

## Statement of Deficiencies

### 1509.A.8.a.&b.: Behavior Management Policy

Not Met

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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 record review/interview(s) at 12:15 p.m., although the center's behavior management policy prohibits corporal punishment and threats of a prohibited action, S56 used these prohibited methods to discipline C1 (3-year-old) on 11/4/2021. S1 reviewed video footage and observed on 11/4/2021 at 10:40 a.m., S56 (DOH 8/18/2021) swat C1's head with a book. Specialist observed video of the incident, which included a time stamp of Thursday, 9:44 a.m., and it showed S56 holding a book, while seated in a child's chair in front of the class. C1 was sitting with head down towards the floor and S56 hit his head with the book prompting him to sit up. S56 was observed pointing to C1 to move from where he was sitting, and as he walked in front of her, she stomped her foot. S1 stated the time recording was set one hour off of the actual time of the incident. S56 stated that she observed C1 with his head down, falling asleep. She swung the paperback book that she was reading to hit him on his arm to wake him up; she doesn't remember the book hitting him and thinks it hit the floor. She had C1 move to wake him up and as he was walking she stomped her foot and said "Wake up." On 11/4/2021, she was placed on 3 days paid suspension pending an investigation, however she resigned from her position the same day.

Corrective Action Plan: Effective 11/15/2021, S1 stated all staff attended a meeting on 11/8/2021 and a refresher was conducted which included compliance guidelines, inappropriate discipline, mandated reporting, and consequences. She stated a review of behavior management policy will be conducted at every Wednesday staff meeting and the upcoming professional development meeting on 12/10/2021, to ensure this deficiency is not recited.