

## 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. a child left unsupervised for any amount of time;
  4. use of prohibited behavior management as described in § 1509.A.8.b;
  5. allegations or suspicion of child abuse or neglect by center staff;
  6. an accident involving the transportation of children; or
  7. 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 LDE and other appropriate agencies, such as DCFS, LDH and the Office of State Fire Marshal, as applicable, 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.D. Based on record review and interviews on 12/14/2022 at 11:05 a.m., S1 failed to notify the DCFS/Child Welfare within 24 hours or the next business day of the following critical incident: On 12/8/2022 at 5:00 p.m., S2 observed S12 squatting down talking to C4, three years old. C4 looked frightened and scared. S1 and S2 questioned C4 on 12/09/2022, and C4 stated S30 said she was going to whip her. S2 reported the incident to the Department on 12/12/2022. S1 stated S2 reported the incident to DCFS/Child Welfare on 12/9/2022, however, there is no documentation. S2 reported the incident to DCFS/Child Welfare on 12/14/2022.

Corrective Action Plan: Effective 01/03/2023, S2 stated she will print all correspondence to ensure she has all documentation of reported incidents, and to ensure compliance with this regulation.

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

Not Met

- 1711.A.&B.&D.&G.: A. 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 type II and type III centers are as follows.

Ages of Children	Ratio
Infants under 1 year	5:1
1 year	7:1
2 years	10:1
3 years	13:1
4 years	15:1
5 years	19:1
6 years and up	23:1

- G. Mixed Age 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.D. Based on observations on 12/14/2022 at 10:01 a.m., the required child to staff ratio failed to be met for children of the following:

- At 10:01 a.m., 6 infants were supervised by one staff, S5. S5 stated S7 stepped out for a moment. Ratio was met when S7 walked in the classroom at 10:03 a.m.
- At 10:07 a.m., 6 infants were supervised by one staff, S5. S5 was observed standing outside the classroom talking to S8, while S5 was alone with the 6 infants. Ratio was met at 10:08 a.m. when S7 returned to the classroom. S2 asked S7 to remain in the classroom to meet ratio.

Corrective Action Plan: Effective 12/14/2022, S2 stated that she and S1 will "walk throughout the day into classrooms" to ensure compliance with the regulation.