

Statement of Deficiencies

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

Not Met

1103.A.-C.: A. 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. of this Part;
5. allegations or suspicion of child abuse or neglect by center staff;
6. an accident involving the transportation of children;
7. any child given the wrong medication or an overdose of the correct medication;
8. any loss of power over two hours while children are in care;
9. a physical altercation between adults in the presence of children on the premises;
10. reportable infectious diseases and conditions outlined in LAC 51:II.105;
11. 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. Prioritization of Notifications. The following shall be notified immediately and in the order listed below as applicable:

1. emergency personnel when dealing with any medical incident.
2. law enforcement.
3. parent.

C. The following, as applicable, shall be notified via email within 24 hours of the incident, or no later than the next business day if the incident occurred on a Friday or on a recognized state holiday:

1. LDOE. This written notification shall be made for all of the critical incidents identified above, shall be made on the LDOE critical incidents report form, and shall contain all information requested on the form.
2. DCFS. Report all incidents that might constitute child endangerment including examples provided in mandated reporting training.
3. LDH. Report all incidents related to LDH regulations such as safety and sanitation issues as well as infectious diseases and conditions.
4. OSFM. Report all incidents related to OSFM regulations.
5. Any other appropriate agencies, including but not limited to, local or city fire marshal or the Department of Environmental Quality.

Finding:

1103.A.C.2. Based on record review at approximately 9:45 a.m., S1 failed to notify Child Welfare within 24 hours of the incident of the following critical incident : On 10/4/2023 at 9:20 a.m., C1, 1-year-olds, finger got stuck in a wooden toy resulting in the tip of her finger to be torn off. S1 completed online Child Welfare report while Specialist was in the center on 11/15/2023.

Corrective Action Plan: Effective 11/15/2023, S1 stated she will complete Child Welfare report for all Critical Incidents and will use the correct website link when doing so to ensure this regulation is met.

1509.A.12.a.-d.: Monitoring Policy for Provisionally Employed Staff

Not Met

1509.A.12.a.-d.: Monitoring policy for provisionally employed staff members:

- a. Each center shall develop and implement a written policy describing the monitoring procedures that shall be used at the center when staff members are employed on a provisional basis due to an incomplete CCCBC-based determination of eligibility for child care purposes;
- b. The monitoring policy shall include all requirements for the monitoring of provisionally employed staff members set forth in §1811.D;
- c. The center shall post a copy of the policy in the center in a place visible to all parents and staff;
- d. The center shall provide copies of the written policy to each parent/legal custodian of enrolled children, center staff member and provisionally employed staff member, and the center shall obtain signed documentation from each that a copy of the policy has been received.

Finding:

1509.A.12.a.-d. Based on interview/record review at approximately 11:00 a.m., S1 failed to have a written monitoring policy for provisionally employed staff with incomplete CCCBC-based determination of eligibility for child care purposes. S14 started in the center on 10/23/2023 but was determined to be provisional on 10/27/2023.

S1 failed to have a copy of the policy posted in the center in a place visible to all parents and staff.

S1 failed to provide copies of the written policy to each parent/legal custodian of enrolled children, center staff member and provisionally employed staff member, and/or the center did not obtain signed documentation from each that a copy of the policy has been received.

Corrective Action Plan: Effective 11/15/2023, S1 stated she will begin documentation of monitoring of S14 today and will continue every 30 minutes until no longer necessary. S1 will also make a policy for parents to be made aware of the provisional employee and have all parents/legal custodian sign stating they were made aware to ensure this regulation is met.

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1711. A.&B.&D.&G.: Child to Staff Ratio

Not Met

1711. A.&B.&D.&G.: 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 four children are present.

2. Only those staff members directly providing care, supervision or guidance to children shall be counted in the child to staff ratios.

C. The department's form noting required child-to-staff ratios shall be posted in each room included in the center's licensed capacity.

D. Minimum child-to-staff ratios for children are as follows.

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 Ages 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 two, three, four and five.

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 five and older.

