

Date Issued April 30, 2025 Status Closed

Provider Name THE CHILDREN'S ARK INC.  
Provider ID 010607199  
Provider Address 112 W 16th Ave, Chamberlain, SD 57325, USA  
Provider Contact Alyson Lynch

**The items listed below are those that the provider was not in compliance with at the time of the inspection.**

### Compliance Plan Action #1

**Administrative Rule:**

67:42:17:13

All child care providers, program employees age fourteen and older, and family day care household members age eighteen and older, shall meet federal background check requirements. An individual may not provide care, or work in a child care setting, if the individual's background check reveals:

- (1) A crime that indicates harmful behavior towards children;
- (2) A crime of violence, as defined in SDCL 22-1-2, or in a similar statute from another state;
- (3) A sex crime pursuant to SDCL chapters 22-22 or 22-24A, SDCL 22-22A-3, or similar statutes from another state;
- (4) A felony conviction for domestic abuse, physical assault, battery, kidnapping, or arson;
- (5) Any other felony conviction, within the preceding five years; or
- (6) A substantiated report of child abuse or neglect.

A family day care provider may not provide care in the provider's home, if any household member's background check reveals any item listed in this section. A background check is required at least once every five years.

**Summary of Non-Compliance Finding:**

One staff member does not have a background check.

**Corrections to be Made:**

That staff member cannot work in the program until the background check results have been received. Verification of the receipt of the background check results will be provided to the Office of Licensing & Accreditation.

**Corrections Made:**

Verification of completed background check has been received.

**Anticipated Completion Date:**  
May 10, 2025

**Date Completed:**  
May 23, 2025

### Compliance Plan Action #2

**Administrative Rule:**

67:42:17:15

A child care provider shall maintain a record for each employee that includes:

- (1) The employee's name and date of birth;
- (2) The dates on which the employee began and ended employment;
- (3) Documentation of orientation and ongoing annual training, if the employee provides direct care and supervision of

children;

(4) A statement that:

(4a) Defines child abuse and neglect;

(4b) Sets forth the employee's responsibility to report all incidents of child abuse or neglect in accordance with SDCL 26-8A-3 and 26-8A-8; and

(4c) Is signed by the employee; and

(5) The results of the background check.

All records required by this section must be reviewed and updated at least annually by the provider, made available to the department for verification of the contents, and retained by the provider for six months after the employee leaves the program.

**Summary of Non-Compliance Finding:**

The date of employment is needed for two employees.

**Corrections to be Made:**

The date of employment for two employees will be provided to the Office of Licensing & Accreditation.

**Corrections Made:**

Start dates for two employees has been received.

**Anticipated Completion Date:**

May 10, 2025

**Date Completed:**

May 28, 2025

**Compliance Plan Action #3**

**Administrative Rule:**

67:42:17:17

All providers shall, within ninety days after the date of employment, complete and obtain documentation of orientation training in the following areas:

(1) Prevention and control of infectious diseases;

(2) Prevention of sudden infant death syndrome and the use of safe sleep practices, if infant care is provided;

(3) Administration of medication;

(4) Prevention of and response to an emergency due to food allergies and other allergic reactions;

(5) Building and physical premises safety;

(6) Prevention of shaken baby syndrome and abusive head trauma, if infant care is provided;

(7) Emergency preparedness and response planning for an emergency resulting from a natural disaster or man-caused event;

(8) Handling and storage of hazardous materials and the appropriate disposal of biological contaminants;

(9) Precautions in transporting a child, if the program provides transportation;

(10) Recognition and reporting of child abuse and neglect;

(11) Pediatric first aid;

(12) Pediatric cardiopulmonary resuscitation; and

(13) Child development.

Before a provider may care for children without supervision, the provider must complete orientation training in each of the areas listed in this section.

**Summary of Non-Compliance Finding:**

One staff member needs to complete Orientation Training.

**Corrections to be Made:**

Orientation Training will be completed by one staff member.

**Corrections Made:**

Verification of completed orientation training has been received.

