

|                  |                                                     |        |        |
|------------------|-----------------------------------------------------|--------|--------|
| Date Issued      | May 29, 2025                                        | Status | Closed |
| Provider Name    | KINDER ACADEMY                                      |        |        |
| Provider ID      | 018042917                                           |        |        |
| Provider Address | 5612 W University Trail, Sioux Falls, SD 57107, USA |        |        |
| Provider Contact | Jennifer Schuette                                   |        |        |

**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:**

67:42:17:41

A provider shall meet the physical, social, emotional, and cognitive needs of a child, and identify procedures to implement behavior management strategies for use with children in care. Behavior management strategies must offer limits, with positive guidance and direction, to help a child develop self-control and respect for the rights of others, be appropriate to a child's age and developmental level, and include strategies to prevent shaken baby syndrome and abusive head trauma. A behavior management strategy may not be delegated to an older child or peer. Separation, when used as a strategy, must be within sight or hearing of a provider. The parent of a child may not, while working at the program, use a prohibited discipline technique to discipline the parent's child.

The following methods of discipline are prohibited:

- (1) Spanking, hitting, pinching, biting, shaking, or inflicting any other physical punishment;
- (2) Verbal abuse, shouting, threats, humiliation, or derogatory or sarcastic remarks about the child or the child's family;
- (3) Restriction of movement or confinement;
- (4) Isolating a child in an adjacent room, hallway, closet, darkened area, or any other area where a child cannot be seen or supervised;
- (5) Punishment for lapses in toilet training;
- (6) Withholding or forcing of meals, snacks, naps, or outdoor time to correct behavior;
- (7) Demanding excessive physical exercise or excessive rest; and
- (8) Placing substances in a child's mouth to cause discomfort such as soap, food, or spices.

A provider who is under investigation for abuse and neglect may not be in a caregiving role, if the department determines there is an imminent safety concern to a child in the provider's care.

#### **Summary of Non-Compliance Finding:**

During a complaint investigation conducted by the Office of Licensing and Accreditation on April 24, 2025, it was determined that a provider used inappropriate behavior management strategies with children in their care.

#### **Corrections to be Made:**

All providers are required to follow behavior management strategies as outlined in ARSD 67:42:17:41.

#### **Corrections Made:**

Prior to the complaint investigation, the program voluntarily requested and is currently receiving technical assistance from Sanford Children's CHILD Service to support the provider.

**Anticipated Completion Date:**  
May 22, 2025

**Date Completed:**  
May 22, 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.**

Jennifer Schuette

Printed Name of Provider/Agency Contact

Signature of Provider/Agency Contact

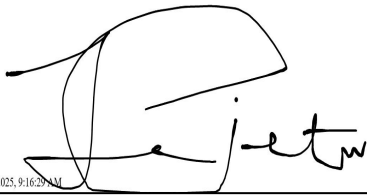
May 29, 2025

Date

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

Teri Pieters

Printed Name of DSS Staff

A handwritten signature in black ink, appearing to read 'Teri Pieters', is written over a horizontal line. The signature is stylized with a large loop at the beginning and a trailing 'tw' at the end.

5/29/2025, 9:16:29 AM

Signature of DSS Staff:

May 29, 2025

Date