

## 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.-B.: Based on record review/interviews on 12/12/2023, at 10:30 a.m., S2 failed to notify the parent immediately of the following critical incident: On 11/7/2023, at 5:50 p.m., S2 was notified by staff, S20 stated she kicked a child. S2 reviewed camera footage and observed on 11/7/2023, at 4:16 p.m., S20 yank C1, three-years-old, by the arm, and while C1 was on the floor, S20 dragged him by the arm, across the floor, behind the desk, and out of view of the camera. On 11/8/2023, at 6:45 a.m., S2 notified O1, S20 angrily jerked C1's arm.

Effective 12/12/2023, S2 stated she will include all known information regarding a critical incident to the parent, to ensure compliance with this regulation.

### 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/interview on 12/5/2023, at 12 p.m., although the childcare center has developed and implemented a written behavior management policy prohibiting physical and corporal punishment, S20, Date of Hire: 8/22/2023, used this prohibited method of discipline. On

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11/7/2023, at 5:50 p.m., S2 was notified by a staff, S20 stated she kicked a child. S2 reviewed camera footage and observed on 11/7/2023, at 4:16 p.m., S20 yank C1, three-years-old, by the arm, and while C1 was on the floor, S20 dragged him by the arm, across the floor, behind the desk, and out of view of the camera. S21, Date of Hire: 8/28/2023, was observed on video footage as present, witnessed the incident, and failed to intervene. S20 and S21 were terminated on 11/7/2023.

Corrective Action Plan: Effective 12/12/2023, S2 stated she conducted a staff meeting held on 12/8/2023, and discussed abuse/neglect, mandated reporting, and new employee handbook was provided to include grounds for termination. S2 will check in with staff throughout the day and hold on-on-one meetings to evaluate staff well-being, to ensure compliance with this regulation.

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### **1711.J.: Field Trip - Minimum Child to Staff Ratio**

**Not Met**

1711.J.: Field Trips - Minimum Child to Staff Ratios

1. Minimum child to staff ratios, plus one additional adult, shall be met for all field trips.
2. An adult staff member from the center shall be present with each group of children.
3. At no time shall a child or group of children be left alone without an adult staff member present unless the child is supervised by the parent of the child or designated representative authorized in writing by the parent.

#### **Finding:**

1711.J.: Based on record review on 12/5/2023, at 1:30 p.m., S1 failed to meet the required child/staff ratio to include one additional adult for field trips held on 6/5/2023, 6/7/2023-6/8/2023, and 6/12/2023-6/15/2023. S22 was the only staff person documented as present with 12 to 15, five-to-thirteen-year-old children.

Effective 12/12/2023, S2 stated all field trips will include an additional staff or adult and their names will be recorded on all field trip documentation, to ensure compliance with this regulation.

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### **1711.L.: Water Activities - Minimum Child to Staff Ratios**

**Not Met**

1711.L.: Water Activities - Minimum Child to Staff Ratios.

1. A minimum of two staff shall be present when children are engaged in water activities.
2. The following minimum child to staff ratios apply when children are engaged in water activities, excluding water play activities, unless the children are participating in swimming lessons with a certified water safety instructor:

Ages of Children	Ratio
Three years	20:2
Four years	25:2
Five years and up	30:2

#### **Finding:**

1711.L.: Based on record review on 12/5/2023, at 1:30 p.m., S1 failed to have documentation that a minimum of two child care staff were present when children were engaged in water activities on 6/5/2023, 6/7/2023-6/8/2023, and 6/12/2023-6/15/2023. S22 was the only staff person signed as present with 12 to 15, five-to-thirteen-year-old children.

Effective 12/12/2023, S2 stated all water activities will include a minimum of two staff persons and their names will be recorded on documentation, to ensure compliance with this regulation.

## Statement of Deficiencies

### 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, children with disabilities, and children with special health care 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.A.-C.: Based on record review on 12/5/2023, at 12 p.m., staff failed to have documentation of completion of the following orientation requirements:

- S6 lacked center-specific orientation within seven calendar days of first day present on 8/15/2023;
- S7 failed to complete the DCFS Mandated Reporter training within seven days of first day present on 6/6/2023 and completed the training on 9/12/2023;
- S20 failed to complete the LDE Key Training Modules 2-3 within thirty calendar days of first day present on 8/23/2023; and
- S21 lacked center-specific orientation within seven calendar days of first day present on 8/23/2023.

Effective 12/12/2023, S2 stated she will print out employee packets to include the new orientation form, and create a new checklist to document completion of orientation requirements and will not be filed until completed, to ensure compliance with this regulation.

## Statement of Deficiencies

### 1723.A.&B.: CPR Certification - Infant/Child

**Not Met**

1723.A.&B.: A. Infant and child CPR. All staff members on the premises of a center and accessible to children shall have current certification in infant and child CPR through training approved by the department.

B. Adult CPR. All staff members on the premises of a center and accessible to children shall have current certification in adult CPR through training approved by the department.  
CPR Certification

#### Finding:

1723.A.&B.: Based on record review on 12/5/2023, at 12 p.m., there failed to be documentation that all staff on the premises and accessible to the children have current certification in infant, child, and CPR through training approved by the Department. 1 of 19 staff, S19, failed to have documentation of this certification. A training is scheduled on 12/11/2023.

Effective 12/12/2023, S2 stated she will conduct monthly review of staff training expirations and will schedule as needed. All staff who are hired with prior training certificates will be thoroughly reviewed to ensure the training meets approved course requirements, to ensure compliance with this regulation.

### 1723.C: Pediatric First Aid

**Not Met**

1723.C: C. All staff members on the premises of a center and accessible to children shall have current certification in pediatric first aid through training approved by the department.

#### Finding:

1807.B.: Based on record review on 12/5/2023, at 9:15 a.m., a CCCBC-based determination of eligibility for child care purposes from the Department failed to be available on the center's CCCBC roster for S6 . S6 was hired and began working in the childcare center on 8/15/2023 and was added to the CCCBC roster on 12/5/2023.

Effective 12/12/2023, S2 stated she will conduct monthly review of staff training expirations and will schedule as needed. All staff who are hired with prior training certificates will be thoroughly reviewed to ensure the training meets approved course requirements, to ensure compliance with this regulation.

### 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 on 12/5/2023, at 9:15 a.m., a CCCBC-based determination of eligibility for child care purposes from the Department failed to be available on the center's CCCBC roster for S6. S6 was hired and began working in the childcare center on 8/15/2023 and was added to the CCCBC roster on 12/5/2023.

Effective 12/12/2023, S2 stated she will follow a weekly checklist to include a review of the CCCBC eligibility roster, to ensure compliance with this regulation.