file. Specialist review of time cards showed that S7's last day worked was 8/3/18.

### 1915-B.&C: Health Services - Parental Notification

Not Met

#### 1915-B.&C:

B. Reporting. Incidents, injuries, accidents, illnesses, and unusual behavior shall be documented and reported to the parent no later than when the child is released to the parent or authorized representative on the day of the occurrence.

C. Immediate Notification. The parent shall be immediately notified in the following circumstances:

1. blood not contained in an adhesive strip;
2. head or neck or eye injury;
3. human bite that breaks the skin;
4. animal bite;
5. impaled object;
6. broken or dislodged teeth;
7. allergic reaction skin changes (e.g. rash, spots, swelling, etc.);
8. unusual breathing;
9. symptoms of dehydration;
10. temperature reading over 101° oral, 102° rectal, or 100° axillary; or
11. injury or illness requiring professional medical attention.

### Finding:

1915-B. Based on record review/interviews: S1 did not have documentation of an incident that occurred on 7/26/18 at 4:15pm, where S7 withheld clothing from C1 and made him kneel in the bathroom, without clothing, for not utilizing the toilet. As of 8/13/18 at 8:45am, O2 (C1's mother) had not been informed of the incident. Specialist instructed S1 to contact O2 and inform her of the incident, immediately. Specialist interviewed O2 by phone on 8/13/18 at 2:04pm, and confirmed that she had been contacted regarding the incident.