**Anticipated Completion Date:**  
May 10, 2025

**Date Completed:**  
May 13, 2025

**Compliance Plan Action #4**

**Administrative Rule:**

67:42:17:18

All providers must obtain annual training in the topic areas identified in 45 C.F.R. § 98.41, in effect on September 30, 2016, or as identified by the department. Training must be documented and relevant to the provider's position as determined by the department. Training may include on-site or online classes. Pediatric cardiopulmonary resuscitation renewal may not be included in annual training. Each director and provider of center and school-age programs counted in staff-child ratios shall complete ten hours of annual training. Each provider of family day care counted in staff-child ratios shall complete six hours of annual training. Orientation training hours qualify as annual training hours for each provider in the year the training was completed. Every five years, all providers shall complete additional, advanced training in each of the training areas listed in § 67:42:17:17.

**Summary of Non-Compliance Finding:**

There was no verification of annual training for four staff members.

**Corrections to be Made:**

The program will provide verification of annual training for four staff members.

**Corrections Made:**

Verification of annual training for four staff members has been received.

**Anticipated Completion Date:**  
May 10, 2025

**Date Completed:**  
May 28, 2025

**Compliance Plan Action #5**

**Administrative Rule:**

67:42:17:43

A provider shall have:

- (1) A written emergency preparedness and response plan for emergencies resulting from a natural disaster or a man-caused event;
- (2) A written plan for evacuation, relocation, shelter-in-place, or a lock-down, that includes accommodations for infants, toddlers, and children with disabilities or medical conditions;
- (3) A written procedure for communication and reunification with parents; and
- (4) A written procedure for the continuity of operations.

A provider shall practice the evacuation, shelter-in-place, and lock down procedures, outlined in the emergency preparedness and response plan, at least twice each calendar year. The provider shall document the dates on which the procedures are practiced. A provider shall communicate the emergency preparedness and response plan to each individual at the time the individual begins employment. Except for family day care, all child care providers shall have liability insurance. Proof of current liability insurance shall be made available to the department, upon request.

**Summary of Non-Compliance Finding:**

There was no proof of current liability insurance available at the time of the inspection.

**Corrections to be Made:**

The program will provide proof of current liability insurance.

**Corrections Made:**

Verification of current liability insurance has been received.

**Anticipated Completion Date:**

May 10, 2025

**Date Completed:**

May 28, 2025

**Compliance Plan Action #6**

**Administrative Rule:**

67:42:17:42

A provider shall maintain a record for each child that includes:

- (1) The child's name and date of birth;
- (2) The parent or guardian's name and telephone number;
- (3) An emergency contact name and telephone number;
- (4) Parental permission for emergency medical treatment;
- (5) The names of individuals authorized to pick up the child;
- (6) Health information, including any allergies or special needs;
- (7) A current immunization record or, for a school-age program, the name of the child's school;
- (8) Parental permission for medication;
- (9) The child's attendance records;
- (10) The date of the child's enrollment; and
- (11) The date on which the child's enrollment ends.

The provider shall annually review and update each record required under this section, and make the child's record available to the department, upon request.

**Summary of Non-Compliance Finding:**

Two child records were missing an Emergency Contact/Authorized Individual for pick-up. One child record was missing a vaccination record.

**Corrections to be Made:**

Emergency Contact/Authorized Individual for pick-up will be completed for two children.

The immunization record will be printed and placed in one child's file.

**Corrections Made:**

Verification of missing information has been received.

**Anticipated Completion Date:**

May 01, 2025

**Date Completed:**

May 06, 2025

**Your signature below certifies you have read and understand the non-compliance findings and agree to make corrections to be compliant with the identified administrative rules.**

Alyson Lynch

Printed Name of Provider/Agency Contact

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Signature of Provider/Agency Contact

April 30, 2025

Date

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**The Department of Social Services, Office of Licensing and Accreditation has reviewed and accepted the above plan.**

Sarah Deakins

Printed Name of DSS Staff

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4/8/2025, 11:18:14 AM

Signature of DSS Staff:

April 08, 2025

Date

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