

## Statement of Deficiencies

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

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 department and other appropriate agencies shall be notified via email within 24 hours of the incident.
- D. The department 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 department's Critical Incidents Report Form and shall contain all information requested on the form.

#### Finding:

1103.A-D: Based on record review/interviews on 12/09/2020 at 12:00pm, S1 failed to notify Child Welfare within 24 hours of the reported Critical Incident that occurred on 11/25/2020 at 3:00pm involving C1, age 2 years. When S4 returned to the classroom from her break around 2:30pm, she observed nail marks embedded on the back of both upper arms of C1. S1 and S2 stated S9 admitted after being questioned three times that she grabbed C1 off the top of the table. The Department was notified within 24 hours of the incident on 11/25/2020 and Child Welfare was notified on 1/04/2021. An addendum to the Critical Incident Report was completed and submitted to the Department on 1/04/2021.

Corrective Action Plan: Effective 1/04/2021, S1 stated that she will hold a training with all staff to re-address Behavior Management Policy and Mandated Reporting by 2/12/2021. S1 stated she will also notify all appropriate agencies for incidents involving children in care to ensure that this deficiency is not recited.

### 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 on 12/09/2020 at 11:40am, Specialist observed that the center developed and implemented a written behavior management policy. Yet, a prohibited method of discipline was used on 11/25/2020, prior to S4 returning to the classroom from her break at 2:30pm. S9 admitted she removed C1 (age 2-years-old) from a table and her nail marks were embedded in the back upper right and left arm of C1. S9 was terminated for grabbing a student off of the table by the arms and nail marks were embedded in the child's skin.

Corrective Action Plan: Effective 1/04/2021, S1 stated that she will hold a training with all staff to re-address Behavior Management Policy and Mandated Reporting by 2/12/2021 to ensure that this deficiency is not recited.