

## Statement of Deficiencies

### 1507.A.: Daily Attendance Records - Children

Not Met

1507.A.: A daily attendance record for children shall be maintained that shall:

1. include the child's first and last name, arrival and departure times, and first and last name of person or entity to whom the child is released;
2. accurately reflect children on the center premises at any given time; and
3. be used to sign in and out if a child leaves and returns to the center during the day.

#### Finding:

1507.A. Based on record review: S1 failed to ensure that the children's daily attendance log was completed as evidence by, during specialist visit on 9/24/19, at 12:00pm, specialist reviewed daily attendance record for 9/18/19, and observed 3 of 15 children present in the facility failed to have a time of departure and name of the person to which children was released.

### 1509.A.1.: Child Abuse and Neglect Policy

Not Met

1509.A.1.: Child Abuse and Neglect Policy

- a. As mandated reporters, all staff and owners shall report any suspected abuse or neglect of a child to the Louisiana Child Protection Statewide Hotline 1-855-4LA-KIDS (1-855-452-5437);
- b. An early learning center shall not delay the reporting of suspected abuse or neglect to the Child Protection Statewide Hotline in order to conduct an internal investigation to verify the abuse or neglect allegations; and
- c. An early learning center shall not require staff to report suspected abuse or neglect to the center or management prior to reporting it to the Child Protection Statewide Hotline.

#### Finding:

1509.A.1. Based on interview(s):

At 12:45pm, S3 did not have a policy requiring all center staff and owners (mandated reporters) to report any suspected abuse or neglect of a child to the Louisiana Child Protection Statewide Hotline 1-855-4LA-KIDS (1-855-452-5437). S3 stated that she did not have a way to type the policy and print during specialist visit.

### 1509.A.2.: Non-Discrimination Policy

Not Met

1509.A.2.: Non-discrimination Policy that prohibits discrimination on the basis of race, color, creed, sex, national origin, handicap, ancestry or whether a child is being breastfed.

#### Finding:

1509.A.2. Based on interview(s): At 12:45pm, S3 did not have a policy that states that discrimination on the basis of race, color, creed, sex, national origin, handicap, ancestry, or whether a child is being breastfed is prohibited. S3 stated that she did not have a way to type the policy and print during specialist visit.

### 1509.A.3.: Admissions Policy

Not Met

1509.A.3.: Admission Policy to include the admission criteria.

#### Finding:

1509.A.3. Based on interview(s): At 12:45pm, S3 did not have an Admissions Policy that included the center's admission criteria. S3 stated that she did not have a way to type the policy and print during specialist visit.

### 1509.A.4.: Disclosure of Information Policy

Not Met

1509.A.4.: Disclosure of Information Policy that provides notice to parents of the licensing authority of the department and the availability of licensing surveys/inspections, regulations and information regarding early learning centers from the department's website;

#### Finding:

1509.A.4. Based on interview(s):

At 12:45 pm, S3 did not have a Policy/Procedure to provide notice to parents of the licensing authority of the Licensing Division and the availability of licensing surveys/inspections, regulations and information regarding early learning centers from the Department of Education's website. S3 stated that she did not have a way to type the policy and print during specialist visit.

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### 1509.A.5.: Complaint Policy

Not Met

1509.A.5.: Complaint Policy

a. parents shall be advised of the licensing authority of the department along with the current telephone number and email address. Parents shall also be advised that they may call or write the department should they have significant, unresolved licensing complaints;

#### Finding:

1509.A.5. Based on interview(s):

At 12:45pm, S3 did not have a policy/procedure to advise Parents of the licensing authority of the Licensing Division along with the current telephone number and email address. Parents shall also be advised that they may call or write the department should they have significant, unresolved licensing complaints. S3 stated that she did not have a way to type the policy and print during specialist visit.

### 1509.A.6.: Parental Access Policy

Not Met

1509.A.6.: Parental Access Policy

Parents shall be allowed to visit the center anytime during its regular hours of operation and when children are present.

#### Finding:

1509.A.6. Based on interview(s):

At 12:45pm, S3 did not have a written policy allowing parents to visit the center anytime during regular hours of operation and when children are present. S3 stated that she did not have a way to type the policy and print during specialist visit.

### 1509.A.7.: Parental Involvement Policy

Not Met

1509.A.7.: Parental Involvement Policy

Parents shall be offered a minimum of two opportunities for involvement each year, which may include but are not limited to, an open house, parent education session, parent and staff conference, family pot luck dinner, holiday party or parent or grandparent's day.

#### Finding:

1509.A.7. Based on interview(s): At 12:45pm, S3 did not have a policy offering Parents a minimum of two opportunities for involvement each year, which may include but are not limited to, an open house, parent education session, parent and staff conference, family pot luck dinner, holiday party or parent or grandparent's day. S3 stated that she did not have a way to type the policy and print during specialist visit.

