

## Statement of Deficiencies

### 7306-F: Discipline

Not Met

7306-F: The provider shall establish a policy in regard to methods of discipline. Any form of punishment that violates the spirit of this standard of discipline, even though it may not be specifically mentioned as forbidden, is prohibited. This written posted policy shall clearly state ALL types of positive discipline that are used and that the following methods of discipline are prohibited:

- No child shall be subject to physical punishment, corporal punishment, verbal abuse or threats.
- Cruel, severe, unusual, or unnecessary punishment shall not be inflicted upon children.
- Derogatory remarks shall not be made in the presence of children about family members of children in care or about the children themselves
- No child or group of children shall be allowed to discipline another child.
- When a child is removed from the group for disciplinary reasons, he shall never be out of sight of a staff member.
- No child shall be deprived of meals or snacks or any part thereof for disciplinary reasons.

#### Finding:

7306-F Based on record review/interview(s):

Provider used a prohibited method of discipline as ~a child was subject to unnecessary punishment thereof for disciplinary reasons. On Nov. 7, 2012 O2 witnessed S8 forcing C2 to stay in the corner and yelling in his face. On the same day, S4 and O1 witnessed S8 on camera picking up C1 by the arms, yelling in his face and placing him in the corner. S8 was terminated on Nov. 7, 2012

### 7311-A.5: Criminal Record Check

Not Met

7311-A.5: A record for each paid and non-paid staff person, including substitutes and foster grandparents shall be on file at the center. Personnel record shall include documentation of a satisfactory criminal record check from Louisiana State Police as required by R.S. 46:51.2. This check shall be obtained prior to the individual being present in the child care facility. No person who has been convicted of, or pled guilty or nolo contendere to any offense included in R.S. 15:587.1, R.S. 14:2, R.S. 15:541 or any offense involving a juvenile victim, shall be eligible to own, operate, and/or be present in any capacity in any licensed child care facility. For any owner or operator, a clear criminal background check in accordance with R.S. 46:51.2 shall be obtained prior to the issuance of a license or approval of a change of ownership. In addition, neither an owner, nor a director, nor a director designee shall have a conviction of, or pled guilty or nolo contendere to any crime in which an act of fraud or intent to defraud is an element of the offense. An individual who applies for a position of supervisory or disciplinary authority over children in a child care facility may provide a certified copy of their criminal background check obtained from the Louisiana Bureau of Criminal Identification and Information Section of the Louisiana State Police. If an individual provides a certified copy of their criminal background check obtained from the Louisiana State Police to the provider, this criminal background check shall be accepted by the department for a period of one year from the date of issuance of the certified copy. A photocopy of the certified copy shall be kept on file at the facility in which the individual is currently employed. However, prior to the one year date of issuance of the certified criminal background check, the provider shall request and obtain a satisfactory criminal check from Louisiana State Police in order for the individual to continue employment at the center. If the clearance is not obtained by the provider prior to the one year date of issuance of the certified criminal background check, the staff person is no longer allowed on the child care premises until a clearance is received.

#### Finding:

7311-A.5 Based on record review:

Documentation of a satisfactory criminal record check, as required by Louisiana R.S. 15:587.1, was not available for 1 of 8 staff, prior to the individual (s) being present in the childcare facility. S8 date of hire is 10/25/12. S8 was working on the premises on 10/25, 10/26,10/29, 10/30, 10/31, 11/1,11/2, 11/3, 11/4, 11/7.S8 was terminated on 11/7/12 due to an incident. Provider has documentation that CBC was requested on employee on 10/19/12, however provider does not have documentation of a satisfactory criminal record check on file.