

Statement of Deficiencies

1103.A.-D.: Critical Incidents and Required Notifications

Not Met

1103.A.-D.: 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. a child left unsupervised for any amount of time;
 4. use of prohibited behavior management as described in § 1509.A.8.b;
 5. allegations or suspicion of child abuse or neglect by center staff;
 6. an accident involving the transportation of children; or
 7. 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 LDE and other appropriate agencies, such as DCFS, LDH and the Office of State Fire Marshal, as applicable, shall be notified via email within 24 hours of the incident.
D. The department 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 department's Critical Incidents Report Form and shall contain all information requested on the form.

Finding:

1103.A.-D.: Based on record review/interview on 10/19/2023 at 12 p.m., there failed to be immediate notification to the parent, and the Department and DCFS within 24 hours of the following critical incidents:

- On 10/12/2023, at approximately 3:26 p.m., C4, two-years-old, was unsupervised in a classroom for one to two minutes. S12 notified O5 on 10/13/2023, at 6:50 a.m. and DCFS via online report on 10/24/2023, at 2:29 p.m.;

- On 10/12/2023, at approximately 3:32 p.m., O4 attempted to remove C21 and C22 from the childcare center without legal authority and law enforcement personnel were called to the childcare premises. S12 notified DCFS on 10/19/2023, at 3 p.m., and the Department on 10/19/2023, at 3:17 p.m.

- On 10/13/2023, at approximately 11 a.m., C23, three-years-old, was served and took a bite of a known food allergy, applesauce. S12 was notified at 12:45 p.m. and there was no notification to the Department and DCFS.

Corrective Action Plan: Effective 10/24/2023, S12 stated she will train her Staff-in-Charge on all policies and procedures related to notifications, reporting, and documenting Critical Incidents, to ensure compliance with this regulation.

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 observation/record review on 10/19/2023, at 10:45 a.m., the children's daily attendance record failed to accurately reflect the children on the child care premises at any given time as 37 children were present and 32 children were signed in on the log. S12 corrected.

Corrective Action Plan: Effective 10/24/2023, S12 stated she will plan and schedule all extra-curricular activities after the childcare centers cutoff time of 9 a.m., for children to be present and signed in on the log with attendance reviews completed, to ensure compliance with this regulation.

1507.B.: Daily Attendance Records - Staff and Owners

Not Met

1507.B.: A daily attendance record for all staff members and owners shall be maintained that shall:

1. include the first and last name of the staff member or owner and arrival and departure times;
2. accurately reflect the staff members and owners on the center premises at any given time; and
3. be used to document staff members and owners who leave and return to the center during the day

Finding:

1507.B.: Based on record review/interview on 10/19/2023, at 1 p.m., center's staff and owner's daily attendance record failed accurately reflect persons on the child care premises at any given time. S12 failed to sign out on 10/12/2023, at approximately 3:12 p.m., to run errands, and sign in upon return at 4:58 p.m. and sign in at 7 a.m. and out at 9 a.m. on 10/13/2023.

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Corrective Action Plan: Effective 10/2023, S12 stated she will set an alarm reminder on her cellphone and sticker reminder on her computer monitor, to ensure compliance with this regulation.

1515.A.4.: Special Diets

Not Met

1515.A.4.: Special Diets

- a. Unless the program is officially on the Child and Adult Care Food Program (CACFP), a parent may request special diet adjustments (i.e. no milk on a particular day).
- b. If a center is on the CACFP, a written statement from a health care provider is required when the child requires a special diet for medical reasons.
- c. A written statement from the parent is required when the child requires a modified diet.

Finding:

1515.A.4.: Based on record review on 10/19/2023, at 11 a.m., the childcare center is officially on the Child and Adult Care Food Program (CACFP) and there failed to be a written statement from a healthcare provider on file for C24, three-years-old, who requires a special diet of water for medical reasons due to a food intolerance. C24's first day in the childcare center was on 10/4/2023. The written statement from the healthcare provider was received on 10/20/2023.

Corrective Action Plan: Effective 10/24/2023, S12 stated she will require all parents to provide this documentation prior to the child's first day present, to ensure compliance with this 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:

1713.A.&B.&C.: Based on record review/interview on 10/19/2023, at 12 p.m., staff failed to supervise children at all times. On 10/12/2023, at approximately 3:26 p.m., while transitioning from outside play with S25 and S32, C4, two-years-old, walked out of the line and into a classroom where she was unsupervised for one to two minutes before being found.

Corrective Action Plan: Effective 10/24/2023, S12 stated she will hold an all staff meeting on 10/24/2023 and discuss ratio and following transition procedures, to ensure compliance with this regulation.

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1719.A.-C.: Orientation Training

Not Met

1719.A.-C.: A. Within seven calendar days of the first day present at the center, and prior to assuming sole responsibility for any children, each staff member shall receive center-specific orientation to the policies and practices of the center that at a minimum shall include information on the center:

1. child abuse identification and reporting, including phone numbers for mandatory reporting and suspected child abuse and neglect;
2. location of emergency exits and emergency preparedness plans;
3. handling of emergencies due to food/allergic reactions;
4. location of first-aid supplies;
5. list of children with allergies and special needs;
6. identification of critical staff including but not limited to staff trained in CPR and first aid and staff who can administer medicine;
7. child release policies and restrictions;
8. child-to-staff ratio policies;
9. daily schedules;
10. opening policy;
11. closing policy; and
12. transportation policy and vehicle inspection procedures.