### 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&b: Based on interviews: At 12:45pm, S3 did not have a behavior management policy that clearly states ALL types of positive discipline that are used and all methods of discipline that are prohibited. S3 stated that she did not have a way to type the policy and print during specialist visit.

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### 1509.A.8.c.: Behavior Management Policy - Time Out

Not Met

1509.A.8.c.: Time Out

- i. Time out shall not be used for children under age 2.
- ii. A time out shall take place within sight of staff.
- iii. The length of each time out shall be based on the age of the child and shall not exceed 1 minute per year of age.
- iv. For children over age six, a time out may be extended beyond 1 minute per year of age, if a signed and dated statement, including a maximum time limit, from the parent granting such permission, is on file at the center.

#### Finding:

1509.A.8.c. Based on interview(s):

At 12:45pm, S3 did not have a Time Out policy as part of their Behavior Management Policy that clearly states ALL Time Out procedures that are used and all that are prohibited. S3 stated that she did not have a way to type the policy and print during specialist visit.

### 1509.A.9.: Electronic Devices Policy

Not Met

1509.A.9.: Electronic Devices Policy that provides that all activities involving electronic devices, including but not limited to television, movies, games, videos, computers and hand held electronic devices, shall adhere to the following limitations:

- a. electronic device activities for children under age two are prohibited; and
- b. time allowed for electronic device activities for children ages two and above shall not exceed two hours per day, with the exception that television, DVD, or video viewing shall be limited to no more than one hour per day;

#### Finding:

1509.A.9: Based on observations and record review: At 12:45pm, S3 did not have a written Electronic Devices Policy that provides that all activities involving electronic devices, including but not limited to television, movies, games, videos, computers and hand held electronic devices, are prohibited for children under are two and time allowed for electronic device activities for children ages two and above shall not exceed 2 hours per day, with the exception that television, DVD, or video viewing shall be limited to no more than one hour per day. S3 stated that she did not have a way to type the policy and print during specialist visit.

At 11:00am, Specialist observed 3 children, age 1, watching a cartoon on S2's phone that was propped on the table. S2 was not present in the room, S2 was observed in the kitchen area preparing lunch.

### 1509.A.10.: Computer Practices Policy

Not Met

1509.A.10.: Computer Practices Policy that requires computers that allow internet access by children to be equipped with monitoring or filtering software that limits access by children to inappropriate web sites, e-mail, and instant messaging.

#### Finding:

1509.A.10. Based on interview(s):

At 12:45pm, S3 did not have a written Computer Practices Policy that requires computers that allow internet access by children to be equipped with monitoring or filtering software that limits access by children to inappropriate web sites, e-mail, and instant messaging. S3 stated that she did not have a way to type the policy and print during specialist visit.

### 1509.A.11.: Programs, Movies and Video Games Policy

Not Met

1509.A.11.: Programs, Movies and Video Games Policy

- a. Programs, movies, and video games with violent or adult content, including but not limited to soap operas, television news, and sports programs aimed at audiences other than children, shall not be permitted in the presence of children.
- b. All television, video, DVD, or other programming shall be suitable for the youngest child present.
- c. "PG" programming or its television equivalent shall not be shown to children under age 5.
- d. "PG" programming shall only be viewed by children age 5 and above and shall require written parental authorization.
- e. Any programming with a rating more restrictive than "PG" is prohibited.
- f. All video games shall be suitable for the youngest child with access to the games.
  - i. "E10+" rated games shall be permitted for children ages 10 years and older.
  - ii. "T" and "M" rated games are prohibited.

#### Finding:

1509.A.11. Based on interview(s): At 12:45pm, S3 did not have a Programs, Movies and Video Games Policy requiring: Programs, movies, and video games with violent or adult content, including but not limited to soap operas, television news, and sports programs aimed at audiences other than children, shall not be permitted in the presence of children. All television, video, DVD, or other programming shall be suitable for the youngest child present. PG programming or its television equivalent shall not be shown to children under age 5. PG programming shall only be viewed by children age

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5 and above and shall require written parental authorization. Any programming with a rating more restrictive than PG is prohibited. All video games shall be suitable for the youngest child with access to the games. E10+ rated games shall be permitted for children ages 10 years and older. T and M rated games are prohibited. S3 stated that she did not have a way to type the policy and print during specialist visit.