Finding:

1711. A.&B.&D.&G.: Based on record review/interview at approximately 12:00 p.m., S1 failed to meet the required child to staff ratio for children of the following ages: Eight 1-year-olds with 1 staff. The required ratio for children of this age is 7 children per 1 staff person. On 10/4/2023 at approximately 9:20 a.m., S7 had eight 1-year-olds in her classroom when C1 was injured resulting in C1 going to the emergency room. Ratio was corrected at 9:30 a.m. when center documents C1 left with mother, O1.

Corrective Action Plan: Effective 11/15/2023, S1 stated she will have teachers let her know when they are over ratio so S1 can arrange children to be in ratio to ensure this regulation is met.

1807.B: CCCBC- Based Determination of Eligibility for Volunteers and Staff

Not Met

1807.B: B. Volunteers and Staff. An early learning center shall obtain a CCCBC-based determination of eligibility for childcare purposes from the department for each volunteer, staff member, or employee of any kind, and shall have documentation of said determination available on the center's CCCBC roster at all times for inspection upon request by the department.

Finding:

1807.B Based on record review at approximately 11:00 a.m., S1 failed to obtain a CCCBC-based determination of eligibility for S14 and S3 prior to being present in the center or performing services. S3 (DOH 10/5/2023) worked in the center on 10/9/2023 and 10/10/2023 prior to her CCCBC being eligible on 10/11/2023. S14 (DOH 10/18/2023) worked in the center from 10/24/2023 to 10/26/2023 before becoming provisional status on 10/27/2023.

Corrective Action Plan: Effective 11/15/2023, S1 stated she will not allow anyone without a clear background check to be present in the center to ensure this regulation is met.

1811-D.2.&3.: Provisional Employment for Staff Members of Early Learning Centers

Not Met

1811-D.2.&3.: 2. A provisionally-employed staff member may be counted in child to staff ratios, but must be monitored at all times in accordance with the following.

a. A monitor of a provisionally-employed staff member must be an adult staff member for whom the center has a CCCBC-based determination of eligibility for child care purposes, (or prior to October 1, 2018, a satisfactory CBC), who is designated by the center to monitor a specific provisionally-employed staff member.

b. The center must designate a monitor for each provisionally-employed staff member present at the center.

c. The monitor shall be physically present at the center at all times when the provisionally-employed staff member is present at the center.

d. Monitors must remain within close enough physical proximity of their designated provisionally-employed staff members to be able intervene at any time if intervention is needed.

e. A monitor shall perform at least one visual observation of each designated provisionally-employed staff member every 30 minutes.

f. The center may designate one monitor for up to a maximum of five provisionally-employed staff members at any given time.

g. At least one monitor must be physically present at all times in any room during naptimes if a provisionally-employed staff member is present.

3. The center shall have a log, either handwritten or in electronic form, or other written documentation of the monitoring of provisionally-employed staff members that identifies each provisionally-employed staff member, the designated monitor for each, and the times of the visual observations.

Finding:

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1811-D.2.&3.: Based on record review at approximately 11:00 a.m., S1 failed to perform at least one visual observation of each designated provisionally-employed staff member every 30 minutes. S14 started in the center on 10/24/2023 and has not had any visual observation conducted since being employed. S1 also failed to have a log, either handwritten or in electronic form, or other written documentation of monitoring of provisionally-employed staff member, S14. Documentation did not include each provisionally-employed staff member, the designated monitor for each, and the times of the visual observations. S1 also failed to designate a monitor for each provisionally-employed staff member S14, present at the center.

Corrective Action Plan: Effective 11/15/2023, S1 stated she will observe S14 every 30 minutes and document accordingly to ensure this regulation is met.

1901.G.&H.: Equipment

Not Met

1901.G.&H.: G. All equipment used by children shall be maintained in a clean and safe condition and in good repair.

H. Moveable equipment shall be secured and supported so that it shall not fall or tip over.

Finding:

1901.G.&H.: Based on interviews at approximately 1:00 p.m., all of the center equipment used by children was not maintained in a clean and safe condition and in good repair. On 10/4/2023, C1, 1-year-old, got her finger stuck in a wooded kitchen set because 2 screws were missing and the back piece became loose. C1 needed to seek medical attention as a result.

Corrective Action Plan: Effective 11/15/2023, S1 stated the wooden kitchen has since been removed from the center and teachers were instructed to check toys periodically for any issues to ensure this regulation is met.