B. Within seven calendar days of the first day present at the center, and prior to assuming sole responsibility for any children, each staff member shall complete the LDE Key Training Module 1 and the DCFS online Mandated Reporter Training. Key Training Module 1 shall at a minimum include information on the following:

1. general emergency preparedness, including natural disasters and man-caused events;
2. professionalism;
3. health and safety, which includes: daily observations, supervision regulations, daily attendance, child to staff ratios, improper discipline, prohibited discipline, prevention of shaken baby syndrome, prevention of abusive head trauma and child maltreatment, food safety, choking risks recognition and reporting of child abuse and neglect;
4. administration of medication consistent with standards for parental consent;
5. prevention and response to emergencies due to food and allergic reactions;
6. appropriate precautions in transporting children, if applicable;
7. public health policies, prevention and control of infectious diseases, including immunization information;
8. handling and storage of hazardous materials and the appropriate disposal of bio-contaminants;
9. pediatric first aid and cardiopulmonary resuscitation (CPR);
10. prevention of sudden infant death syndrome and use of safe sleep practices;
11. outdoor play practices;
12. environmental safety; and
13. building and physical premises safety, including identification of and protection from hazards, bodies of water and vehicular traffic;
14. child release practices; and
15. critical incident practices and licensing regulations

C. Within 30 calendar days of the first day present at the center and prior to assuming sole responsibility for any children, each staff member shall complete the LDE Key Orientation Training Modules 2 and 3, that at a minimum shall include information on the following:

1. child development;
2. child guidance;
3. learning activities;
4. health and safety; and
5. early learning development standards.

Finding:

1719.B.: Based on record review on 10/19/2023, at 1 p.m., there failed to be documentation of the DCFS Mandated Reporter Training for S25 completed within 7 calendar days of first day present on 8/11/2023. S25 completed this training on 10/24/2023.

Corrective Action Plan: Effective 10/24/2023, S12 stated all new staff will complete all orientation training requirements on their first day present in the childcare center, to ensure compliance with this regulation.

1915.A.: Health Services - Observation

Not Met

1915.A.: Observation. Upon arrival at the center, the physical condition of each child shall be observed for possible signs of illness, infections, bruises or injuries, and when something is observed, it shall be documented and such documentation shall include an explanation from the parent or child.

Finding:

1915.A.: Based on record review on 10/19/2023, at 2 p.m., S12 failed to document explanations when observations were noted on children upon arrival to the center on 10/2/2023, three times; 10/3/2023, two times; 10/4/2023; 10/6/2023; 10/9/2023, two times; 10/10/2023, three times; and 10/16/2023.

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Corrective Action Plan: Effective 10/24/2023, S12 stated she will hold an all staff meeting on 10/24/2023 and discuss procedures and documentation on all records, to ensure compliance with this regulation.

1915.B.&C.: Health Services - Parental Notification

Not Met

1915.B.&C.:

B. Reporting. Incidents, injuries, accidents, illnesses, and unusual behavior shall be documented and reported to the parent no later than when the child is released to the parent or authorized representative on the day of the occurrence.

C. Immediate Notification. The parent shall be immediately notified in the following circumstances:

1. blood not contained in an adhesive strip;
2. head or neck or eye injury;
3. human bite that breaks the skin;
4. animal bite;
5. impaled object;
6. broken or dislodged teeth;
7. allergic reaction skin changes (e.g. rash, spots, swelling, etc.);
8. unusual breathing;
9. symptoms of dehydration;
10. temperature reading over 101° oral, 102° rectal, or 100° axillary; or
11. injury or illness requiring professional medical attention.

Finding:

1915.B.&C.: Based on record review on 10/19/2023, at 2 p.m., S12 failed to have documentation of an incident and immediate notification to the parent when the following occurred to a child:

- On 10/2/2023, at 10:10 a.m., a child hit the right side of his lips and S12 attempted notification to the parent at 11:30 a.m.;
- On 10/4/2023, at 3:50 p.m., a child was bit and there is no documentation and notification to the parent;
- On 10/4/2023, at 9:55 a.m., a child tripped, fell, and a child knelt down on his back and there is no documentation and notification to the parent;
- On 10/9/2023, at 4:35 p.m., a child was choked by another child, and the parent was notified at 6 p.m.;
- On 10/9/2023, at 4:35 p.m., a child choked another child, and there is no documentation and notification to the parent;
- On 10/12/2023, at 4:05 p.m., a child tripped and fell and there is no documentation and notification to the parent; and
- On 10/16/2023, at 9:07 a.m., a child hit his tip lip on the shelf and S12 attempted notification to the parent at 10 a.m.

Corrective Action Plan: Effective 10/24/2023, S12 stated she will hold an all staff meeting on 10/24/2023 and discuss procedures and documentation on all records, to ensure compliance with this regulation.

1919.C.: Food Allergies and Special Diets

Not Met

1919.C.: Information regarding food allergies and special diets of children shall be posted in the food preparation area with special care taken to ensure that individual names of children are not in public view. If a parent chooses to allow the center to post the child's name and allergy information in public view, the center shall obtain a signed and dated authorization from the parent.

Finding:

1919.C.: Based on record review/interview on 10/19/2023 at 1 p.m., although information regarding food allergies and special diets of children was posted in the food preparation area, on 10/13/2023, at approximately 11 a.m., C23, three-years-old, was served a known food allergy of applesauce.

Corrective Action Plan: Effective 10/24/2023, S12 stated she will review children's allergy listing during an all staff meeting scheduled on 10/24/2023. Allergy postings will be updated in the food preparation area and classrooms as necessary, and will be discussed with classroom staff, to ensure compliance with this regulation.