

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:

NEW 1509.A.8.a.&b. Based on record review/interviews at 3:15 p.m., though the center has a behavior management policy that prohibits corporal punishment and threats of a prohibited action, S11 (DOH 8/22/22) used a prohibited method of discipline on C1 (a two-year-old) on 9/13/2022 at 2:13 p.m. and 2:50 p.m.. According to review of video footage and staff interviews, at 2:13 p.m. S11 told C1 "I'm gon whoop your butt," and at 2:50 p.m. S11 was in the restroom with C1 when a popping sound is heard, and a child is crying. C1 told S10 on 9/14/2022 that S11 spanked her on 9/13/022, and also told O1 on 9/13/2022 that a teacher "whooped her" on the right leg. S11 was terminated on 9/15/2022 for failing to follow the center's policy.

Corrective Action Plan: Effective 9/26/2022, S1 stated she will have a meeting with staff on 9/28/2022 to discuss the center's behavior management policy. S1 stated she will continue to have monthly staff meetings discussing the policy to ensure compliance with the regulation.

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:

NEW 1713.B. Based on record review/interviews at 4:02 p.m., 6 two-year-old children were not under supervision at all times on 9/13/2022 between 2:13 p.m. and 2:14 p.m., S11 was supervising the children alone when she left the classroom two times to bring cots in the hallway. Supervision was met when S9 walked in the classroom at 2:15 p.m.

Corrective Action Plan: Effective 9/26/2022, S1 stated she will have a meeting with staff on 9/28/2022 to discuss the center's supervision policy. S1 stated she will continue to have monthly staff meetings discussing the policy to ensure compliance with the regulation.