### 1509.A.12.a.-d.: Monitoring Policy for Provisionally Employed Staff

Not Met

1509.A.12.a.-d.: Monitoring policy for provisionally employed staff members:

- Each center shall develop and implement a written policy describing the monitoring procedures that shall be used at the center when staff members are employed on a provisional basis due to an incomplete CCCBC-based determination of eligibility for child care purposes;
- The monitoring policy shall include all requirements for the monitoring of provisionally employed staff members set forth in §1811.D;
- The center shall post a copy of the policy in the center in a place visible to all parents and staff;
- The center shall provide copies of the written policy to each parent/legal custodian of enrolled children, center staff member and provisionally employed staff member, and the center shall obtain signed documentation from each that a copy of the policy has been received.

#### Finding:

1509.A.12.a.-d. Based on interview(s): At 12:45pm, S3 had No written monitoring policy for provisionally employed staff with incomplete CCCBC-based determination of eligibility for child care purposes. S3 stated that she did not have a way to type the policy and print during specialist visit.

### 1511.A.1.: Physical Activity Procedure

Not Met

1511.A.1.: Physical Activity

- children under age two shall be provided time and space for age-appropriate physical activity, both indoors and outdoors, weather permitting, for a minimum of 60 minutes per day;
- children age two and older shall be provided physical activity that includes a combination of both teacher- led and free play, both indoors and outdoors, weather permitting, for a minimum of 60 minutes per day;

#### Finding:

1511.A.1. Based on interview(s):

S3 did not provide children, age two and older, time and space for a minimum of 60 minutes of physical activity both indoor and outdoor, weather permitting, per day that includes a combination of both teacher led and free play. During specialist visit on 9/24/19, at 11:00am, S1 stated the children have not been been provided outdoor physical activity for 3-4 weeks. S3 stated the weather index has been too hot.

### 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. Based on observations: Children were not supervised at all times, as during specialist visit, at 11:00am, specialist observed 4 children ages 1 month- 1 year of age in the classroom alone. S2 stated she was responsible for the children, but was observed by specialist in the kitchen area preparing lunch.

### 1713.E.&F.: Supervision Participation

Not Met

1713.E.&F.:

E: While supervising a group of children, staff shall devote their time to supervising the children, meeting the needs of the children, and participating with them in their activities.

F: Staff duties that include cooking, housekeeping or administrative functions shall not interfere with the supervision of children.

#### Finding:

1713. E&F: Based on observation: At 11:00am, while supervising a group of children, S3 did not devote her time to supervision of the children, meeting the needs of the children, and in participation with the children in their activities; S3 was observed preparing lunch not supervising the four children in her care.

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### 1807.C.: CCCBC-Based Determinations of Eligibility for Visitors and Contractors

Not Met

1807.C.: C. An early learning center shall obtain a CCCBC-based determination of eligibility for child care purposes from the department for each visitor or independent contractor of any kind, and shall have documentation of said determination available at all times for inspection upon request by the licensing division, unless the visitor or independent contractor, other than therapeutic professionals as defined in §103, will be accompanied at all times while at the center when children are present, by an adult staff member who is not being counted in child-to-staff ratios. The center shall have documentation of said determination of eligibility, or documentation of the accompanying staff member, available at all times for inspection upon request by the Licensing Division.

#### Finding:

1807.C. Based on record review/interview(s): At 1:00pm, A CCCBC-based determination of eligibility for child care purposes from the department was not obtained for O1 and O2, prior to the person being present at the center or performing services as evidence by: Specialist reviewed visitor log and observed O1 was present in the facility on 11/12/18 and O2 was present in the facility on 3/13/19 and 3/28/19. The Center did not have documentation of the paid, adult staff member not otherwise counted in child to staff ratios who accompanied O1 and O2 at all times while on the center premises.

### 1903.C.: Free of Hazards

Not Met

1903.C.: Indoor and outdoor areas shall be free of hazards.

#### Finding:

1903.C. Based on observations: At 11:00am, the outdoor area was not free of hazards as specialist observed a large tree on the playground fence causing the fence to be pushed down. S3 stated the tree belongs to the neighbor and she is trying to get the fence repaired. Specialist observed boards with exposed nails on the playground which can cause a child to harm themselves.

### 1907.E.2.: Cribs Free of Toys and Other Soft or Loose Bedding

Not Met

1907.E.2.: Cribs shall be free of toys and other soft or loose bedding, including comforters, blankets, sheets, bumper pads, pillows, stuffed animals and wedges when the child is in the crib.

#### Finding:

1907.E.2. Based on observations: At 11:00am, specialist observed the center's cribs were not free of toys or other soft or loose bedding while the child was in the crib as evidence by specialist observed one infant sleep in the crib with 2 loose blankets.

### 1919.J.: Bottled Formula/Breast Milk Properly Labeled

Not Met

1919.J.: Bottled formula/breast milk for infants shall be labeled with the child's name.

#### Finding:

1919.J. Based on observations: At 11:00am, S2 did not have bottle formula for infants labeled with the child's name: Specialist observed 2 bottles which were not labeled. S2 stated she knew who the bottles belong to.