

## 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.4.B.C.D: Based on record review/interview(s): The provider failed to immediately notify the parent of the following critical incident: On September 8, 2017, S25 stated she observed S6 strike C1 on the back of the head as the children were taken from the bus. Specialist reviewed the Critical Incident report which stated that an attempt to reach the parent was not made until September 16, 2017 at 2:00 PM; however, the parent could not be reached. The Provider failed to notify the Division of Licensing by written report within 24 hours of the incident or by the next business day as on September 8, 2017 S25 reported that she observed S6 strike C1 on the back of the head and the Critical Incident report was not submitted to Licensing until September 14, 2017. The provider also failed to notify Child Welfare of an allegation of abuse as S25 reported observing S6 strike C1 on the back of the head on September 8, 2017. Specialist advised S1 that all allegations of abuse must be reported to Child Welfare.

### 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): Provider used a prohibited method of discipline as a child was subject to physical punishment or corporal punishment as on September 8, 2017 S25 reported that she observed S6 strike C1 on the back of the head as C1 was being taken from the bus to her classroom because C1 was wandering a bit in the hallway. S6 stated that she "nudged" C1 on the back of the head to direct her into class. Specialist advised S1 that no form of physical discipline is permitted.

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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/interview(s): The Provider failed to meet the required child to staff ratio for children of the following ages: 14 children age 3 with 1 staff. The required ratio for children of this age is 13 children per 1 staff person. Upon arrival, Specialist observed S4 in the hallway with S1 near a bench away from her assigned classroom. Specialist observed S4 enter the last classroom on the left side of the hallway. Specialist immediately entered this class and found S4 and S5 supervising 14 children (aged 3). Specialist did not observe any other staff exit this classroom. S1 stated that S4 was away from the class to use the restroom and spoke to her briefly about a personal matter. Specialist found that child to staff ratio was met prior to departure.

### 1715-A.4: Criminal Background Check

Not Met

1715-A.4: Personnel files for each staff member shall be maintained at the center and shall include the following: documentation of a fingerprint based satisfactory criminal background check

#### Finding:

1715-A.4 Based on observations/record review: While the provider obtained a criminal record check for S20, the check was obtained more than 30 calendar days prior to this individual's date of hire (1703.D.1). S20, was hired on September 21, 2017 and the check was obtained on February 24, 2017. Specialist observed that S20 left the center prior to Specialist departure. S1 stated that she will ensure that S20 receives the proper CBC documentation prior to returning to work.