

## Statement of Deficiencies

### 1103-A.-D.: Critical Incidents and Required Notification

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. 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.

#### Finding:

1103-C. Based on record review: Center staff failed to notify Child Welfare within 24 hours of the incident that occurred at the center on 11/07/2018 in which C1 (a one year old) was bit by a staff member (S7) on his left arm. Specialist observed a critical incident report originally submitted to Licensing on 11/7/2018 stated Child Welfare was not contacted. S1 stated that Licensing State Office contacted her on 11/08/2018 advising her to contact Child Welfare. S1 stated that she contacted Child Welfare on 11/9/2018. Specialist did not observe any documentation proof in the center's notification to Child Welfare.

### 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: Daily attendance records for all staff members did not accurately reflect the staff on the center premises at any given time. Specialist observed that S3 (hire date of 08/28/2015) did not complete a CCCBC until 11/08/2018. S1 advised that she did not allow S3 to work in the center until the CCCBC was completed. Specialist requested staff sign in logs to verify. S1 was unable to provide staff sign in logs for the week of 11/05/2018 to 11/09/2018. S1 stated that the staff sign in log for that week was not in the center due to being submitted for payroll. S1 provided specialist with a written statement advising S3 was not working in the center during the week of 11/05/2018 - 11/09/2018. Specialist observed a CBC on file for S3 dated 8/28/2015.

### 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/interviews: S7 failed to abide by the center's behavior management policy that prohibits children from being subject to physical punishment by producing physical pain. According to the critical incident submit to licensing on 11/7/2018, C1 (one year old) was bit

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on the left arm by S7. S7 verbally admitted to biting C1 and stated " I did it. I was tired of him biting other kids and you can tell his mom I did it." S7 was arrested on 11/7/2018, and charged with Cruelty to Children. S7 was terminated from the center effective 11/7/2018.

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