

## 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 Observation/Interview(s)/Record Review on 8/21/2020 at 9:47am, although the center developed and implemented a written behavior management policy, a prohibited method of discipline was used on various dates, at various times, where S1 spank the hand of children and hit children on the buttocks as a form of discipline. S1 stated on 8/21/2020, at 11:23 am that she was granted permission to spank children that attends her center by their parents. S1 provided Specialist with a written statement from O1, father of C1 (age 3-years-old) granting permission to discipline C1. S11 stated on 8/21/2020, at 10:58am that she disciplined C3 (age 8 years-old) at the center for throwing a chair. S12 also stated that she disciplined her own child while working at the center. All staff remain employed and no disciplinary actions were taken. On 9/04/2020, Specialist observed S1 call and make a report to Child Welfare.

Corrective Action Plan: Effective 9/04/2020, S1, the director, stated she will no longer discipline children nor allow parents to discipline children by spanking on center premises to ensure that this deficiency is not recited. S1 also stated she will have a meeting with staff by 10/16/2020 with staff and send a letter to parents notifying them of the enforcement of behavior management plan with time-out only that is age appropriate for each child at the center.

### 1713.A.-C.: Supervision

Not Met

1713.A.-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.-C.: Supervision: Based on observation/interview on 8/21/2020 at 12:45pm, failed to be supervised at all times when C5, a school aged child, was observed in the 2nd building wandering in the hallway alone. Specialist opened the classroom door to inform S7 that the C5 was observed in the hallway alone. S7 stated that C5 will go into the attached bathroom alone, without telling her. (The other side of the restroom has an opening to the hallway, and there is no door or barrier to keep the children from exiting alone.)

Corrective Action Plan: Effective 9/04/2020, S1, the director, stated she will have a gate installed at the doorway of the bathroom by 10/16/2020, to ensure that this deficiency is not recited.

## Statement of Deficiencies

### 1715.A.1.&3.: Staff Records and Personnel Files

Not Met

1715.A.1.&3.: 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:
  - a. name;
  - b. date of birth;
  - c. home address and phone number;
  - d. training,
  - e. work experience;
  - f. educational background;
  - g. hire date; and
  - h. first day onsite working with children;
3. Upon termination or resignation of employment, the last date of employment and reason for leaving;

#### Finding:

1715.A.1.&3.: Staff Records and Personnel Files: Based on Observation/Record Review on 8/21/2020 at 11:01 am, there failed to be a personnel file for S28 that included, an application or staff information form containing the following information: name; date of birth; home address and phone number; training, work experience; educational background; hire date; and first day onsite working with children. S1 stated that S28 has a personnel file but failed to provide Specialist with a file for S28. on 9/04/2020, Specialist observed S28 personnel file with all necessary information enclosed.

Corrective Action Plan: Effective 9/04/2020, S2, the administrative assistant completed a personnel file on S28 that include all necessary information to ensure that this deficiency is not recited.

### 1715.A.2.: Photo Identification

Not Met

1715.A.2.: Personnel files for each staff member shall be maintained at the center and shall include the following:

2. copy of a state or federal government issued photo identification;

#### Finding:

1715.A.2.: Photo Identification: Based on Observation/Record Review on 8/21/2020 at 11:02 am, there failed to be a copy of a state or federal government issued identification card in a personnel file for S28. S1 stated that S28 has a personnel file but failed to provide Specialist with one for S28. On 9/04/2020, Specialist observed S28's state issued photo identification.

Corrective Action Plan: Effective 9/04/2020, S2, the administrative assistant, obtained and filed a state issued copy of S28's photo identification to ensure that this deficiency is not recited.

### 1807.B.: CCCBC-Based Determinations of Eligibility for Volunteers and Staff

Not Met

1807.B.: B. Volunteers and Staff. An early learning center shall obtain a CCCBC-based determination of eligibility for child care purposes from the department for each volunteer, staff member, or employee of any kind, and shall have documentation of said determination available at all times for inspection upon request by the Licensing Division.

#### Finding:

1811 A.&B.: CCCBC-Based Determinations of Eligibility for Volunteers and Staff: Based on Record Review/Observations on 08/21/2020 at 10:27am, documentation of a CCCBC-based determination of eligibility (CCCBC) failed to be available for 2 of 33 staff, S10 and S26, prior to the individual being present in the childcare facility. S10 date of hire is 8/21/2020. S1 stated she interviewed S10 on today and S23 needed to leave due to a medical emergency so S1 allowed S10 to begin working on 8/21/2020, without a CCCBC. S10 was immediately asked to leave the premises until the CCCBC determination of eligibility obtained. S26 date of hire is 7/07/2020. S1 stated that S26 did not start working but completed orientation. Yet, Specialist observed S26 signed in on the staff attendance record for 8/05/2020 thru 8/06/2020 and 8/17/2020 thru 8/20/2020. On 9/04/2020, Specialist observed a CCCBC- based determination of eligibility on S10, effective date of 8/31/2020 and a CCCBC- based determination of eligibility on S26, effective date of 9/03/2020.

Corrective Action Plan: Effective 9/04/2020, 1 the director, stated she will make sure that all staff receive a CCCBC-based eligibility prior to working with children to ensure that this deficiency is not recited.