

## Statement of Deficiencies

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

Not Met

1103-A-E: 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.
- E. Reporting deadlines may be adjusted in the event of a natural catastrophe and/or disaster, as determined by the Department.

#### Finding:

1103-A-E Based on interview(s): S1 failed notify the Licensing Division via email and written report on the Licensing Division's Critical Incident Report Form within 24 hours when Child Welfare visited the center on 8/18/17 investigating suspected abuse/neglect of a child in the center's care.

-S1 stated Child Welfare visited the center on 8/18/17 to investigate a child observed unsupervised in the hallway on 8/9/17.

-S1 provided a letter dated 8/18/17 from Child Welfare addressed to the Daycare advising OCS received a report that a child who is/was in center's care is suspected of having been abused or neglected.

-S1 states she did not submit a Critical Incident report to Licensing.

### 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 interview(s)/observations: Staff used a prohibited method of discipline as a child was restrained by devices such as high chairs or feeding tables for disciplinary purpose. On 08/24/17, C6 was observed asleep at a feeding table during nap time, S3 stated that C6 had been placed there because he was biting.

Based on review of the center's behavior management policy all prohibited forms of discipline were not listed, which included vii. Children not being restrained by devices such as high chairs or feeding tables for disciplinary purposes. S1 was emailed the regulation so that she could update her behavior management policy.

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### 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: The center failed to meet the required child to staff ratio for children of the following ages: On 08/24/17 specialist observed children of a mixed age group that included, infants (3) C1, C2, and C3), 1 year olds (3), a 2 year old (1), 3 year olds (2), and a 4 year old (1) during nap time with 1 staff (S9). The required ratio for a group of children that includes infants is 5 children per 1 staff person. The center needed one additional staff in the room to meet ratio.

### 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), 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 interviews: Children were not under supervision at all times as S1 states that during the week of 08/07/17-08/11/17, C7, her son, was observed sitting in the classroom next to her office alone watching TV by a new parent. S1 states that the parent did not know that C7 was her child. S1 states that the incident was reported to Child Welfare and they came out on 08/18/17 to investigate. S1 states that she has not received the results of the investigation. Based on S1's testimony, she did allow her son to watch a movie alone during nap time, but states that she could see him on the video recording system in her office. S1 states that she has now made a corrective action plan for C7 and he is only allowed to stay in the office with her or in the classroom of S2.

### 1901-B: Lighting

Not Met

1901-B: Areas used by children shall be lighted in such a way as to allow visual supervision of the children at all times.

#### Finding:

1901-B Based on observations:

The areas used by children were not lighted in such a way as to allow visual supervision of the children at all times. On 08/24/17, specialist observe the classroom of S3 and S8 to be so dark during nap time, that the specialist could not see the staff or the children inside the room. The specialist had to turn on the light in the room to make a visual inspection.

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### 1901-J.&K.: Items That Can be Harmful to Children

Not Met

1901-J.&K.: Items that can be harmful to children, such as medications, poisons, cleaning supplies and chemicals, and equipment, tools, knives and other potentially dangerous utensils, shall be kept in a locked cabinet or other secure place that ensures they are inaccessible to children. Plastic bags, when not in use, regardless of purpose or use, shall be made inaccessible to children.

#### Finding:

1901-J.&K. Based on observations; Items that can be harmful to children, such as tools (2 screw drivers), were not kept in a locked cabinet or other secure place that ensures they are inaccessible to children. On 08/24/17 (during the second walk through after the school age children arrived) specialist found 2 screw drivers in a cup with other supplies for the children in the classroom of S3. The screwdrivers were removed from the cup by the specialist and taken to the office and given to S1.

### 1901-P: Staff Personal Belongings

Not Met

1901-P: The personal belongings of center staff members shall be inaccessible to children.

#### Finding:

1901-P Based on observations: On 08/24/17 (during second walk through) the personal belongings of center staff members S3, and S4 was accessible to children as they were sitting on a table/desk in the classroom. Both S3 and S4 were advised that their purses had or be inaccessible to the children.

### 1911-G: Pacifier Attached

Not Met

1911-G: Pacifiers attached to strings or ribbons shall not be placed around the neck or attached to the clothing of a child.

#### Finding:

1911-G Based on observations: A pacifier that was attached to strings or ribbons was placed around the neck and attached to the clothing of a child. On 08/24/17 during second walk through specialist observed an infant in the classroom of S12 with a pacifier attached to the clothing of the child and a 3 yr old child in the classroom of S11 with a pacifier with a string around her neck. S11 was advised to remove the string from around the child's neck. S1 was advised that pacifiers can not be attached to the children whether by a string around the neck or attached to the children's clothing.

### 1919-H: Infants Held While Bottle Fed

Not Met

1919-H: Infants that cannot hold a bottle shall be held while being bottle-fed. A child shall not be placed lying down on a mat or otherwise with a bottle, sippy cup, etc. A bottle shall not be propped at any time.

#### Finding:

1919-H Based on observations: Infants were not held while being bottle-fed.; on 08/25/17 specialist observed 2 infant with a propped bottles in the classroom of S4 and S16. During walk through, S16 was observed feeding an infant while the infant was seated in an infant chair/bouncer, specialist then observed C5 in an infant swing swaddled with a blanket propped under his neck holding up his bottle. When the specialist came back around to the other side of the room, specialist observed that S16 had also propped the bottle of C4.