

## Statement of Deficiencies

### 1507-E: Daily Attendance Records - Visitors

Not Met

1507-E: A daily attendance record for all visitors to include the name, date of visit, arrival and departure times, and the purpose of the visit.

#### Finding:

1507-E Daily Attendance Records - Visitors: Based on interview(s) on 11/13/18 the center's visitor's daily attendance record did not accurately reflect when a Visitor was on the child care premises as evidenced by on 11/9/18 the Specialist observation that O1 was on the play yard of the center at approximately 3:00 PM. S1 identified that O1 was at the center to complete some repairs but was not supposed to come until the center was closed. S1 also states that O1 does not have a CCCBC and was not witnessed being accompanied by center staff.

### 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: Behavior Management Policy: Based on interview(s) on 11/13/18 the center used a prohibited method of discipline as verbal abuse; which includes but is not limited to using offensive or profane language; as evidenced by: On 10/18/18 S7 states that S9 used profanity in the presence of a center child C4. On 10/25/18 S8 states that she went to talk to S9 in her classroom about S9 telling a parent personal issues. S8 states that S9 got upset and started screaming at her, using profanity and racial slurs. S8 states that the conversation between her and S9 took place in the presence of 4 children.

### 1515-C: Confidentiality

Not Met

1515-C: Confidentiality. The center shall maintain the confidentiality and security of all records of children. Center staff is prohibited from disclosing or knowingly permitting the disclosure of any information concerning the child or the family of the child, either directly or indirectly, to any unauthorized person.

#### Finding:

1515-C: Confidentiality: Based on interview(s) on 11/13/18 Employees disclosed or knowingly permitted the disclosure of information concerning a child or his/her family, directly, or indirectly, to an unauthorized person as S7 states that she overheard S9 on 10/15/18 telling a parent who is not the parent of C5 that she was asleep inside of a car seat when S9 arrived at the center for work. Daily attendance records identify that C5 arrived at the center at 6:50 AM on 10/25/18.

### 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: Supervision: Based on record review on 11/13/18 children were not under supervision at all times as evidenced by S7 (staff in charge) and S1's (Director) behavioral records for S9;

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S7 states that on 12/5/17 S9 came out of her room at an unknown time of day for an unknown amount of time and left an unknown amount of children unattended. Daily attendance records identify that there were 5 infants present from 8:10AM to 2:16PM.

S7 states on 2/28/18 she was fixing milk in the kitchen when S9 came out of her room for an unknown amount of time leaving the an unknown amount of children unattended. Daily attendance records identify that there were 6 infants present from 9:35AM to 1:32PM.

S1 states on 10/23/18 at 2:15 PM S9 left her children in her room alone. Daily attendance records identify that there were 4 children present at that time.

S1 states on 10/23/18 at 2:30PM S9 left her kids unattended again to that she could request a day off on the calendar. Daily attendance records identified that 4 children were present at the time.

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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. CCCBC-Based Determinations of Eligibility for Visitors and Contractors: Based on record review/interviews/observation on 11/13/18 a CCCBC-based determination of eligibility for child care purposes from the department was not obtained for O1, prior to the person being present at the center or performing services as evidence by on 11/9/18 between 2:45PM and 3:30PM the Specialist observed O1 alone going on and off the center play yard with wood items. The Center did not have documentation of the paid, adult staff member not otherwise counted in child to staff ratios who accompanied O1 at all times while on the center premises. Documentation did not include the date, arrival time, departure time, language stating that were accompanied by the staff member at all times while on the premises, signature of the contractor, signature of the staff member as O1 was not signed in or out of the center on 11/9/18. S1 states that O1 was not schedule to start working on the center premises until after the children had left for the day and that he does not have a CCCBC based determination of eligibility.

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### 1907-A.1-2: High Chairs

**Not Met**

1907-A.1-2:

1. The high chair manufacturer's restraint device shall be used when children are sitting in a high chair.
2. Children who are either too small or too large to be restrained using the manufacturer's restraint device shall not be placed in a high chair.

#### Finding:

1907-A.1-2 High Chairs: Based on observations on 11/13/18 the high chair manufacturer's restraint device was not used when children are sitting in a high chair. While in S6's class Specialist observed that C2 in a feeding table without the use of the manufacturer's restraint. S6 states that the restraint was not working properly but was able to the restrain C2 before the Specialist left the room.

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### 1911-E: Daily Reports for Infants

**Not Met**

1911-E: Daily Reports for Infants. Written reports that include the liquid intake, food intake, disposition, bowel movements and eating and sleeping patterns shall be given to the parents of infants on a daily basis. Reports shall be kept current throughout the day.

#### Finding:

1911-E Daily Reports for Infants: Based on record review/observations on 11/13/18 the daily written report for infants was incomplete as it did not include liquid intake, food intake, child's disposition, bowel movements, eating patterns, sleeping patterns for 5 of 5 infants. S6 states that all of the infants had not been at the center for long. The Specialist arrived at the center at 12:00 PM and according the daily attendance log all children were present by 10:12 AM.